HOUSE OF ASSEMBLY

Tuesday 20 March 1990

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

SENATE VACANCY

His Excellency the Governor, by message, informed the House of Assembly that the President of the Senate of the Commonwealth of Australia, in accordance with section 21 of the Constitution of the Commonwealth of Australia, has notified him that, in consequence of the resignation on 1 March 1990 of Senator Janine Haines, a vacancy has happened in the representation of this State in the Senate of the Commonwealth. The Governor is advised that, by such vacancy having happened, the place of a Senator has become vacant before the expiration of his term within the meaning of section 15 of the Constitution of the Commonwealth of Australia, and that such place must be filled by the Houses of Parliament, sitting and voting together, choosing a person to hold it in accordance with the provisions of the said section.

STAMP DUTIES ACT AMENDMENT BILL (No. 2)

His Excellency the Governor, by message, recommended to the House of Assembly the appropriation of such amounts of money as may be required for the purposes mentioned in the Bill.

PETITION: GLENELG TRAM SERVICE

A petition signed by 71 residents of South Australia praying that the House urge the Government to extend the Glenelg tram service to Melbourne Street, North Adelaide, was presented by Dr Armitage.

Petition received.

PETITION: ABORTION

A petition signed by 114 residents of South Australia praying that the House urge the Government to prohibit abortions after the twelfth week of pregnancy and the operation of free-standing abortion clinics was presented by Mr Atkinson.

Petition received.

PETITION: FREE STUDENT TRAVEL

A petition signed by 462 residents of South Australia praying that the House urge the Government to extend free student travel on public transport to all students and allow private bus operators to participate in the scheme was presented by the Hon. B.C. Eastick.

Petition received.

PETITION: STIRLING HOTEL

A petition signed by 1 128 residents of South Australia praying that the House urge the Government to place the Stirling Hotel on the interim list of the State Heritage Register was presented by the Hon. D.C. Wotton.

Petition received.

QUESTIONS

The SPEAKER: I direct that written answers to the following questions on the Notice Paper, as detailed in the schedule I now table, be distributed and printed in *Hansard*: Nos 10, 12, 13, 17, 18, 26, 27, 30-34, 36, 37, 38, 42, 45, 52, 54, 57, 60, 63-67, 71, 79-83, 87-89, 91-97, 99, 100, 102, 106-108, 122, 124, 125, 130-132 and 135; and I direct that the following answers to questions without notice be distributed and printed in *Hansard*.

HOMESURE SCHEME

In reply to **Hon. H. ALLISON (Mount Gambier)** 14 February.

The Hon. M.K. MAYES: The current monthly cost to the Government of providing financial assistance to home buyers who so far have qualified under the Homesure program is as follows:

January 1990	$3 465.80
February 1990	$44 290.00
Total	$47 755.80

GOLDEN GROVE TRANSMISSION LINE

In reply to **Mr MATTHEW (Bright)** 1 March.

The Hon. J.H.C. KLUNDER: In response to the member for Bright's question of 1 March 1990 concerning the Golden Grove transmission line, I am able to provide the following information. However, in doing so, I would like to correct some errors contained in the question.

First, the line is to be constructed of standard poles. For the honourable member to suggest that pylons are to be used is unnecessarily inflammatory. It therefore follows that no towers have been manufactured for use at Golden Grove, as suggested by the honourable member. Footings have not been installed for all of the poles and it is for this reason that the project is not proceeding at present.

When the work was due to start, a transport workers' strike was threatening to disrupt concrete supplies for the installation of footings. Equipment necessary for stringing a new line once the poles are erected is in demand for other ETSA projects and, rather than chancing it remain idle at Golden Grove, ETSA decided to reschedule its work program. When the equipment is again available for use at Golden Grove the project will continue. These matters are work-a-day considerations in engineering management and are not special to the Golden Grove project.

HENLEY AND GRANGE COUNCIL

In reply to **Hon. D.C. WOTTON (Heysen)** 14 February.

The Hon. J.C. BANNON: The honourable member's question preceded a ministerial statement made by the Minister of Local Government on 20 February, and tabled in this House by the Minister of Employment and Further Education on that day. I refer the honourable member to that statement which answers the questions raised by him.

As the Minister's statement makes clear, a recommendation made by the Local Government Advisory Commis-

sion for the abolition of the Henley and Grange council area will not be implemented without a firm indication that the affected residents have been properly consulted about the proposed change and that appropriate public support exists for it.

The Minister has asked the three affected councils to undertake a period of public consultation on the matter and for the results of that consultation to be provided to the commission. The commission will, in turn, report to the Minister and a decision will then be taken on whether the recommendation should proceed or not. The councils are currently having discussions with the commission on the form, extent and timetable for that consultation.

MOTOR VEHICLE REGISTRATION

In reply to **Mr SUCH (Fisher)** 22 February.

The Hon. FRANK BLEVINS: It is proposed that the expiry date will be printed on the registration labels produced under the DRIVERS on-line computer system currently under development in the Motor Registration Division. It is expected that the DRIVERS computing system will commence operation by late August.

LPG PRICING

In reply to **Mr M.J. EVANS (Elizabeth)** 15 February.

The Hon. G.J. CRAFTER: The Commonwealth Price Surveillance Authority (PSA) recently introduced a new surveillance system for petroleum products. The PSA now sets maximum wholesale prices for each of the major oil companies and uses a basket of overseas petrol prices, on a five-day average, to determine a daily intervention price. This, however, does not relate to LPG. The ex-refinery prices for LPG are subject to price surveillance by the PSA which sets a maximum endorsed ex-refinery price. The endorsed ex-refinery price in Adelaide increased by 3.67 cents per litre from 1 June 1989 to 12.60 cents per litre as at 1 January 1990 (an increase of 41.1 per cent). The maximum endorsed price has not been increased since 1 January 1990.

The increase in the retail price reflects not only the increase in the endorsed price but also increases in the costs of storage and distribution of LPG as well as reductions in the discounts allowed by refiners to resellers.

A survey of Australian capital city prices was conducted by the Motor Trades Association for the Prices Surveillance Authority in December 1989. This survey indicated that the retail price of LPG in Adelaide was below that of every other capital city except Melbourne where a 'price war' was in progress at the time. The capital city prices other than Melbourne ranged from 26.9 to 38.9 cents per litre and Adelaide was 22.9 to 24.9 cents per litre. A second survey conducted by the MTA on 1 January 1990 showed that capital city prices ranged from 24.9 (Adelaide) to 38.5 cents per litre. A further survey conducted on 1 February 1990 showed that capital city prices ranged from 21.5 (Adelaide) to 38.5 cents per litre.

PAPERS TABLED

The following papers were laid on the table:

By the Treasurer (Hon. J.C. Bannon)—
- South Australian Finance Trust Limited—Report, 1988-89.

By the Minister of Health (Hon. D.J. Hopgood)—
- Food Act 1985—Regulations—Kangaroo Meat and Milk Products.
- Occupational Therapists Act 1974—Regulations—Registration Fees.

By the Minister of Fisheries (Hon. Lynn Arnold)—
- Department of Fisheries—Report, 1988-89.
- Fisheries Act 1982—Regulations—Gulf St Vincent Prawn Fishery—Licence Transferability.
- West Coast Prawn Fishery— Licence Transferability.
- Fisheries (Gulf St Vincent Prawn Fishery Rationalisation) Act 1987—Regulations—Licence Transferability.

By the Minister of Education (Hon. G.J. Crafter)—
- Credit Union Stabilisation Board—Report, 1988-89.
- Director-General of Education—Report, 1989.
- Supreme Court Rules—Supreme Court Act 1935—Admission Rules.
- Classification of Publications Act, 1974—Regulations—Film Victoria Exemption.

By the Minister of Transport (Hon. Frank Blevins)—
- Motor Vehicle Act 1959—Regulations—Commercial Trailers.
- Road Traffic Act 1961—Regulations—Defect Notices.

By the Minister for Environment and Planning (Hon. S.M. Lenehan)—
- National Parks and Wildlife Act 1972—Regulations—Park Admission Fees.

By the Minister of Lands (Hon. S.M. Lenehan):
- Surveyor Act 1975—Regulation—Declared Survey Area.

By the Minister of Employment and Further Education (Hon. M.D. Rann)—
- Local Government Finance Authority Act 1983—Regulation—South Australian Regional Development Scheme.
- Corporation By-laws—
  - Campbelltown—
    - No. 9—Bees.
    - No. 13—Waste Disposal Receptacles.
    - No.33—Height of Fences.
  - Henley and Grange—
    - No. 6—Foreshore.
    - No. 7—Caravans.
    - No. 11—Bees.
- District Council By-laws—
  - Central Yorke Peninsula: No. 5—Street Traders.
  - Victor Harbor—No. 28—Recreation Reserves.
  - Willunga—
    - No. 15—Beach Control.
    - No. 16—Fires and Rubbish on Beach.
  - Yankalilla—No. 26—Dogs.

PUBLIC WORKS COMMITTEE REPORTS

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

Hillcrest Hospital Redevelopment—Stage I,

Port Augusta-Port Wakefield Road (RN 3500) Rehabilitation 17 km Collinsfield to Snowtown,

RN 4500 South East Highway White Hill-River Murray (Swanport Deviation) Duplication,

Tapleys Hill Road River Sturt-Anzac Highway.

Ordered that reports be printed.

QUESTION TIME

WORKCOVER

Mr D.S. BAKER (Leader of the Opposition): My question is directed to the Minister of Labour. In view of evidence provided by trade union sources that the Parliament, the public and particularly employers are being seriously misled

over reasons for significant increases in WorkCover levies, will the Government immediately initiate a full and independent investigation of workers compensation fraud? The WorkCover Corporation is circulating a document to promote an increase in the maximum levy from 4.5 per cent to 7.5 per cent which blames employers for poor worker safety practices but purports to give the corporation a clean bill of health for its own administration. The document states:

> WorkCover Corporation is managing the fund effectively and efficiently within the guidelines established by Parliament.

This contention is not supported by information which has emerged from a meeting convened by the Trades and Labor Council and held on 13 March—only a week ago. I have obtained a copy of notes taken during that meeting. They refer to, and I quote:

> A suspicion that the experience in Victoria of substantial fraud is ingrained in the South Australian system.

They report that the WorkCover rehabilitation budget has blown out from $3 million to $5 million and, again quoting:

> Rehabilitation officers were earning $80 per hour and investigating officers whilst paid by the hour appeared to have all the time in the world when on a worksite.

The notes also refer to a need for a restructuring of WorkCover 'to get rid of rorts' but the final resolution accepted by the meeting made no reference to fraud and rorts. Instead it called on the Minister not to accept any amendments proposed by employers to the current scheme—a position which the Minister supports.

These notes have been provided to the Opposition by a union official who is concerned that the full facts about WorkCover's growing financial problems are not being made public and that the cost of collusion between the Government and some union officials on this issue will be more business bankruptcies and even higher unemployment levels in South Australia.

The Hon. R.J. GREGORY: I thank the honourable member for his question. No, I will not initiate an inquiry into WorkCover, because I believe that WorkCover is well managed by the six representatives of the employer organisations and the employee organisations involved.

An honourable member interjecting:

The Hon. R.J. GREGORY: I think it was the member for Bragg who interjected and suggested that he does not agree. I do not know who he was talking about, because he was not at the meeting and I was not there, either. When people refer to notes and then a resolution, they are referring to unsubstantiated allegations.

I refer first to the levy. The Government intends to move in this House—and I will do this tomorrow—to increase the levy so that the present level of cross-subsidisation is reduced. I thought that the member for Victoria would applaud that move because, when the member for Custance was Leader, he said that the Opposition would do that.

I will draw a few facts to the honourable member's attention. Two per cent of employers (about 150 businesses) are responsible for 12 per cent of the claims cost. Members have heard me in this House before talk about an employer found with a 300 per cent injury experience. That type of situation is being tackled. Further, about 7 per cent of employers, who contribute 34 per cent of the levy, are responsible for about 94 per cent of the claims cost. So about 3 500 businesses constitute $80 million out of a fund of over $200 million.

Mr Lewis interjecting:

The Hon. R.J. GREGORY: The member for Murray-Mallee said they are employees. The member for Murray-Mallee and other members opposite talk about the responsibility and the right of employers to do what they want to do in the factories and businesses they manage. What should be appreciated is that, when these people run and manage an organisation, they have the corporate responsibility to manage all aspects of it and, if they are not prepared to adopt proper training programs which ensure that they have adequate safety facilities and adequately trained people, that is their problem and they ought to correct that. They will find that, if they do that, the injury rate will be reduced. As an example I refer to Rebbeck Springs, or Hendersen's-Rebbeck as it is sometimes known. That company almost closed down because of poor management. In its first month it was an injury-ridden factory, but new managers were responsible for it having 550 000 hours without lost time due to injury. The new managers put in an enormous effort and, as a result, the factory turned around and made a profit. Instead of being sold up and disbanded it is now a profitable organisation.

That is what WorkCover is doing and has been able to do for the first time in the history of South Australia. WorkCover can identify the poor performers who create the situation where people are injured; and, further, it can turn them around so that they become good performers. That means that the citizens of South Australia can go to work every day with a reasonable expectation of not being injured.

AUSTRALIAN INSTITUTE OF SPORT CYCLING UNIT

Mr De LAINE (Price): Is the Minister of Recreation and Sport aware that the Federal Opposition Leader has indicated that a future Liberal Government will investigate the relocation of the Australian Institute of Sport cycling unit from South Australia to Tasmania? I have an extract from the *Mercury* dated 3 March 1990 which reports Mr Andrew Peacock addressing a Liberal Party function on 2 March in Hobart where he announced that a Liberal Government will investigate the use of the Launceston velodrome as an Australian Institute of Sport centre for cycling coaching.

The Hon. M.K. MAYES: I thank the honourable member for his question. I know of his long-term interest—

Mr S.J. Baker interjecting:

The Hon. M.K. MAYES: The member for Mitcham interjects again. The member for Price is well known for his interest and, indeed, his successes and prowess as a cyclist. It is important that we address this issue of what Mr Peacock has said because, again, Mr Peacock has not done his homework. Unfortunately, Mr Peacock, in his attempt to attract the voters of Tasmania—no doubt he is desperately trying to do that—has not investigated who makes the decision on this. It is the Australian Institute of Sport with the Australian Cycling Federation which, in fact, makes the decision as to where the cycling program should be based. Over the past week the Australian Cycling Federation has been in Adelaide for its national council meeting. Let me assure South Australians that, contrary to what Mr Peacock says, the unit will not be moved and the federation is very pleased with the way in which the program is run here in Adelaide.

Mr Ingerson interjecting:

The Hon. M.K. MAYES: The member for Bragg interjects, 'When are you going to build it?' I have made the announcement. The velodrome will be built and there will be a timber surface.

Members interjecting:

The Hon. M.K. MAYES: It will be started very shortly and members know that.

Members interjecting:

The Hon. M.K. MAYES: They are knocking again. Here they are, the knockers. They cannot cope with our success in the sports area or the fact that we constantly bring public and international attention to our successes here in Adelaide. I recall that, when the member for Custance was Leader of the Opposition, they started out by knocking the Grand Prix. They continue that program; they continue knocking all events.

The SPEAKER: Order! Will the Minister please answer the question. He is digressing from the substance of the question.

The Hon. M.K. MAYES: I am doing so, Mr Speaker.

Members interjecting:

The Hon. M.K. MAYES: It is very hard, with interjections from the other side, to answer directly, but I will continue irrespective of those interjections. Let me say that the program is based in Adelaide. The Australian Institute of Sport, along with the South Australian Sports Institute and the Australian Cycling Federation, has made immense gains for cycling in this country. As a consequence of the support of the national coach (Mr Charlie Walsh) and cycling as a whole in this State, the program continues to succeed and we see young South Australians continually competing with the best in the world. Many times South Australians do not realise the calibre of the cyclists that we produce in this State and their standard compared with international cyclists and international events.

If we look at their achievements, given that cycling is not a major sport compared with the situation in Europe where people support the sport in their thousands, and given the funds put into it here, we can see that it brings enormous returns because of the efforts of the people involved and the South Australians who are directly involved in this program.

The velodrome will be built of a plantation hardwood timber, afzelia, from West Africa. The construction of most of the earthworks and so on will commence before the end of this financial year and we hope to have the track and all the add on facilities completed by the end of 1991 or the beginning of 1992.

We should all see quite clearly that Mr Peacock's comment is transparent and purely an attempt to win a few votes in Launceston to undermine what we have achieved as South Australians. I would have expected that the Opposition would oppose—

The SPEAKER: Order! The Minister will resume his seat. I think he has answered the question adequately.

WORKCOVER

Mr. S.J. BAKER (Mitcham): Will the Minister of Labour confirm that all employer members of the WorkCover Board, Treasury and the Department of Industry, Trade and Technology opposed a lift in the maximum WorkCover levy to 7.5 per cent on the basis that that would harm the South Australian economy?

The Hon. R.J. GREGORY: I cannot confirm that.

RAILWAY CROSSING BOOM GATES

Mr HAMILTON (Albert Park): My question is directed to the Minister of Transport. Following the tragic death of a motorist at the Clarke Terrace railway crossing on 14 March—

Members interjecting:

The SPEAKER: Order! The member for Bragg is out of order.

Mr HAMILTON: —will the Minister advise my constitutents when boom gates will be installed at the Clarke Terrace and May Street level crossings?

Mr Lewis interjecting:

The SPEAKER: Order! The member for Murray-Mallee is out of order.

Mr HAMILTON: Following my correspondence to the Minister on this matter on 16 March, I have received many more inquiries from local residents, including young mothers and elderly citizens, expressing the hope that the Government will give urgent and favourable consideration to the installation of boom gates and such other matters as I raised in my correspondence of Friday last.

The Hon. FRANK BLEVINS: I am sure that, like the member for Albert Park, everyone was very sad to hear of that tragic death. The STA does have a program of installing boom gates at various crossings throughout the metropolitan area. I think there are about 15 still to go on that program. I have asked the STA to look at the program not only with a view to acceleration of the program but also to try to sort out the priorities. At the moment dual rail crossings have the first priority as opposed to single rail crossings such as the one mentioned by the member for Albert Park.

There is, however, no doubt that this particular set of priorities is not set in cement and, if the STA agrees that certain crossings ought to have a higher priority than they have had in the past, I can assure the member for Albert Park that that will be done. I do not want to speak at all, never mind at any length, about the accident that occurred last week: that, of course, is subject to inquiry by the Coroner. The facts of that tragic accident will be ascertained by the Coroner and, I am sure, published for everyone in South Australia to see.

I have asked the STA to look at its priorities, to see whether this crossing does rate a higher priority than it has at the moment on the STA program.

SOUTH AUSTRALIAN ECONOMIC GROWTH

Mr INGERSON (Bragg): My question is to the Premier. What is the most recent State Treasury estimate for economic growth in South Australia in 1990, is it in line with increasing evidence of future bad economic times and, if so, why has his Government failed to do more to contain business costs? The United Trades and Labor Council document about WorkCover quoted by the Leader in his question also states:

> Mr Bannon was 'very warm' to the level of the levy being increased to 7.5 per cent.

I have been informed that the Premier's position conflicts with Treasury advice that the maximum levy should be kept at no more than 6 per cent. I also understand that the Treasury view is based on increasing evidence that the State economy is facing a serious decline. The Chamber of Commerce and Industry is now talking about business confidence in South Australia being at crisis point, with growing alarm among industry leaders.

On top of this, there is the latest survey of construction industry prospects by the Australian Federation of Construction Contractors which shows that, for next financial year, South Australia faces a 13.3 per cent fall in spending

on non-residential building and a 3.5 per cent downturn in engineering construction turnover coming on top of a 6.6 per cent fall this financial year.

The Hon. J.C. BANNON: The honourable member asks an apparently simple question, then proceeds in his explanation to pile on a whole series of different areas and assessments which make it very hard to answer the question as he puts it. All I can say is that, as anyone would know, the Australian economy is not growing as strongly as it has been, but there has been a considerable lift in productivity over this past year. Of course, the reduction in demand has been as a result of conscious policies to try to deal with the balance of payments problem this country faces. Members, in their criticism of various aspects of that policy, choose to ignore the reason for it.

As far as South Australia is concerned, we are holding our own quite well. There are, in fact, a number of very good economic points, but, when I say that we are holding our own, members opposite laugh in derision. I know that the long-standing view of the Opposition is that the worse the economy is going in South Australia, the better the fortunes of the Opposition rise politically, and, therefore, it is in its interests to paint the blackest picture possible. The warning I give on that attitude is that these things can become self-fulfilling.

I am rather concerned, for instance, at the negative way in which the Chamber of Commerce and Industry survey has been reported. In fact, the situation is not as black as has been suggested. Indeed, if business paralyses itself by believing that we will be in the throes of some monumental depression, that will happen, yet there are very many points that need to be put.

An honourable member interjecting:

The Hon. J.C. BANNON: The honourable member interjects about bankruptcies. Certainly, that is not a good situation, but I point out that for the December quarter the number of bankruptcies in South Australia was about the same and, in fact, fell slightly by .4 per cent against a December quarter rise nationally of 7.4 per cent. So, I thank the honourable member for his interjection, since he proves the very point I am making, that is, that in some respects, we are holding our own.

The honourable member cites figures relating to non-dwelling approvals and investment. One can only look at relative changes in those things against the backdrop of the activity taking place, and the value of non-dwelling approvals in South Australia is at record real levels. In the first seven months of 1989-90 it was 34 per cent higher in current dollars than a year earlier, versus 8.5 per cent nationally.

I am picking up the statistics quoted by the honourable member and suggesting that there is another way of looking at them, by looking at the facts, rather than giving the impression he wants to give, that all is very bad. Having said that, I would ask the Opposition to point to anywhere where I have said that the situation is perfect; that all sectors are doing well; that Australia is booming. I have said consistently that South Australia always has a hard job in these economic circumstances; that we have to lift our game; that we have to look internationally and develop exports, and do all those other things. That is the message that we are spreading but in a number of respects the diversification that has taken place in our economy is good news for South Australia.

Let me get back to the Chamber of Commerce and Industry's economic review. I think that the reports in today's paper were based on the December 1988 survey results; they are certainly the latest ones to be published, with perhaps, some anectodal evidence based on later trends. One of the key features of the expectations was that employment would go down very sharply indeed. The *Advertiser* article referred to 40 per cent of businesses expecting to cut staff members. That is not the full picture. The figure was 37 per cent, with 33 per cent expecting greater employment in 1990 and 30 per cent expecting about the same. So, if one wanted to interpret those figures negatively, one could argue that 37 per cent were expecting to reduce employment; whereas, on the positive side, 33 per cent were going to increase their employment, so that, in fact, 63 per cent expect to maintain or have greater employment in this coming year.

That is the point I am making about interpretation and the way in which one should approach it. I am disappointed at the attitude of leading groups that ought to be boosting and promoting the development of our economy, such as the Building Owners and Managers Association, and at the way in which some of these surveys are presented, ignoring the positives and not encouraging those people in our State to perform, whereas that is the only way we will ensure that our game is lifted.

WORKSAFE

Mr HERON (Peake): Can the Minister of Occupational Health and Safety inform the House of the likely effect on this State's efforts in promoting and improving safety at work if the National Occupational Health and Safety Commission, known as Worksafe, is abolished? I understand that the Coalition, if it won power this coming Saturday, would abolish Worksafe.

Members interjecting:

The SPEAKER: Order! The Leader is out of order. The honourable Minister.

The Hon. R.J. GREGORY: The Economic Action Plan published last year by the Federal Liberal Opposition stated that the Liberal Party would abolish Worksafe on the basis of saving $17 million. Worksafe is playing a very important part in the promotion of occupational health and safety nationally, and includes members from employers and employee groups as well as representatives of the Commonwealth and State Governments. Accidents caused at work cost our country about $9.6 billion a year in lost time. Indeed, Worksafe helps reduce the number of people killed each year in Australia.

It is conservatively estimated that 500 people die annually as a result of workplace accidents, and the loss sustained by South Australia amounts to $700 million. Since Worksafe has been in operation the occupational health, safety and welfare organisations in the various States have been meeting and have agreed to implement national standards and, under the auspices of Worksafe, that is just starting to bear fruit. Workers and employers operating anywhere in Australia will know that the safety standards involving equipment and the training undertaken apply universally whereas, at the moment, that is not so, and this is enormously expensive for employers and can sometimes be quite dangerous. The appalling part is that, by claiming it will save $17 million of expenditure, the Opposition is saying to those 500 families annually in which a death occurs as a result of industrial accidents, and to the hundreds of thousands of people who are injured, 'Tough luck: the Australian economy doesn't deserve to save $9.6 billion.' I have already called on the Leader of the Opposition to dissociate himself from that ridiculous claim on expenditure saving, and I do so again.

OPERATION ARK

The Hon. D.C. WOTTON (Heysen): I direct my question to the Minister of Emergency Services. Following his revelation to the House on 8 February, almost six weeks ago, that the Commissioner of Police was considering the positions of 'several' officers named by Mr Justice Stewart in the first Operation Ark report, has the Commissioner now reported to him on this matter? If not, what is the reason for the delay? Will the Minister also say whether the Government will table this report, as recommended by Mr Justice Stewart in his letter to the Attorney-General dated 8 February?

The Hon. J.H.C. KLUNDER: The honourable member is, of course, aware that the National Crime Authority reports to the Attorney-General and that, therefore, that part of his question is clearly misdirected and should be addressed to the Attorney-General in another place. As to the Police Commissioner's indicating that he would look at information from any source that was given to him about problems involving the way in which police officers may or may not have carried out their duties, that is something that the Police Commissioner will do from time to time, based on almost any information given to him.

One of the difficulties of working in a police force is that any allegation of misconduct or criminal behaviour must be investigated, no matter from where it comes. I have not asked the Police Commissioner whether he has in fact come to a conclusion with regard to those three officers. I would assume that if he comes to a conclusion either way he will inform me. I remind the honourable member that not I but the Commissioner runs the Police Force.

Members interjecting:

The SPEAKER: Order!

The Hon. J.H.C. KLUNDER: If the honourable member really believes that it is possible to make conclusions about police officers' behaviour on the spur on the moment, then clearly he has very little understanding of the situation. The Police Commissioner will inform me when he has arrived at a conclusion based on the evidence, and I will wait for that advice.

JETTY FISHING

Mr FERGUSON (Henley Beach): Will the Minister of Fisheries outline to the House his attitude to the proposal contained in the Marine Scale Fish Fisheries Report for the introduction of bag and minimum size limits of fish caught from jetties? This proposal has received some coverage in the media, prompting discussion within my electorate which, as the Minister is aware, encompasses the Henley Beach and Grange areas. The Minister would also be aware that fishing from the jetties located in those two suburbs is not only a popular pastime but is conducted by constituents anticipating a welcome addition to their diet.

The Hon. LYNN ARNOLD: I thank the honourable member for his question and understand his particular interest in this matter involving, as it does, two jetties in his electorate.

An honourable member: He fishes from both.

The Hon. LYNN ARNOLD: Yes, apparently. The honourable member tells me that he has more jetties in his electorate than has any other member of this place.

The Hon. J.P. Trainer: Unequalled amongst his 'piers'!

The Hon. LYNN ARNOLD: Whether that is correct, I will have to further investigate.

Members interjecting:

The SPEAKER: Order!

The Hon. LYNN ARNOLD: He probably means in the metropolitan area. The point is that this marine scale fishery Green Paper that I have now released represents a major opportunity for the South Australian community to have input into the design of policies for the marine scale fishery well into the next century. Many recommendations are made in the review. Indeed, about 18 suggestions are made about changes in policy or our management of this important fish resource. One suggestion is the introduction of bag and size limits on fish caught from jetties.

I understand the reasonableness of the argument that proposes such a recommendation. The reasonableness stems from the fact that bag and size limits already apply to the catching of fish in other areas of the State—for example, from beaches and boats—and there would be a consistent approach if we applied such a limit to jetties. I also understand the argument that, because many young fishers start their fishing career from jetties, this would be a way to inculcate sound fishing practices in them.

They are both reasonable points of view, but one must also take into account a number of other factors. It is because of these other factors that I am not convinced that that is the way to go. Indeed, I would take some convincing that that suggestion of the Green Paper is what should be finally put into place in a policy sense. Why is that so? First, there is no evidence that fishing from jetties is causing a major depletion of the fishery resources of the gulfs. There is no evidence that jetty fishers are significantly jeopardising fishing stocks.

The second argument is that, if we introduce limits, by implication we must have policing or an increased inspection mechanism to ensure that people adhere to bag and size limits. Frankly, my view is that, in terms of the resources that we have available from the community to assist with fishery inspection services, there are other more serious questions that need to be addressed in terms of the allocation of those resources.

As I say, I do not believe that the fishery stock is being depleted by people fishing from jetties. I was interested to note that last week's *Sunday Mail* had comments from fishers endorsing the points I am making right now. One young lad, Liam Thompson, aged 11, was asked for his thoughts and he said that it was not a problem because he does not catch enough anyway, and the small ones that he does manage to catch he throws back. Another adult fisher raised the very pertinent question: how will it be policed?

The many other areas of inspection needed in the fishery rank higher than this issue and, as I have said, I am not convinced that this is the way to go. The Green Paper raises many substantive issues which I recommend to members of the community to read and discuss and then send back their submissions to the Government so that it can be assisted in designing policy that will see us into the next century.

NATIONAL CRIME AUTHORITY

The Hon. H. ALLISON (Mount Gambier): My question is directed to the Premier. I refer to his commitment to the House on 13 February—exactly five weeks ago—that 'within the next couple of weeks' the Attorney-General would make a statement about the progress of National Crime Authority (NCA) investigations in South Australia. Is that statement being deliberately delayed until after the Federal election and, if not, what are the reasons for the delay?

The Hon. J.C. BANNON: It is still the intention of the Attorney-General to make such a statement. He will cer-

tainly do that before Parliament rises at the end of this session, but I cannot say precisely when that statement will be made. The material for the statement is still being assembled.

NOISE CONTROL

Mr HOLLOWAY (Mitchell): My question is directed to the Minister for Environment and Planning. Has any consideration been given to amending the Noise Control Act to provide householders with greater protection from industrial noise in areas where residential housing abuts industrial development?

The Hon. S.M. LENEHAN: I thank the honourable member for his question. The short answer is 'Yes', but I point out to the honourable member that the Noise Control Act already provides householders with protection from industrial noise, and I believe that for many years it has been fairly successful in fulfilling this role. The Act provides this protection by defining several categories of area according to the type of premises which are found within that area (for example, residential, industrial and commercial) and assigns to each particular category a permissible maximum noise level. Residents living near to industry will therefore be protected from excessive noise, but they still must expect to experience more noise than residents who live in normal, purely residential areas.

Similarly, it must be pointed out that industries located near to housing must restrict their levels of noise production to a greater extent than if they were located away from homes. However, despite the effectiveness of the legislation in most situations, the Noise Abatement Branch of my department has advised that amendments to the Act and regulations could be made which would ensure greater protection for both industries and residents who are located in appropriate areas. Therefore, the Noise Abatement Branch is preparing amendments to the Act and regulations for my consideration.

MARINELAND

Mr BECKER (Hanson): I direct my question to the Premier. What issues has Zhen Yun raised with the Government to cause doubt about the proposed hotel and conference centre on the Marineland site? Is the company now receiving either direct or indirect financial compensation for the delay in access to the site? Is the company seeking any further financial guarantees from the Government, and is the Government still confident that Zhen Yun will proceed with the project?

The Hon. LYNN ARNOLD: A series of discussions between Zhen Yun and the Government have been taking place over a number of months since Zhen Yun was first approved as the developer of that particular site. Over the months those discussions have ranged over a number of areas, one of which clearly has been the question of when it can take possession of the site, and that issue continues to be part of the discussions.

Other matters are part of the normal development discussions one would expect to take place between a developer and other parties who have some involvement in that area. The discussions that were reported last week canvassed some of those areas also, and those discussions are continuing. They are being managed under the auspices of the Special Projects Unit, with Zhen Yun as the developer, and also involve the West Beach Trust.

ABORIGINAL YOUTH WORKER

The Hon. T.H. HEMMINGS (Napier): Will the Minister of Aboriginal Affairs use his good offices to assist the local Aboriginal community in the northern region to obtain secure funding for a youth worker at the Aboriginal Neighbourhood House in Elizabeth Downs? Recently a deputation of the management committee from the Aboriginal Neighbourhood House sought my help to obtain funding for a youth worker. It was put to me by the committee that if long-term funding was obtained they could introduce preventive strategies that will reduce the number of young people who currently travel to the city for entertainment and subsequently get involved in drinking and hooliganism. The house, which opened in March 1989, attracts 600 people a month to a range of activities it currently organises, but I have been informed that, with the involvement of a fully funded youth worker, the centre could cater for a further 150 young people per month.

The Hon. M.D. RANN: I thank the honourable member for his question and for his support of the Aboriginal Neighbourhood House. Recently, as Minister of Youth Affairs as well as Minister of Aboriginal Affairs, I was hosted by youth workers in Hindley Street for a number of hours to see the work being done with young Aboriginal people, some of them children, who are on the streets at night in Hindley Street. Many of those young people come from the northern suburbs as well as the western suburbs.

I saw the work done at the youth centre at 61 Hindley Street as well as the work being done by the Bank Street Youth Intervention Team. One of the matters raised with me by youth workers is that, whilst it is important to have their presence in Hindley Street, we also have to look at the source of the problem and some of the social problems occurring in the Elizabeth, Salisbury and Munno Para areas. I strongly support the initiatives taken by these dedicated individuals involved in setting up the Aboriginal Neighbourhood House at Elizabeth Downs. It is providing a multi-faceted approach to local needs and I am impressed with the energy and commitment of those involved. The neighbourhood house concept is most important in ensuring grassroots support for providing a direct response to community needs.

Our office has been in contact with the Neighbourhood House committee. In January I met with representatives of the committee, and officers of the State Office of Aboriginal Affairs have been working with the executive of the Neighbourhood House to work up a submission to ATSIC, the new replacement for the ADC and the Department of Aboriginal Affairs, federally, in terms of providing a youth team. I am also having discussions with other youth workers to see whether we can put some resources into supporting that Neighbourhood House in its excellent work. We believe that planned, organised activities which have a strong caring and supportive philosophy and which will develop the self-esteem and confidence of Aboriginal youths will overcome many of the prevalent and social problems facing these young people.

We have recently put in a submission to ATSIC, we hope to have a response shortly and I will provide the honourable member with that response.

BARNES REPORT

Mr OSWALD (Morphett): When will the Minister for Recreation and Sport release the Barnes report which makes recommendations into on-course telephone betting, sports

betting and fixed odds TAB betting, and will he confirm that the State Government intends to reintroduce into Parliament this year legislation for fixed odds TAB betting?

The Hon. M.K. MAYES: I thank the honourable member for his question. The Barnes report was prepared as part of the fixed odds betting initiative, which was called upon by the industry. It sought the Government's cooperation to introduce it. When the industry withdrew its support, I withdrew the Government's proposal to support that legislation. The legislation, of course, did not receive the support of the Opposition. That was also obvious to the public at large. Therefore, the Barnes report was tied to fixed odds betting. It was prepared on the basis of fixed odds betting being approved by Parliament. It has not been approved and, therefore, its relevance in relation to its overall economic impact to the industry is not of any significance and it will not be released. Some of the aspects of the Barnes report will be used by the industry and by Government officers in discussions with representatives of the industry in looking at the needs of bookmakers on-course. Certainly, some of those aspects will be touched on but they are purely general issues and I am sure would have been touched on in any event.

With regard to the overall matter of fixed odds betting, I have made quite clear that, if the industry raises the issue, we will ensure that it has the full support of the industry before the matter is considered by Cabinet and by Government. I am certainly not proposing that it should be introduced any time this year or next year unless the industry can bring it before the representatives of Parliament (and that includes the Opposition and other Parties) to ensure that it has the full support of those members. What happened last time, certainly from the point of view of industry which withdrew its support, was detrimental to the overall well-being of the industry. There was a build up of expectations of the investing public and various representatives of the industry as to the rewards that might flow from the introduction of fixed odds betting on-course and off-course.

I have no plans to introduce fixed odds betting in this current session or, indeed, in the next session of this Parliament. I am certainly open to discussions with the industry. I have not closed my door in that regard but, as the industry knows, it is not something that I will be initiating.

DUAL FLUSH CISTERNS

The Hon. J.P. TRAINER (Walsh): Will the Minister of Water Resources approach Caroma Industries to seek a modification, in the interests of water conservation, of the company's policy for direct sales of conversion units for dual flush cisterns? Since 1 August 1987 it has been mandatory in South Australia to install dual flush cisterns in new and replacement installations, a measure estimated to save 32 000 litres of water per annum for an average family of four. Originally, these dual flush cisterns were designed with a capacity of 11 litres full flush and 5½ litres half flush, and about 30 per cent of all houses in South Australia now have these cisterns.

New regulations that took effect on 1 January required cisterns to be 9 litres full flush and 4½ litres half flush, making possible a further 8 000 litres per annum of water conservation for a family of four. Caroma Industries produce an economical float arm extension which will convert the 11/5½ litre cisterns to 9/4½ litre cisterns and, in the case of special exemptions, vice versa. A document forwarded to me by a local plumber in my electorate was circulated by Caroma Industries to retailers late last year, before the smaller capacity 9/4½ litre cisterns became mandatory. Referring to the float arm extension unit, the document states:

> This ease of conversion is an exclusive Caroma feature. We will not sell the float arm extension as a spare part. Therefore, if customers wish to enjoy the benefits of a 9/4½ litre cistern, they will need to purchase a complete unit.

The document continues:

> We believe there are significant business opportunities in promoting the new range of Caroma cisterns . . . At Caroma we will be strongly promoting the new 9/4½ litre cisterns.

The Hon. S.M. LENEHAN: I thank the honourable member for his question, because he has raised a number of points, the most important of which being that the nationally agreed concept of reducing the dual flush capacity from 11 and 5½ litres to 9 and 4½ litres will save about 8 000 litres of water per year for the average family of four. That is quite a considerable saving—

Members interjecting:

The SPEAKER: Order!

The Hon. S.M. LENEHAN: —and certainly is very important in terms of water conservation in this State, indeed throughout the country. I must say that I am concerned about the information that the honourable member has shared with this Parliament this afternoon, because it indicates that a company which can provide, at relatively low cost, a special arm that can be fitted to a cistern of 11 and 5½ litres capacity to reduce flushing capacity to 9 and 4½ litres will not make that special arm available as a spare part but will require anyone in the community who is conscious of conserving water to purchase the full unit. I certainly will accede—

Members interjecting:

The Hon. S.M. LENEHAN: I am delighted to hear the support from members opposite for such conservation measures.

Members interjecting:

The SPEAKER: Order!

The Hon. S.M. LENEHAN: It is certainly very pleasing. I shall be pleased to accede to the honourable member's request and have my department contact Caroma seeking a change in the policy, because this is important: it is important for water conservation in South Australia, but also important for the budgets of ordinary South Australian families.

SELF-DEFENCE TRAINING IN SCHOOLS

The Hon. JENNIFER CASHMORE (Coles): Will the Minister of Education advise the House whether the Education Department is actively supporting the promotion of self-defence and assertiveness courses for girls which would help them cope effectively in situations where rape could occur, and whether the department has evaluated, or intends to evaluate, the effectiveness of the courses in terms of development of confidence in girls who have participated? Members of Parliament received a copy of the Adelaide Rape Crisis Centre letter to principals of schools, together with a letter seeking support for prevention programs in our electorates, and advising of 31 contacts so far this year from girls either still at school or who have just left school who have been recently raped. Whilst wishing to do everything possible that is constructive and effective to prevent the horror of rape, before enrolling their students or daughters, some schools and parents have asked members whether the department officially supports the Rape Crisis Centre programs and whether any evaluation of these programs has been undertaken.

The Hon. G.J. CRAFTER: I thank the honourable member for her question and for her interest in this most important aspect of the broader role that education plays in the development of young people in our community. I also received that letter from the Adelaide Rape Crisis Centre and immediately asked my department for a report on the issues raised therein. Members would know that just last week some publicity was attached to the release of the strategy adopted and the support provided for teachers in our schools to identify those young people who are the victims of discrimination or abuse, in line with those matters to which the honourable member has referred.

I assure the honourable member that there is very active pursuit of equal opportunity policies in the Education Department in this State, and a great deal of attention is given to the development of an understanding of the rights of all those in our education system, particularly those who have unfortunately been traditionally disadvantaged, including a group of girls in our schools.

I am not sure of the details and extent of self-defence programs, but in many aspects of the curriculum of the department and activities in our schools attention is given to these issues in this broad sense. I will be pleased to obtain information about the specific areas the honourable member mentioned, but have every confidence that the Education Department is grasping these issues which are all too often hidden and always sensitive, so that we can ensure equality of opportunity and respect for all young people in our schools, regardless of their sex, race, colour or creed. That is not easy to say in other jurisdictions, but I believe that in this State there is a very serious commitment to that outcome, one which deserves support from each of us.

SLUDGE DISPOSAL

Mr HAMILTON (Albert Park): Prior to the election last year, the Minister for Environment and Planning undertook to eliminate the need to dispose of sewage sludge into St Vincent Gulf. Can the Minister say what steps so far have been taken to find an alternative method of disposing of the sludge and, in particular, can she say when it will be possible to cease pumping sludge from the Port Adelaide sewage treatment works into the gulf?

The Hon. S.M. LENEHAN: I thank the honourable member for his question and for his ongoing interest in the issue of the environment in his area. The Engineering and Water Supply Department has been conducting an investigation into sludge management for metropolitan Adelaide since May last year. An early conclusion of that investigation was to recommend the abandonment of discharge of sludge into St Vincent Gulf by the end of 1993. This would take place from the Port Adelaide and Glenelg sewage treatment works, because already land-based sludge disposal is occurring at Bolivar and Christies Beach sewage treatment works. This concept was accepted by the Government and, as the honourable member has said, I subsequently made a commitment to the community of South Australia that sludge would be removed from St Vincent Gulf by the end of 1993. As the honourable member is interested in this issue, I would like to explain briefly the way in which this may happen.

Investigations to date indicate that the most likely options to cease disposal to the gulf will involve either mechanically dewatering and trucking sludge to a disposal site or pumping sludge from both works through a separate main to the Bolivar sewage treatment works for air drying before final disposal. Disposal options include the continuation and expansion of the agricultural reuse operation already in existence at Bolivar and Christies Beach sewage treatment works, co-disposal with domestic refuse or rehabilitation of the Brukunga mine. The final choice will probably be a combination of all these various options and will be made on economic and environmental grounds while maintaining operational flexibility to adjust to further changes in sludge disposal methods.

A draft of the sludge management plan should be available for me to release to the community by June 1990. Ceasing disposal to the gulf by the end of 1993 will likely be achievable if the preferred option is mechanical dewatering at the works and trucking the sludge to a disposal site. If the pumping option were to be selected, the department would utilise existing pipework to temporarily pump Port Adelaide's sludge to Bolivar. This would be particularly beneficial as Port Adelaide's sludge has had the greatest impact on the gulf. Mr Speaker, I am sure you are as pleased with this answer as the member for Albert Park, who asked the question.

FISHERIES

Mr MEIER (Goyder): My question is directed to the Minister of Fisheries.

Members interjecting:

Mr MEIER: I have 15 jetties that I have counted; I did not realise the honourable member had more. What action is the Minister taking to resolve the current problems besetting St Vincent Gulf prawn fishermen, where initial debts of $2.8 million from a buy-back scheme in 1987 have now escalated to $3.4 million and there is no foreseeable way the fishermen can pay back the debts?

The Hon. LYNN ARNOLD: I have had a meeting with representatives of the St Vincent Gulf Prawn Fishers Association, along with the financial consultants whom they employ, to help come up with some alternatives for the Government to consider. That meeting, which also involved Government financial officers, has resulted in further meetings between their consultants and Government officers, to examine what alternatives might be possible to address their financial needs. I have now received a report from that meeting, resulting in further work being done on this matter. When that further work is completed, I will be in communication with the association again. I accept that they have some arguments that have needed this financial investigative work to be undertaken, and it is being undertaken.

There have also been other issues raised by the association with respect to some of the projections being made as to the resource itself and whether it will recover at a rate that some of them had anticipated when the buy-back scheme was first entered into. Questions there also need further consideration, and I have indicated both to the Department of Fisheries and to the prawn fishers in South Australia that I would like to see us have a lengthy roundtable discussion on those biological matters of the fishery some time later this year, and I am proposing that we have that in early May. The most immediate problem is the rationalisation scheme and the financial implications of that, and I hope to be in a position to report to the House within the next couple of weeks on the outcome of those discussions.

HOUSING DEMAND

Mr FERGUSON (Henley Beach): Can the Minister of Housing and Construction advise how the Government

determines the housing needs and priorities of South Australians and what proposals are being considered to satisfy this demand?

The Hon. M.K. MAYES: I thank the member for Henley Beach for his question. I know of his interest in public housing in particular, and of his enthusiasm for continuing the programs that the Housing Trust runs in his area. At this very time the State Government with the Federal Government, under the new Commonwealth-State Housing Agreement, is running a series of consultative meetings throughout the community to discuss what is termed the Housing Plan 1990-91.

It is important that the community knows the process by which we involve people in the consultative program. In fact, we will look at their responses in terms of the ways in which they believe that the demands for public housing and housing as a whole can be addressed. The result of the consultation will then come back to the Ministers, and it will be used as a background to look at the proposals that we have and how we will meet the needs identified by the community and the demands that are placed on us.

The significant programs that will be run over 1990-91 involve some consolidation but also an expansion of new programs. We will keenly support the Housing Cooperatives Program over the next financial year. Homestart, which has been a great success in the community and has a huge number of people in the pipeline waiting for final contracts to be signed, is another arm of our avenue to address this issue. The expansion of shared ownership schemes is another way of increasing ownership, particularly for elderly home owners. I am sure the member for Henley Beach is keen about that, as am I and other members with aged populations within their electorates.

The other programs we will continue to support involve the development of a range of housing programs. In fact, at Golden Grove the other day I saw one program which involved a village concept, and the Government, through the Department of Environment and Planning, wants to promote urban consolidation. We will be looking at other mechanisms to establish a supply of housing for the community.

I stress that the consultative program is under way. Over the next two weeks there will be meetings in the metropolitan area. We will then move on to Port Lincoln (where I am sure the local member would be interested in having some input), Port Augusta, Berri and Mount Gambier. I am sure that the members opposite who represent those electorates will be very keen to be involved. We are also asking for written submissions to be forwarded to us by 30 March 1990.

SITTINGS AND BUSINESS

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

That the time allotted for all stages of the following Bills:
Rates and Land Tax Remission Act Amendment,
Water Resources,
Marine Environment Protection
Summary Offences Act Amendment,
Coroners Act Amendment,
Warehouse Liens, and
Aged and Infirm Persons' Property Act Amendment—
be until 6 p.m. on Thursday.

Motion carried.

CHILDREN'S PROTECTION AND YOUNG OFFENDERS ACT AMENDMENT BILL

Second reading.

The Hon. G.J. CRAFTER (Minister of Children's Services): 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 implement recommendations of the Children's Protection and Young Offenders Act working party as well as other miscellaneous amendments. The working party delivered an interim report on options in relation to penalties and compensation for damage to school property in October 1988 and its final report in September 1989. The working party's terms of reference were to review:

- options in relation to penalties and compensation for damage to school property;
- screening panel and children's aid panels—their use, effectiveness and alternatives;
- bail and the review thereof;
- the need for a more open system;
- the trial of juveniles as adults;
- the review of orders by the Children's Court;
- penalties, including the use of community service orders;
- the adequacy of statistics in allowing proper monitoring and evaluation of the juvenile criminal justice system; and
- any further matters referred to the Attorney-General by the working party which he agrees should be considered.

In relation to penalties and compensation the working party recommended that the maximum fine that a children's court can impose should be increased from $500 to $1 000 and that the amount of compensation be increased from $2 000 to $5 000. The working party further recommended that community service orders should be a discrete sentencing option available to the court. At present a requirement for a child to perform community service can only be imposed as a condition of the suspension of a custodial sentence. That is, it can only be imposed as a penalty for a relatively serious offence.

The working party was of the opinion that there is value in impressing on a child and his or her peers the need to make good damage caused by a child to, for example, a school. The working party accordingly favoured the wider implementation of community service orders but was concerned that without some safeguards the problem of escalation of sentences will arise, that is, that it would be used as a sentencing option when the offence is minor and other less interventionist options are available (that is, a fine or unsupervised bond).

The working party considered that work schemes should be developed, first, in relation to school property and then perhaps in relation to damage to STA property. Before a court can order a child to perform community service it would need to be satisfied that work in a work scheme was available and that the offender was suitable for the work available. The maximum hours of work which a child could be ordered to perform should be 60 hours and no child should be required to work more than eight hours a day. These recommendations of the working party are contained

in clauses of the Bill, with the exception that the maximum hours per sentence has been increased to 90.

Clauses 20 and 21 not only reflect but go further than the recommendation of the working party that section 92 (2) of the Act should be amended so that when a child is being tried as an adult as a result of an application by the Attorney-General under section 47 the court should be open to members of the public and that section 93 should be amended to remove the prohibition on the publication of a report of those proceedings. The Bill in fact removes all embargoes on the publication of a report of any criminal proceedings against a child, provided of course that the child is not identified in the report.

The working party considered the problems faced by victims of crime in obtaining information about an alleged young offender's appearance before a children's aid panel in the face of the prohibition in section 40 of the Act of disclosing without the approval of the Minister, the appearance of a child before a children's aid panel. The working party suggested that some mechanism should be developed to enable victims of crime to obtain this information. The Government, however, believes that victims of crime have a right to know of the outcome of the investigation of the crime and clause 9 amends section 40 to provide that a victim is entitled, upon request, to be informed of an appearance of a child before a children's aid panel.

Section 40 is further amended, as recommended by the working party, to ensure that appearances before children's aid panels do not jeopardise children in their future employment and life prospects. Employees of at least one organisation have received notices of dismissal for failing to disclose to their prospective employers appearances before children's aid panels. The amendment to section 40 provides that a person can without incurring any liability refuse or fail to disclose an appearance before a children's aid panel.

Clause 3 amends the definition of 'alternative offence' in section 4. This is presently defined as meaning any offence that is founded upon the same facts as the offence for which the child has been committed for trial and that bears a lesser penalty. Thus, an adult court cannot try and sentence a child for an alternative offence when the penalty is the same as the penalty for the offence charged. For example, where the original charge is attempted murder the child cannot be tried for wounding with intent to do grievous bodily harm since the maximum penalty for both offences is life imprisonment.

The working party recognised that while there are likely to be few instances when it will be desirable that an alleged offender should be tried on an alternative charge for which the penalty is the same as for the offence charged there is no good reason to retain the present restriction. When the penalties for the two offences are identical there can be no question of unfairness to the child.

Section 80 of the Act is amended in accordance with the working party's recommendation that reconsideration of an order by a Children's Court magistrate must be made by a judge of the Children's Court and that there be no reconsideration of an order made by a judge, rather the matter should be dealt with by way of appeal to the Supreme Court. The present section allows for reconsideration of one magistrate's order by another magistrate or one judge's order by another judge. The working party considered that not only is it repugnant to ordinary principles to have reconsideration of an order by a peer but also that peer review tends to limit the opportunities for a higher court to lay down authoritative guidelines as to what are appropriate sentences.

The Bill also seeks to address a number of potential problems and anomalies in the Act in regard to the sentencing of young offenders. At present, the Act prohibits an adult court from setting a non-parole period for a young offender sentenced to imprisonment, part of which is to be served in a training centre. Section 64 (2) of the Act provides that the Training Centre Review Board may order the release of a child who has been sentenced to detention in a training centre at any time, subject to conditions. This section operates even where a child has been sentenced as an adult to a substantial term of imprisonment, and he or she is to be transferred to an adult prison on attaining the age of 18 years. Therefore the Training Centre Review Board would have the power to order the child's release from detention, before the child attains the age of 18 years. Although the board is unlikely to ignore the fact that a period of imprisonment has been set, it is not bound to take it into account. The board could therefore circumvent a judge's order that a child serve a substantial period of imprisonment after his period of detention in a youth training centre.

I consider this to be an undesirable consequence as it is against the Government's policy of giving responsibility for sentencing decisions to the courts. Therefore, the Act will be amended so that the Training Centre Review Board can no longer order the release of a child from detention in such circumstances.

However, the net effect of that amendment when considered with the existing legislation prohibiting the setting of a non-parole period could result in a child sentenced to imprisonment being treated more harshly than an adult sentenced to imprisonment. A child sentenced to imprisonment would not have a non-parole period set nor could he or she be released by any authority.

Therefore, the Bill removes the prohibition on the setting of a non-parole period (except that one still cannot be fixed in respect of a sentence of life imprisonment). It will also allow a young offender sentenced to imprisonment to earn remissions whilst detained in a training centre until 18. A young offender will therefore be able to be released on parole, if appropriate, before the age of 18 years. Responsibility for the child will move from the Training Centre Review Board to the Parole Board when the child reaches 18 years. These amendments will have the effect of ensuring that young offenders are not treated more harshly than adult offenders and will provide for the court to be able to determine when a child sentenced as an adult can be released. Children currently in a training centre under these provisions will only earn remission from the commencement of this Act onwards.

Section 7 of the Act requires a court, when exercising powers in relation to young offenders, to seek for the child such care, correction, control or guidance as will best lead to the proper development of his personality and his development into a responsible member of the community. The section enumerates the factors which must be considered by the court when making an order in any proceedings under the Act.

Section 56 (1) of the Act provides that, subject to the Act, where a child is committed to an adult court for trial otherwise than on his own request, the court may, if it finds the child guilty of an offence, deal with the child as if he were an adult.

As the provisions of section 56 (1) are prefaced with the words, 'subject to this Act', the courts have held that section 56 relates to the making of orders (such as imprisonment) and does not detract from the effect of section 7 on sentencing. Therefore, section 7 results in courts being unable

to take the general deterrence of a penalty into account when sentencing a child as an adult.

The Bill provides for section 7 to continue to apply to all young offenders. However, in the case of young offenders who are to be sentenced as adults, the court can also take into account the general deterrent aspect of a penalty and the question of deterring the particular offender.

By virtue of section 56 (2), an adult court cannot deal with a child as if he or she were an adult, where the child has been found guilty by the court of an alternative offence to the offence to which he or she was committed for trial.

The Bill amends this subsection so that a child who has been found guilty by an adult court of an alternative offence to the offence for which he or she was committed for trial may be sentenced as an adult. In such a case, the judge will need to be satisfied that, had an application been made pursuant to section 47 for the child to be tried in an adult court for the alternative offence, the judge would have granted the application.

One of the factors that the court must consider in dealing with a child is the need to ensure that the child is aware of his or her responsibility to bear the consequences of any action against the law. The provisions in the Criminal Law (Sentencing) Act 1988 requiring information on the impact of the crime on the victim to be provided to the court do not apply to the Children's Court. To ensure that a child offender is aware of his or her responsibility to bear the consequences of any action against the law it is necessary that the child is fully aware of the consequences of his or her actions. Accordingly, new section 50a requires the prosecutor to furnish the court with particulars of any injury, loss or damage resulting from the offence.

The Bill also provides for an amendment to sections 31 and 32 of the Act relating to the composition of children's aid panels. First, in relation to offences under the Controlled Substances Act. Section 32 (1) *(ab)* currently provides as follows:

> . . . where a drug offence is alleged, a member of the Police Force, an officer of the department and a person approved by the Minister of Health.

The subsection has the effect that a children's aid panel dealing with an alleged drug offence must consist of three people, whereas a children's aid panel dealing with other offences would be constituted of two people. The third person was included for drug related offences to ensure that appropriate drug counselling would be available. The requirement for an additional person is not so important at this time as Department for Community Welfare workers are receiving training in drug counselling through the Drug and Alcohol Services Council.

The Drug and Alcohol Services Council, whose officers have been nominees to the panels, is of the view that the drug related panels could usually be managed by a Community Welfare officer. The Drug and Alcohol Services Council officers would be available in particular cases and to advise, consult with and follow up in a treatment capacity the small number of offenders who will warrant such attention.

The second amendment to the composition of children's aid panels is to allow Aboriginal police aides to be members of the panels in place of members of the Police Force. Presently, two members of the Police Force stationed at Marla are on children's aid panels in the Pitjantjatjara lands. The appointment of police aides as members of children's aid panels in this area will not only bridge language and cultural barriers but assist the two present members of the Police Force by reducing their great work load. Police aides are respected by the Aboriginal community and would be effective in dealing with Aboriginal juvenile crime. I commend the Bill to members.

Clause 1 is formal.

Clause 2 provides for the Act to come into operation by proclamation.

Clause 3 amends the definition of 'alternative offence' to include an offence that bears the same penalty as the principal offence.

Clause 4 adds a further factor to be considered by courts when sentencing a child as an adult. In this case, the court must consider the possible deterrent effect of the sentence.

Clause 5 provides for the inclusion of Aboriginal police aides on screening panel lists.

Clause 6 provides that a screening panel may have either a member of the Police Force or an Aboriginal police aide on it.

Clauses 7 and 8 provide for the inclusion of a drug counsellor on a children's aid panel when a drug offence is alleged against a child.

Clause 9 provides that the victim of an offence committed by a child is entitled to be informed of the fact that the child has been dealt with by a children's aid panel. New subsection (3) provides that a child is not obliged to disclose the fact of his or her appearance before a children's aid panel, except in proceedings under this Act.

Clause 10 makes provision for a victim impact statement to be furnished by the prosecution to assist the court in bringing a child to an awareness of his or her responsibility to bear the consequences of breaking the law (see section 7 of the principal Act).

Clause 11 provides for the imposition of an independent sentence of community service on a child who has been convicted of an offence. An order for supervision must be made to complement such a sentence. The maximum fine that can be imposed on a child is increased from $500 to $1 000. The court can also, whether as a condition of a bond orJ an independent sentence, direct the child to participate in specified recreational or educational programs. Clause 12 allows an adult court to deal with a child as an adult where the child is found guilty of an alternative offence that is an indictable offence, if the court is satisfied that the child should be so dealt with, on the same grounds as those set out in section 47.

Clause 13 makes it clear that a non-parole period is not to be fixed in relation to a child imprisoned for life for murder, as the release and ultimate discharge of such a child is provided for in section 58a of the principal Act.

Clause 14 removes the prohibition on fixing non-parole periods for children sentenced to imprisonment and provides that such a child, while serving part of the sentence in a training centre, is not subject to the Correctional Services Act 1982, except for those provisions dealing with remission and release on parole. Remission will be awarded by the Director-General of Welfare, and release on parole at the end of a non-parole period (less remission) will be handled by the Training Centre Review Board until the child turns 18. A child who is being detained under this provision at the moment will only earn remission from the commencement of this amending Act onwards.

Clause 15 inserts a new division in Part IV for the purposes of community service orders. New section 58b provides that a child cannot be sentenced to community service unless there is a placement in the department's community service program available to the child. New section 58c provides that certain ancillary orders must be made for the implementation of community service orders. The child will be required to perform the community service in accordance with the directions of his or her community service officer.

New section 58d sets out the same limitations on the way in which the child will be required to perform the community service as currently apply to adults performing community service. The only exception is that the maximum number of hours that can be imposed on a child is 90, whereas the maximum for adults is 320. New section 58e requires the Minister to insure children against death or injury arising out of, or occurring in the course of, community service. New section 55f provides (as does the Correctional Services Act 1982 in relation to adults) that the tasks that will be assigned to young offenders must be for the benefit of disadvantaged people, non-profit making organisations or Government or local government agencies, and these tasks must not replace paid work for which funds are available.

Clause 16, first, makes it clear that this section dealing with conditional release does not apply to children serving life sentences, as section 58a of the Act deals specifically with such children. This section also does not apply to children serving part of a sentence of imprisonment in a training centre, as the adult remission and parole system will apply to such children.

Clause 17 increases the limit on the amount of compensation that can be awarded against a child from $2 000 to $5 000. The time limit for payment is removed and will now be left to the discretion of the court.

Clause 18 provides for the enforcement of community service orders made by the Children's Court. A day of detention will be imposed by the court for each eight hours of community service unperformed. Such detention can be made cumulative on other detention or imprisonment if the court thinks fit.

Clause 19 removes the right to have a sentence imposed by a judge of the Children's Court reconsidered by that court, and further provides that reconsideration of sentences imposed by a magistrate, special justice or justices of the peace of the Children's Court will be dealt with by a judge of that court.

Clause 20 provides that the restrictions contained in this section as to the persons who may be present in court when a child is being dealt with under this Act do not apply to children who are being tried in an adult court for homicide, or who are being dealt with as an adult by an adult court pursuant to an application by the Attorney-General under section 47. Victims of offences are given the right to be present in court.

Clause 21 provides that reports of criminal proceedings against children may be published so long as the identity of the child is not revealed.

Clause 22 is a consequential amendment that allows work projects and programs to include work done for the benefit of Government and local government bodies.

Mr INGERSON secured the adjournment of the debate.

RATES AND LAND TAX REMISSION ACT AMENDMENT BILL

Adjourned debate on second reading.
(Continued from 28 February. Page 482.)

Mr LEWIS (Murray-Mallee): In principle the Opposition supports the Bill. We know that the Government made a commitment during the course of the last election campaign to provide for an increase in the amount of remission that is available to people who are in necessitous circumstances, particularly pensioners. As stated in the second reading explanation, this Bill provides concessions and remissions for pensioners and people of pensionable age. That does not mean only old age pensioners—there are others.

The principal Act covers concessions to land tax, local government rates and water and sewerage rates on the principal place of residence. I draw to the attention of the House the fact that, whereas I am sure most members believe that no land tax is applicable on the principal place of residence, in fact that is not the case in circumstances where the person living and owning the dwelling conducts a small business—and I mean small—from that dwelling. For instance, if an older woman, whether on a widow's pension or an old age pension, tries to augment her income by crocheting shawls, placemats, and the like, in consequence of having derived an income from that activity she must pay land tax on her dwelling.

The iniquitous position to which I refer is a catch 22 situation for such people. They have lived in a dwelling in the central business district or near to it all their married life, and maybe they inherited the dwelling from their parents. They now find that, as a consequence of the increase of the value of that dwelling, through no fault of their own, there has been an increase in the tax they must pay in the form of rates—rates in this instance being sewerage and water rates as well as local government rates.

They have sought to relieve the pressure of that increase in rates as it is subtracted from their low income. They are on fixed incomes and perhaps nothing more than a pension. I refer to the case of a woman in her late seventies who sought to supplement her pension by literally working her fingers to the bone, crocheting placemats, and the like. I concede that her marketing strategy may not be all that effective, but she works more than an ordinary working week crocheting placemats, tablecloths and shawls and sells them. In consequence of her doing that, to try to raise funds to cover the rates to which I have referred, she now incurs land tax on her dwelling because she is conducting a business from it. This draws attention, as I intend it should, to the gross and inhuman stupidity, and to the injustice in having a revenue raising measure which relates to the value of the real estate which someone happens to own and not to their capacity to pay.

I do not think that this is in any sense something in which the Government can take pride. Goodness knows, it has enough members representing such domestic situations to which I have referred to be aware of the problem that I have drawn to the attention of the House. The Government must know that there are people who are affected in this way. It must understand that the present means by which revenue is raised to provide a service of potable water to the homes and to provide for the disposal of sewage and sullage water from those dwellings and to obtain revenue for State purposes through land tax—is quite iniquitous.

Its consequences are devastating for such people, and I hope that members understand what I am saying in that respect. The principal Act contains the mechanisms by which this kind of revenue is to be raised and the circumstances where some concession or remission is provided, and that is why I raise it. I think that it is wrong. If the comments made by Randall Ashbourne in his article of Sunday last (19 March) that cheaper water may be in the pipeline and that the Minister is having a review, are correct, that is well and good, because it is high time.

The Minister must have known of the existence of the problem in Prospect years ago. Why has something not been done before? The sooner the Minister makes up her mind

about what she is going to do, the better off these people will be. It is quite unfair to expect these people, in their twilight years, to contribute to general revenue by forcing them to pay land tax when their properties have increased in value by such an enourmous amount or simply because they have sought to augment their income by some small industry of the kind to which I have drawn attention, to cover the costs of council rates, water rates and sewage rates.

Their properties have not increased by a few percentage points—not 10 per cent, 50 per cent, 100 per cent or even 200 per cent—they have increased five or six-fold in value since the Bannon Government came to office. The escalation in the cost of their rates has been enormous. At the same time the increase in their meagre pensions from the Hawke Government has been miniscule. The money that they have had to pay to stay in the dwelling has had to come from their allowance for food and entertainment, to the point where there is nothing left over.

Therefore, the Government by having ignored this problem for so long has literally driven hundreds of those people out of the dwellings in which they had settled in their retirement in the belief that they were secure and safe. The twin problems of inflation (which does not concern this measure, other than its affect on the value of their real estate) and the high revaluation upwards of their real estate has caused the dilemma.

Having drawn attention to the stupid way in which we penalise such people and the insensitivity with which the Government has treated them up to date, I nonetheless commend the Minister for this meagre increase in the concession. However, I make no bones about it, the concession is stingy. Members will recognise that what the Government has done is simply provide an increase in the amount of remission by up to $10 or 60 per cent of the value of the property, and there is a limit of $85 all up. The $10 is really peanuts.

The Hon. T.H. Hemmings: It is peanuts to you, but not to the people out there.

Mr LEWIS: I welcome the comment made by way of interjection by the member for Napier, who shows his failure to grasp the significance of the remarks that I just made about the consequences of the escalation in the value of the dwellings of those unfortunate people—those close into Adelaide and in some of the older established suburbs—who have been caught this way. The honourable member fails to grasp that. The concession is meagre in comparison with the increase in rates that such people have to pay. Some of them did derive considerable joy and relief from it when this measure came into existence in 1986. Right now it does not represent anything like a pittance out of the total cost of their water, sewage and council rates and land tax. I know someone who is paying $2 000 a year more since this measure was introduced, yet that person is living in the same dwelling. The Opposition has decided that it ought to require the Government—and I think it is sensible, which is why I propose it—to amend the provision so that in future any changes in the amount of remission must be implemented by regulation. Therefore, if charges are considered inappropriate or in some other way unjust, there is an opportunity for Parliament to debate them. I trust that the Minister understands this principle, which does not in any way detract from what is being done or what she may desire to do on behalf of the Government.

It would provide that in future we can debate in Parliament any change that occurs and disallow it if the House finds it to be inappropriate, inadequate or is some other way unjust in the manner or type of injustice to which I referred earlier. Implementation by regulation as opposed to proclamation provides Parliament with the opportunity in either House to be the arbiter of whether or not a provision is just. To make such changes by proclamation does not provide Parliament with that opportunity, nor does proclamation provide any member of the general public with the opportunity to protest and argue an alternative view, because the matter does not go before the Subordinate Legislation Committee. That can be done only if the change is by way of regulation. Of course, there is no greater inconvenience to the Government to provide for change by way of regulation, and that is the important point.

I do not believe that the Minister has any cogent or legitimate reason for refusing to accept the proposal that we will advance to require the Government to act by regulation rather than by proclamation. As I have said, to make the charge by regulation has the advantage of providing any member of the general public with the opportunity of placing a case before the Subordinate Legislation Committee and, in doing so, the mechanism opens the safety valve to ease the pressure in the public arena. Without that being there, people feel that they have no say in or about the way in which Government decisions affect their lives.

Finally, there is another benefit to us as a Parliament and to the Government by acting through regulation: the Government can demonstrate that it is fair dinkum and is willing to provide people with the chance to have a say; and it can show its willingness to be accountable to the public through Parliament for its decision.

I hardly need to remind members that the approach, as advocated by the Opposition, will prevent any Government from being able to change the criteria for or the amount of the entitlement. Further, it will not be able to change the criteria for eligibility to exclude or include more classes of people and different kinds of pensioners or the date of commencement without such changes being considered by the Joint Committee on Subordinate Legislation. Once the Government has put the changes on the record, members will have the power to put forward substantive motions relevant to those changes in the regulations.

I plead with the Minister to hear our case on this point and to accept that it is in the public interest. In all sincerity, if the amendments are accepted the standing of the Minister and the Government will be enhanced. I am not here to score points from the Minister or the Government on that basis. I sincerely believe that, if we are to do things other than by substantive change to legislation, any changes should be made by way of regulation so that debate can occur. Proclamation is really not intended to encompass issues about which controversy can follow as to either the degree of change or the principle underlying it. Proclamation should be about black and white issues and not about issues where the degree is involved. I commend those amendments to the House and will detail them in Committee.

I commend the Minister for examining the underlying bases upon which charging is undertaken. I hope that she takes on board my plea about the consequences for pensioners who have to undertake some kind of small enterprise in order to try to meet the escalating costs of the first three kinds of rates involved only to find that they cannot meet the cost of the land tax they must pay because they are conducting that business from their home—their principal place of residence.

The Hon. T.H. HEMMINGS (Napier): I support the Bill and I urge the House to deal promptly with this legislation so that the Government can implement the concessions as

from 1 January of this year. This Bill is a classic case of this Government's social justice strategy in operation. The member for Murray-Mallee may ridicule the sums of money involved, but this legislation represents a significant saving on water and sewerage bills for many thousands of pensioners. I congratulate the Government for recognising that the concessions should be increased.

When this concession was announced at the Premier's policy launch I remember how well it was received by the many hundreds of people in my electorate. I say that very seriously, because pensioners and low income people were telling the Government that that concession should be increased. At the earliest opportunity the Minister has introduced amendments so that those concessions can be implemented and relief can be provided to many people in the community.

It is interesting to note that 64 500 people will receive the full $20 concession and 13 200, who pay for water only, will receive the $10 concession. A total of 77 700 people who are, in the main, struggling—not through the fault of this Government but because of normal economic circumstances—are receiving some form of solace from this Government. I congratulate the Minister for introducing this legislation so quickly.

During the time I have been in this Parliament on this side of the Chamber I have noted with sadness that, every time the Government introduces some form of concession or support for the battlers in the community, churlish comments are made. In this instance I can mention only the member for Murray-Mallee, because he is the only Opposition member who has spoken to this Bill. Churlish comments have been made about this support. In effect, the member for Murray-Mallee is saying that the $20 and the $10 concessions are insufficient and the Government should increase concessions to an even greater extent; if that were the case, the member for Murray-Mallee would support it. I have never heard anything but begrudging support from members opposite for any form of concession that this Government has been willing to provide for those people in the community.

Basically, it really means that the member for Murray-Mallee and, in the main, members opposite, do not understand what social justice is about. They talk about it very glibly. This topic was raised in the Address in Reply debate. However, when this Government does something about it, all we get is carping criticism. I acknowledge that it is hard for members to change their spots, but I would like to think that there is full support for these amendments, which are long overdue. This is one part of our policy statement made during the last State election campaign that we are implementing without delay and I urge the House to support it.

I will leave it to the Minister to comment on the amendments that the member for Murray-Mallee canvassed in his second reading contribution, but I make the point to the member for Murray-Mallee that it is impossible, in fact it is ludicrous, for this Parliament to talk about changes to concessions being carried out by regulation rather than by the normal methods as set out in this Bill. I urge the House to support the legislation so that we can provide some solace to the many thousands of pensioners in our community.

Mr FERGUSON (Henley Beach): I also support this legislation. Of course, this Bill is of particular value to people in my electorate. I live in an electorate which has a high percentage of ageing people and from time to time it has been put to me that concessions should be increased. I also was a little disappointed at the very qualified support from the member for Murray-Mallee who, in effect, said that the concession was not enough. I remind the House that during the recent election campaign the Opposition made no promises to increase the concessions for water rates and sewerage rates.

Had members opposite been lucky enough to come onto the Government benches, we would not have seen any concessions arising in this area. I thank the member for Murray-Mallee for reminding me that these concessions first came into operation in 1986 under a Labor Government. Under the Tonkin Government there was absolutely no move whatsoever in terms of concessions. The opportunity was there to increase concessions, but they were missing.

The one comment made by the honourable member with which I can agree is that there has been a large increase in valuations in the metropolitan area. In my electorate, there has been an extremely large increase in valuations over the past five or six years. Unfortunately, entrepreneurs are buying up land along the seafront. The price that entrepreneurs are prepared to pay for development opportunities along the seafront has meant that the valuations of properties not only along the seafront but also in nearby areas have continued to increase, and that has put pressure on water and sewerage rates.

Some residents who have lived in the area for 20, 30, 40 and more years and who own their own home now face great problems because of the increases not only in water and sewerage rates but also in council rates. I know that the issue of council rates does not come into the area that we are debating and I do not intend to transgress too far except to say that I believe that the member for Murray-Mallee mentioned council rates in his opening address.

I remind the House that a few years ago this Government gave local government the power to provide concessions for pensioners or indeed for anyone else. In view of the rising valuations in my electorate and, no doubt, in other metropolitan electorates, I believe it is high time that local government considered what it might do in terms of concessions on council rates.

The member for Murray-Mallee also referred to land tax, although I cannot see any reference to land tax in these provisions. I believe that anyone who conducts a business in their own home, in fact anyone who goes into business, does so to make a profit. If the returns from that business do not cover the payment of land tax, those people should really consider their position. If they are not making enough money to cover even the cost of land tax, perhaps they should return to a life of leisure, go into true retirement and forget about trying to run a business from their own home.

I know that time is against me in the sense that Parliament wishes to get this matter through. I have no wish to add much more to this debate except to say that I congratulate the Minister on her assisting the pensioners particularly within my electorate, and I hope that, as time goes by, we can review these rates when the budgetary position allows it.

Mr BRINDAL (Hayward): I did not intend to enter this debate but I feel compelled to do so because of the remarks of the members for Napier and Henley Beach. In fact, the member for Murray-Mallee expressed the Opposition's qualified support for this Bill. No other member on this side of the House has risen to speak. I believe that, in law, silence may be construed as consent. However, some of the spurious remarks cast by members opposite cannot go unchallenged.

Our support is qualified only because, as I understand it, this Bill says very little—it promises much but delivers little

and thus in many ways is indicative of the way in which this Government acts. If, in fact, the Government goes ahead and by proclamation gives pensioners substantial rebates, that will be well and good, and all members on this side of the House will applaud that action. However, this amendment to the Act does not say other than that it gives the Governor the power to do so. It is typical of many Bills which this Government introduces into this Parliament in that it lacks viscera and I can only hope that the proclamation, when it comes out, does not contain the normal tripe that is so characteristic of many of this Government's regulations. The member for Henley Beach said that, had we been lucky enough to gain the Government benches—

An honourable member: Thank goodness for that.

Mr BRINDAL: The honourable member may say thank goodness for that, but 52 per cent of the electors of South Australia—

The Hon. T.H. HEMMINGS: On a point of order, Mr Speaker, I have looked through the Bill and I can see no reference to the Liberal Party gaining 52 per cent of the vote at the last election.

The SPEAKER: A comment was made by the member for Henley Beach. I take the point that the gaining of 52 per cent of the vote has no relevance to the Bill, neither has the other comment. Both members have had their bite at it; we will now get back to the substance of the Bill.

Mr BRINDAL: I thank you, Mr Speaker, for correcting both points. The Opposition, therefore, does not oppose this Bill: it supports the Bill and has said nothing other than that it qualifies its support and makes constructive criticism of that support. If the members on the second bench opposite have nothing else to do but to lampoon the loyal Opposition for making constructive comments, I suggest they go back and do some homework.

The Hon. S.M. LENEHAN (Minister of Lands): I thank members for their contributions. I particularly thank my parliamentary colleagues the members for Napier and Henley Beach. It is not often that one gets a 'thank you' and it is lovely that they have recognised that the amendments in this Bill will benefit some 77 000-odd households. It is the fulfilment of an election commitment. I say that quite proudly, because this Government has already indicated that it is prepared to move forward and implement the commitments it gave the community of South Australia prior to the last State election.

I might say that the first I knew of the amendments proposed by the member for Murray-Mallee was when a schedule landed in front of me when I started the debate today. I realise, of course, that the honourable member probably could not get it to us any earlier. The member for Murray-Mallee ranged widely in canvassing the whole issue of land tax, water rates, and so on.

I point out that this is not really what we are here today to discuss. However, I will direct my comments to the amendments that the honourable member has proposed. The honourable member is suggesting that, instead of having the remissions able to be altered by proclamation, we should move to a system of regulation. However, I will point out a number of relevant issues. One is that the criteria for eligibility for concessions have consistently been set in the past at the discretion of the Minister through proclamation, so historically that has always happened.

Secondly, the water rates themselves are set by notice in the *Gazette*, and it seems quite ridiculous to me to now talk about the rates being set by a notice in the *Gazette* but, if you want to alter the amount of the concession, you have to require this to be done by regulation. That would indicate total inconsistency. However, the most important point is that we are talking about a budgetary or financial measure. To suggest that we should put through that type of measure separately by regulation is a nonsense, and I am sure that the member for Murray-Mallee thinks that also, but I guess it was an interesting exercise for him. I will not be accepting the amendments foreshadowed by the honourable member.

Bill read a second time.

In Committee.

Clause 1—'Short title.'

Mr LEWIS: I rise simply to correct, as it were, the mistaken impressions of both the member for Napier and the member for Henley Beach.

The CHAIRMAN: Order! The honourable member will have to confine himself to the clause, which deals with the short title.

Mr LEWIS: It refers to the Rates and Land Tax Remission Act, and it is on those words that the error of impression was evident from the remarks made in the second reading debate by the members for Henley Beach and Napier, and also by the Minister, when they accused me of ranging wider than the provisions of the Act. The principal Act is about remissions for rates and land tax, not just rates.

Clause passed.

Clauses 2 and 3 passed.

Clause 4—'Remission of rates.'

Mr LEWIS: Notwithstanding what the Minister said in her reply to the second reading, I move:

Pages 1 and 2—Leave out this clause and insert new clause as follows:

4. Section 4 of the principal Act is repealed and the following section is substituted:

Remission of rates

4. (1) The Governor may, by regulation—

(a) prescribe the criteria on which ratepayers are entitled to remission of rates under this Act;

and

(b) fix the amount of, or prescribe the method of determining the amount of, the remission to which a ratepayer is entitled in relation to rates of a kind specified in the regulations.

(2) A regulation may—

(a) leave a matter to be determined according to the discretion of the Minister for the purposes of the regulations;

and

(b) be brought into operation on a date specified in the regulations that is earlier than the date of its publication in the *Gazette*.

(3) A ratepayer who, in the opinion of the Minister, complies with the prescribed criteria is entitled to a remission of the amount fixed, or determined in accordance with the method prescribed, by the regulations in relation to rates of the kind payable by the ratepayer.

The Minister knows, as I do, that at present the provisions which the Government wishes to change are in fact not stated by proclamation or regulation but are part of the Act. This Bill proposes to take them out of the legislation and create a legislative framework which facilitates the Government's changing any of them at its whim by proclamation covering the lot. She stands condemned by her own gratuitous advice to me about whether or not it ought to be proclamation or regulation. It has nothing to do with the fact that it is a money Bill.

The Hon. S.M. Lenehan interjecting:

Mr LEWIS: Well, the Minister needs to be coached a little. She does not even understand how it has worked in the past. Now, as a matter of convenience she proposes to simply deny any opportunity for public discussion of the change. Before, we had the opportunity for a full debate here in the Chamber, as we are having today. If the Minister believes in the statements she made about the desirability

of proclamation, why was it not introduced in that form in the first instance in 1986?

Why was it put in legislative form? Quite simply because, if a change were proposed, the Government wanted it to be discussed and debated here in the Parliament, but now that seems to be unnecessary from the Minister's trite point of view. She can now make the change—and all subsequent Ministers can make the change—if the Bill becomes law and the amendment is lost, by simply proclaiming it to be so, not by having any discussion on it but by denying any discussion on it. It is a gag!

It just happens, like that—a proclamation through Executive Council and notice in the *Gazette*. From now on, that is all that will be necessary. If that was all that was necessary to begin with, why did the previous Minister put it in legislation? Was he daft? He was one of her former colleagues. Or is there some new light which the Minister has seen that the previous Minister did not see? Why was it included in legislation originally? At least by regulation there is a chance for disallowance and the opportunity for debate. There is also the opportunity for members of the general public or of this Parliament to appear before the Joint Committee on Subordinate Legislation and explain the undesirable consequences, if there are any, of the measure which the Government has introduced. That will not be possible where the Government makes the change by proclamation.

The Bill takes the viscera, to use the terminology of the member for Hayward—out in the bush we say it simply rips out the guts—out of the Act and gives all the prerogative to the Government to decide if, when, how much and which classes of people shall be involved. That can be changed by proclamation also from now on, with no debate, no discussion, and no comment—that is it. Other people may get the remission, but some who were getting it may no longer. The amount will vary according to the Government's inclination at the moment. Of course, it is a beautiful setup for pork-barrelling just before an election.

The Hon. S.M. Lenehan: That's the real reason!

Mr LEWIS: Well, it is. The Minister acknowledges that straight up by her interjection.

Mr Ferguson: What was your policy?

Mr LEWIS: As you well know, our policy was to re-examine the whole basis on which this iniquitous tax is raised. It is wrong. The Minister did not even address that in her response to my second reading speech as it relates to clause 4 and my amendments.

Mr Ferguson: To review up or down?

Mr LEWIS: That is to review the basis upon which revenue is raised. I am not talking up or down: I am just saying that the way it is done is wrong, and the member for Henley Beach well knows it. How can pensioners, living in small cottages which suddenly become trendy because they may be built of bluestone and which not only double but may treble or quadruple in value in three or four years—people living on fixed incomes with rises of less than CPI—meet the increased rates and taxes?

They cannot: they must forgo on food, clothing and for personal entertainment. The member for Henley Beach mocks me for drawing attention to that point and for wanting to provide a means by which we can debate any changes made in future that would draw attention to that point. I hope that I have made the point simple enough for all members to understand, including the member for Henley Beach.

The Hon. S.M. LENEHAN: The honourable member is concerned that this might provide some opportunity for pork barrelling (although I must confess that it had not occurred to me that that was the reason for his concern). Secondly, by wanting to maintain the *status quo* or to move to regulation, he is, in effect, denying pensioners an increase in their remissions at the soonest possible opportunity.

We believe that moving to proclamation gives the Minister of the day flexibility to implement the increase in the remission, which I should have thought the Opposition might have supported. That is exactly what we wanted to do but, instead of being able to increase the amount of the remission as we had promised before the election, and making it applicable from 1 January (the third quarter, in terms of the rates), people will not have that money in their hands, if you like, until the fourth quarter of this year.

The very reasons why we need to be here talking about moving to proclamation seem to be the very reasons that the honourable member wants to deny the 77 700 pensioners the opportunity of receiving the increase in their remission at the earliest possible opportunity. From all the personal insults the member for Murray-Mallee has heaped upon my parliamentary colleagues and others, it is quite obvious that this amendment is inappropriate, and for that reason I will be rejecting it.

Mr LEWIS: Regrettably, the Minister shows that she is as ignorant as the member for Henley Beach.

Mr FERGUSON: On a point of order, I refer to Standing Order No. 127 which says that there should be no reflections upon an honourable member and that a member may not digress from the subject matter of any question under discussion, impute improper motives to any other member or make personal reflections on any other member, and I draw that to your attention, Mr Chairman.

The CHAIRMAN: The member for Murray-Mallee may wish to withdraw that remark, as the member for Henley Beach is obviously concerned by it. It is not unparliamentary language, though, so the Chair will not require the honourable member to withdraw it. However, if he wishes to do so, it may be appropriate for him to withdraw it, in light of the request by the member for Henley Beach.

Mr LEWIS: Perhaps it is just not possible for that to be the case but, without being facetious, let me use other words which the member for Henley Beach may understand. The word 'ignorant' means that one does not know about or is unaware of.

Mr FERGUSON: On a point of order, I draw your attention again to the fact that an honourable member may not make personal reflections on any other member, and I suggest that the way in which this debate is running shows that the member for Murray-Mallee is, in fact, trying to do that.

The CHAIRMAN: The Chair considers that the use of the term the member for Murray-Mallee adopted previously is not of itself unparliamentary in the way in which it was used. However, I again invite the honourable member to withdraw the remark and substitute other words, in light of the request by the member for Henley Beach, if he considers that appropriate.

Mr LEWIS: No, I will not withdraw it, Mr Chairman. I simply say that the member for Henley Beach, by the remarks he has made, shows that he does not understand. The Minister does not understand, either. What she said was that she needed the flexibility to keep the commitment and that that flexibility would be possible only if the Government's proposal to change the mechanism by which remissions are made from legislation to proclamation, instead of from legislation to regulation, were accepted. Proclamation will not make it any simpler than is the case with regulation. It will mean less opportunity for debate. Indeed, there is no opportunity for debate when there is a proclamation,

whereas there always is the opportunity for debate with regulation. The Minister's assertion shows that she does not know what she is talking about when she says that by regulation we would deny the remissions which the Government promised and which the Opposition supported.

We do support them, and I said that at the outset. I drew attention to the fact that the Government's intention, as stated during the election campaign—and I am taking it at its word—was to give our pensioners 60 per cent of their water rates up to a maximum of $75 plus $10 to the ceiling (where it exceeded the $75 but not the $85), and the same applied to sewerage rates. We support that. We are anxious that, in addition to providing that the Government can make that proclamation, the legislation provides—and this is where the member for Henley Beach and the Minister again show their lack of understanding of the legislation—that any changes to the remissions on land tax can also occur under this change to the legislation.

It also provides for any changes to be made to rebates on local government rates through the process of proclamation. My amendment enables all those things to happen—but by regulation. The Minister has admitted that she and the Government want for themselves the means of changing the yardstick for entitlement, for the amount of the entitlement, for determining eligibility for remission and for the date of the commencement of any such change, and to make the changes by proclamation without public debate.

That is why the Opposition said 'Hang on: first, we think that the system is silly. We shouldn't be taxing people without regard to their capacity to pay. We agree with the remissions you're providing—and you may be keeping your promise—but we think it's wrong to have this system where you tax people regardless of their capacity to pay and, in consequence of doing so, force some older people either out of the house they have lived in for decades (if not for all their lives) or into bankruptcy.'

Amendment negatived.

Mr BRINDAL: I have a couple of questions to ask the Minister, because I think they are important. I believe that proclamation can occur at any time. That being the case, what is the likely effect on local councils if a proclamation is made to lower the rate for certain categories of person, or is the Government planning to reimburse local government to the extent to which a remission is given to ratepayers?

The Hon. S.M. LENEHAN: The question relates to local government and to local government concessions, and that is in the prerogative and area of my ministerial colleague in another place, the Hon. Anne Levy. I am not aware of any proposals actually to alter the maximum remissions for council rates. The intent of the amendments that we are debating today give effect to the Government's commitment to increase the amount of the maximum rebate from $150 for water and sewerage rates to $170, that being broken down to $85 for water and $85 for sewerage. So, in respect of the detail of the honourable member's question, that would be more accurately channelled to my ministerial colleague.

Mr LEWIS: This is the last opportunity I have to speak on the clause. Does the Minister understand that the amendments before us, and this clause in particular, provide, by proclamation, as this proposal before us would have it, that remissions of council rates and remissions of land tax can be varied, because that is the effect that the Bill will have on the current Act?

The Hon. S.M. LENEHAN: Yes, I certainly do understand the points made by the member for Murray-Mallee and I think the manner in which he raised them was nothing short of insulting, but that is the way he has always operated in the almost eight years that I have been in the Parliament. I suppose we get used to him after a while. My answer to the Member for Hayward relates directly to a question he asked about the effects on local government, and I thought I answered that question in a fairly open way.

Clause passed.

Clause 5 and title passed.

Bill read a third time and passed.

WATER RESOURCES BILL

Adjourned debate on second reading.

(Continued from 8 February. Page 32.)

The Hon. H. ALLISON: (Mount Gambier): The Opposition supports this legislation and, while I may say that I believe that the Bill before us is overdue and that it is an example of catching up on crisis management, the Minister may dispute those contentions and, therefore, a little later in the debate I will place my remarks in historical context. First of all, the success of the legislation will depend on resources allocated by the Minister and on the Government's willingness to act on what I consider to have been an absolute plethora of reports put to the Government over the past 20 to 25 years. In support of that claim I have brought quite a number of those reports in to Parliament and they are here on the bench alongside me. They date back to 1968.

The success will also depend on the composition of the water resources committees and the regional advisory committees. They will be successful if a degree of skill is attached to the membership of the committees, rather than these people being appointed by local bodies and by Government bodies on a more *ad hoc* basis. I believe that skill will be at an absolute premium, just as it was in the case of the Health Commission committee appointed to oversee the possible impact of nuclear radiation at Roxby Downs. There, a highly qualified committee was greatly contributive, and has been, over the past decade.

Added to the skills, will those committees have any real degree of power to unite with their expertise, and will they have any resources? What sort of resources does the Minister really intend to put at the disposal of those committees? It is equally possible that, judging by the possible composition of those committees, they could be very unwieldy. They could be the sort of committees that in themselves are quite capable of designing a camel when, in fact, after more than 20 years of successive reports to the Government, what we really need now is a race horse. That was evidenced quite clearly with the sudden panic that followed the recent algal blooms that appeared in a number of water resources in South Australia and which needed instant action to counteract them. By instant, I mean just a couple of days; the algal blooms appeared so quickly and some of them were found to be toxic, whereas previously they had been harmless. This just emphasises the fact that we have been in crisis management, rather than having a long-term strategy for the management of water resources and a short-term tactical approach already at hand.

I notice that the most recent development is that we are planning to put down a deep water bore at Strathalbyn to augment that supply: that recommendation was made in the Jordan report in 1972 for townships such as Strathalbyn and Mount Gambier. I will refer to that a little later. That is the reason for my impression that we are in crisis management and that this legislation is somewhat overdue. The

necessity for the Bill to provide the Government with adequate power and resources to ensure water quantity and quality—and I do not notice quantity referred to in the reports of the department or the legislation: I wonder whether the Minister would consider moving an amendment in another place with regard to water quantity for all South Australians—is unquestionable.

This Bill was debated in 1989, during the last session of Parliament, and a question was asked by the member for Chaffey (Hon. Peter Arnold) for the matter to remain on the table, to allow further public consultation and comment. As a result of the recent State election, there has been time for consultation. At this stage I might mention, in case the Minister asks why we did not do anything over the past 25 years, that the Liberal Party has been in power for three of the past 25 years.

I do not intend to be Party political; I am trying to put this in historical context. If we are to apportion blame, 10 per cent of the time and 100 per cent of the blame would be an unfair allocation, particularly when the member for Chaffey was a very firm Minister of Water Resources who actually took New South Wales to court for a breach of the Murray River agreement. I think that was a courageous decision. He set an example over those three years, just as the Minister claims that she is setting a good example by bringing in not only this legislation but other Bills which she will be handling over the next few days.

The debate during the last session was extensive, and a number of members made comment. The Bill before us today is not the Bill that we debated last year. I checked—with my wife, as it happens—for several hours, paragraph by paragraph, and found that there were some 120 changes to the legislation which appeared before us and which passed this House last year, so it is not the same Bill. Many of the changes are drafting improvements and a number of them are additions to the previous Bill. There has been one surprising omission to the amendments in that the amendment which was accepted by the Minister with good grace, bringing in a code of conduct for her very powerful ministerial inspectors and officers, has been omitted from the Bill before us.

I do not know whether that was a deliberate act on the part of her officers or whether it is just an oversight. The member for Eyre, whose amendment it originally was in other legislation, will move to reintroduce that provision later, and I hope that the Minister will accept its reinstatement in the Bill. It is also possible that the member for Eyre will move an amendment to Part VII, relating to wells at clause 63. He intends to provide that outback landowners should be permitted to maintain their wells without the necessity to call in a licensed well driller, because such licensed persons may be hundreds of kilometres away.

In the case of an emergency, it should be patently obvious to all of us that outback landowners have a prime responsibility and desire not to pollute or damage the water which is their livelihood and to ensure that there is adequate safe water for their stock and for human consumption. These outback people are practical and quite capable of repairing and maintaining their wells without the assistance of a well driller. They can still report back by regulation, should the Minister insist upon that. However, an emergency is an emergency, and I believe that that provision could create tremendous problems. I note that later in the Bill there is a defence mechanism, but it should not be necessary for people who have had a lifelong practice in maintaining wells to keep reporting in or calling in a third party.

I recall seeing a well at Mount Davies in the Pitjantjatjara area where the people were waiting for someone to come from Alice Springs because there was no-one in the Aboriginal township who had expertise in maintaining wells. Had they called in a nearby landowner, the huge expense of bringing in someone from Alice Springs and the delay would have been obviated.

The proposed South Australian Water Resources Council is supplemented by nine regional advisory committees whose role and responsibilities will be significantly expanded. They will also have additional responsibilities and in some cases may be resentful of having their decisions approved formally by the Water Resources Council. That takes me back to the skills, expertise, power and resources which the Government may place in the hands of these bodies and raises the question of whether the Government will retain all of the power through the Minister. The legislation contains a regulation making power, gives the Minister substantial powers and provides substantial penalties for breaches of the Act.

I note a glaring omission in respect of the regulations and the legislation. It lies in the fact that there is no provision for standards to be set in respect of the quanitity and quality of pollutants which may be emitted and which may be acceptable in our surface and underground waters. The Minister may anticipate amendments with regard to the marine legislation and they may cover both this Bill and the marine legislation, and I hope that she will give them serious consideration. It is an important point, because the Minister has the power to exempt (the exemption power arises later in the Bill) offenders from the scope of this legislation. Schedule 1 provides for the agreements under the Murray-Darling Basin Act 1983, the Groundwaters (Border Agreement) Act 1985, the Pulp and Paper Mill Agreement Act 1958, the Pulp and Paper Mill (Hundred of Gambier) Indenture Act 1961, the Pulp and Paper Mill (Hundreds of Mayurra and Hindmarsh) Act 1964, and also under other sections of the legislation, for requirements imposed by or under the Mining Act 1971 and the Petroleum Act 1940 to remain superior to this Bill.

The Government accepted responsibilities in the South-East under the various paper mill indenture measures and the Minister of Forests, in response to a question I asked prior to the dissolution of Parliament last year, acknowledged that the Government is still bound by those indentures. The Minister has previously indicated—again in response to a question—that she is disinclined to take any action on the part of the Government, and that is in *Hansard*. That would mean a 50-year disinclination. The Minister said after the statement of disinclination that she would prefer to negotiate with the companies concerned. I am not disputing that that is good. I also point out that in the past the companies, without coercion, have put in probably tens of millions of dollars to clean up the effluent going into Lake Bonney. They have taken out 98 per cent of the solids but have still left 2 per cent of chemicals, including sodium lignosulphinate, allegedly dioxins and other pollutants, such as terpenes, from the pines themselves.

Each pine tree is a factory in its own right, so a whole host of chemicals could comprise the remaining 2 per cent. The Minister's statement was that she was more inclined to enter into cooperative arrangements with the companies concerned. A simple question to which the Minister may have no response at this stage is: what if no new paper processing plant is installed in the South-East? I know that such a plant is proposed, but $150 million is a huge amount that has to be approved by a board in remote Sydney.

Therefore, if the possibility continues of the same effluent being discharged into the lake, what will happen? Does it mean that the Minister, despite being bound by the inden-

ture, will continue to exempt herself from any action to clean up Lake Bonney in the South-East, and needing to prevent marine pollution adjacent to Cape Douglas? With the Minister's present public mood, the indication is that she would be keen to clean up pollution in South Australia, on land, underground and at sea, and hence the Bills before us.

The conflicting definitions in respect of wells contained in the interpretation clause and in the clause dealing with wells in the previous Bill have now been made uniform. The one definition now applies to both. This was suggested and requested by the member for Murray-Mallee. I also note that the member for Coles raised certain concerns on behalf of the Campbelltown council, which has already spent $5.6 million on flood mitigation work since 1981. She indicated that she wished to consult with that council before this legislation was enacted. I assume that contact has been made and that the member for Coles will be contributing to this debate.

There may be another glaring ommission from this important Bill. Part II, 'Objects of this Act', as I mentioned a moment ago, contains no indication that the Government has any intention of improving the quantity of water available to South Australians, yet 'The Environment in South Australia', the May 1972 report of the Committee on Environment (chaired by Professor Dennis Oswald Jordan), made a number of recommendations regarding future South Australian water supplies.

I refer to the recommendations at page 201. These recommendations have spent 18 years in the pipeline (an appropriate word for water resources), and recommendation 9 states:

> The South Australian Government must ensure that all possible River Murray storages are constructed so that South Australia can receive the greatest possible amount—

hence my reference to quantity—

> of River Murray water. All other possible storages should be constructed.

Recommendation 10 states:

> The planning of a further (that is, the third) new pipeline from the River Murray to the Adelaide metropolitan area should be commenced.

Eighteen years down the track we still have not put that in train. Recommendation 11 states:

> A thorough study of the underground water resources of the South-East is urgently required. Plans for its optimum use and protection should be formulated.

Despite a number of reports, which in due course I will name, those plans have not been put into effect. I am informed by E&WS officers that consistent and regular checks of the pollution potential of individual bores are simply not carried out. They are carried out, once again, on an *ad hoc* crisis basis. Recommendation 12 states:

> New sources of water supply should be investigated. Desalination procedures should be kept constantly under review by the appropriate Government departments. Such methods are useful in augmenting supplies by the use of moderately saline aquifers. They are unlikely to provide significant quantities from the sea in their present stage of development.

Recommendation 13, which is a little more contentious, states:

> Distillation procedures, possibly using nuclear power, will in due course be needed. Suitable plants will have to be carefully sited and closely linked with power demands. Only a large nuclear installation is likely to provide water at a reasonable cost, and such plants may pose problems in the disposal of radio-active materials.

At this stage I am discounting that as a reasonable suggestion; I do not propose nuclear energy. I note that the Minister's recent reports mention the osmotic process for obtaining small amounts of distilled water, but those reports also refer to the fact that that is high energy demanding. Recommendation 14 reads:

> The quality of reticulated water throughout the State can be improved by the installation of filtration plants.

Much work has gone into that. The report continues:

> Household water supplies should comply with the recommended criteria for capital city public water supplies.

It is interesting to note that as long ago as 1955, when I arrived here, the captain of the *Orontes* declined to accept Adelaide city water to fill his water tanks, because he said that Adelaide and Aden were the two ports in the world—

The Hon. S.M. Lenehan interjecting:

The Hon. H. ALLISON: I am putting it in a historic context. I remind the Minister that recently there was noxious water at Ansteys Hill because of algae from the Murray River. It is relevant in the historic context that there has not been a massive improvement. Filtration has helped a number of our districts. Recommendation 15 reads:

> The monitoring of river and reservoir water should continue and be extended where necessary. In addition, an extensive study of marine flora and the nutrient content of coastal waters should be properly planned and carried out.

Recommendation 16 reads:

> It is necessary, as a matter of urgency, that the pollution of the underground water resources of the South-East by the discharge of liquid and other wastes into the aquifers should be prohibited.

Perhaps I will give Des Corcoran a plaudit in a moment or two when I refer to what he did, but the 1972 Jordan report was very significant in the vast scope of waste management and water resource environmental matters, many of which have been taken up by the Government but a large number of which still have to be acted upon—18 years later. Perhaps the Minister will forgive me for expressing surprise at the omission of any reference to the quantity of water available.

A report, which I received only two days ago from the Parliamentary Library, suggests that urban stormwater might be a resource for Adelaide. Many others have suggested in the reports that I have before me that stormwater might be used to regenerate basins by simply putting down bores for quicker access of surface water.

The problems of water supply and pollution in South Australia have been known for decades. In 1943 the River Murray Commission in its short history of the *River Murray Works*, volume I by J.M.O. Eaton, pointed out the area within the Murray River basin available for development and irrigation was far in excess of that for which water was available. It also pointed out the conflicting interests of irrigation and navigation. We are currently dredging—allegedly wrongly—sections of the Murray River because the sand keeps going back and, as long ago as 1863, the three State conference between New South Wales, Victoria and South Australia held in Melbourne, expressed the opinion that the commerce, population and wealth of Australia could largely be increased by rendering navigable the great rivers of the interior, the Murray, the Edward, the Murrumbidgee and the Darling. Since then we have dammed the river and its sources extensively.

In 1885 New South Wales and Victoria attempted to assume rights to the entire waters of the upper Murray and its tributaries and the whole of the waters of the lower Murray as the common property of New South Wales and Victoria to be diverted by them in equal shares. South Australia's protest on 14 June 1886 received an assurance from the Victorian Government on 3 July, a desire being expressed to cooperate in settling the differences between the States in a spirit of justice and friendship—that was in 1886.

Negotiations and agreements have continued up to the present, but it offers no solace at all to South Australians

to read in the *Advertiser* of Saturday 17 March 1990 that the twin cities of Albury and Wodonga release 15 to 25 megalitres of sewage effluent into the river daily. In the near future another paper mill will soon discharge its effluent into the river at a time when South Australia has just experienced its worst period of toxic algal bloom. Certain types of the algal bloom became toxic where they were previously harmless thanks to a trigger mechanism possibly attributed to the increasing number of nutrients being released into the Murray River waters.

It is equally distressing to realise that the Federal Government has reduced by millions of dollars its commitment to CSIRO research into those very problems and into Murray River salinity, which is an even greater long-term problem. That brings into question the success of the legislation before us. The Labor Government has been in power in South Australia for the greater part of the past 25 years. Its progress in the management of water quantity and quality has been remarkably slow, bearing in mind that an address by Mr C. Warren Bonython—and if the Minister is interested, I have a copy of that address—entitled 'Water Availability in South Australia in the Decades Ahead' (that was Adelaide, 25 November 1968) drew the Government's attention to a wide range of problems and suggested solutions to the pollution problems and the shortage of water in South Australia. Recently we received Government documents which in effect reinvent the wheel and here we are 22 years on from that document.

In October 1970, H.L. Beaney, who was Director and Engineer in Chief of the E&WS Department, published an article, a copy of which I have, in the supplement to the *Education Gazette* October 1970, entitled 'Water for South Australia'. He outlined future needs and, surprisingly, he claimed that South Australia had adequate resources to maintain its water demand for the next 30 or more years. He maintained that, while South Australia was not well endowed with water, the often repeated statement that South Australia is the driest State on the driest continent was too pessimistic. I wonder how people would view that comment today. I think that we are justified in being pessimistic because the solutions to the problems will cost billions of dollars if the Government's own 21 future suggestions for water in South Australia are to be used as criteria.

At page 9 of the new volume 'Water in South Australia to the Year 2020' the Minister also seems to repeat that claim that we are not too badly off when she says that it is unlikely that we will have to build new storages until that time—we have adequate water. I suggest that it might be a little smug to view our water supplies in that context, bearing in mind that the pollution potential of the present water supplies might reduce considerably the quantity of potable water. Potable water is really the water that will keep South Australia going—it is our life blood.

Incidentally, Mr Beaney was also responsible for advising Sir Thomas Playford, before the indentures were signed, that Lake Bonney in the South-East was of little use to the public and could be used for effluent discharge from the newly proposed paper mills. At that time Lake Bonney was the finest freshwater lake in South Australia. It was used by the south-easterners for recreational and fishing purposes and was a haven for birds. Sir Thomas was not really given sound advice and I simply point out that Governments depend very much on the quality of advice given to them by senior officers.

In the address given in Adelaide in 1968 by Mr Warren Bonython to which I referred a few moments ago, he made the statement that the South-East might well provide piped water to Adelaide. He said that a safe yield from the South-East might be 450 units. I would like these comments to be kept in the historical context rather than being converted into contemporary litres. At that time a unit was 1 billion gallons or 3 700 acre feet. He said it was unlikely that plans would be made to take more than about 50 to 100 units of South-East water for export (that is, to Adelaide) and that when the Murray River was in flood, water might be returned along that pipeline to the South-East to recharge the ground basins. I can imagine the possible pollution problems should we shunt water today from the Murray River back into the artesian basins of the South-East.

As a resident of the South-East, I thought the whole suggestion was highly impractical, as the South-East would also be in flood if the Murray River were in flood. I also feared that Mr Bonython had ignored the fact that the South-East watertable had been falling since 1910 (it had risen since 1882 when records were first kept) and the whole idea of taking water from the South-East in any quantity posed, and still poses, a considerable threat to the long-term viability of the South-East. A few moments ago I checked with the E&WS Department for the latest figures on water levels in the Blue Lake and I have a graph which shows clearly that the trend of water holdings in the Blue Lake is downwards continually from 1910, with slight hiccups here and there because excess rainfall in some years caused a rise.

The level of the Blue Lake in 1990 stands at 13.875 metres. Between 1971 and 1975 it was fairly static at 15 metres and between 1976 and 1981 it went down to 13.9 metres, so the decline was not quite as swift as it had been in the preceeding 70 years. But it is still declining and, therefore, any suggestion that we might take substantial quantities of water from the South-East, as is suggested in that document which was published only a few weeks ago, and which outlines 21 options for the future indicating that Adelaide is the be all and end all, surprises me, because in a press release of 8 August 1973 Des Corcoran, Minister of Works, said:

> The policy is aimed at the protection of the region's [the South-East] vital water resources both surface and underground. If it is not observed, the future development of the region will be in jeopardy. The Government is seeking the cooperation of the community to see that this does not occur.

Then he referred to sewage, industrial waste, rubbish dumping, intensive animal husbandry and dairies. Apropos dairies, I point out to members that Holland is currently sinking further beneath the level of the North Sea simply by the sheer weight of animal ordure which is retained. The canals, surface waters and underground waters are becoming intensely polluted with nitrates from animal excreta, so that can be a problem. It already is a problem in Europe. But Des Corcoran was on to that in 1973. He said:

> It is the Government's policy that the water in the South-East be used for the development of the South-East. We believe in decentralisation taking industry and population to where the resources are; not the reverse.

Our contention in the South-East is that it would probably be easier to bring more people and industry down towards the South-East and decentralise properly rather than pay lip service to the word and rather than paying $1.7 billion to $2.3 billion, the figure quoted as being the capital cost of taking water by pipeline from the Mingbool swamps or further down the coastline on the eastern side of Port MacDonnell from Ewens Ponds. That is a massive expenditure.

I refer now to the $5.80 a litre cost of taking water from the Ord River, a project which was floated more in hope than in anticipation by the Minister as a pre-election pos-

sibility. It is nonsense to take water at that cost when there are cheaper sources. But so much for pre-election.

We formed the South East Water Protection League in 1969. I became the Secretary with the implicit intention of preventing the removal of any water from the South-East until such time as a proper assessment of the reserves had been made. I would suggest that, given the paucity of long-term research conducted by the E&WS Department, there is still not sufficient knowledge of the total underground capacity of the South-East. We do not even know, because we have not been testing the bores, the pollution content, that is, nitrates, heavy metals, chromium and arsenic. These are published in a document dated January or February 1990. That was probably a document compiled in haste for the purposes of this debate and it shows that there is some arsenic, chromium and nitrate content.

On 8 June 1971, I personally wrote to the then Minister of Lands, Hon. Des Corcoran, advising him that since 1959 students at Mount Gambier High School (where I was a senior master and taught for some 15 or 16 years) had observed the fall in the level of the lakes in Mount Gambier, of Ewens Ponds and Eight Mile Creek, putting forward a number of reasons why they believed the watertable would continue to decline. By golly, those kids from 1959 were right, because it is still declining in 1990! But the Minister and the E&WS officials at the time intimated that we should not be involved in such things, and gave me open-ended formulae, the accuracy of which I question and, because there were no records prior to 1882, no zero base could be put into the formulae. So we continue to dispute the accuracy of the then formulae with which we were presented.

On 21 July 1971 I received a response from Des Corcoran, obviously written by departmental officers anxious to reassure and intimating that the fall in the watertable was a cyclical thing which should cause no great concern. In case members question the existence of those documents, I offer for perusal the Minister the letter of 8 June 1970 and Des Corcoran's response dated 21 July 1971. The Deputy Premier had made similar remarks at a public meeting in Mount Gambier, but I was not reassured and I am still not. Proper research should be conducted to establish the true water potential of the South-East and we should then think about developing the South-East in its own right.

The formation of the South-East Water Protection League in 1969, incidentally during the period of the Hall Liberal Government, triggered off a number of things. One of them was a promise from the Hall Government to initiate a $4.5 million research program on a 10 mile grid, rather than build in a bias; private bores were also to be used for test purposes. But the spate of activity from the Hall Government and from the succeeding Dunstan Government between 1968 and 1972 also encouraged three hydrological symposia to be held, reports of which I have.

The first was 'The Hydrological Balance of the South-East Region of South Australia', E&WS Department report by J.S. Guerney, December 1969; the second water resources symposium held by the Hydrological Society of South Australia and the Department of Adult Education, University of Adelaide was 'Water Resources in Jeopardy' dated 6 August 1970; and between those came the Hydrological Society of South Australia first water resources symposium, 'The Water Resources of the South-East of South Australia' held in Adelaide on 19 June 1969. Following that I received advice from the Deputy Premier, Des Corcoran, that underground water legislation was being enacted—that would have been in 1973. An article in the December 1972 CSIRO bulletin *Rural Research*, a copy of which I also have, entitled 'Land Use and Water Tables', dealt specifically with the Upper and Lower South-East and quoted the work carried out for 10 prior years by a team from the CSIRO Division of Soils in Adelaide which included J.W. Holmes (subsequently to become Professor Holmes at Flinders University), Mr J.S. Colvill, Dr G.B. Allison (who is still with the CSIRO, currently researching the algal problems in South Australia) and Mr M.W. Hughes.

They referred to the drilling of a network of about 100 shallow bore holes, some inside Penola Forest and some inside the surrounding pasture areas. They did this to identify the direction of groundflow and the source of water for recharge of the watertable. They determined that rainfall was the primary source of recharge, with a little water coming from western Victoria at surface level towards Penola from across Dergholm, Edenhope and Apsley. Their findings supported my own contentions as expressed to Des Corcoran in my letter of June 1971, but our research was being carried out quite independently, my own with the aid of school students and with very little equipment.

In June 1973, the E&WS Department also released its own publication, 'South-East of South Australia: Water Pollution Studies', a copy of which I have and which I will be quite happy for the Minister to peruse. This carried a number of recommendations which might still not have been met. The publication, 'A Management Proposal for the Groundwater Resources along the State Border of South Australia and Victoria', dated July 1982 (again, a copy of which I have), was commissioned by the Hon. Peter Arnold. We now have the Border Groundwater Agreement between South Australia and Victoria with the ludicrous situation of a piggery being moved from the Adelaide Hills, because of the potential adverse effect upon the Adelaide Hills water systems, and being placed in the Myora Forest on Woods and Forests Department property right over the top of this proclaimed groundwater area.

I am not sure whether the Government is simply interested in transferring problems from A to B and saying that somebody else can handle them. It is interesting that spray irrigation is being used to get rid of the effluent from that piggery. I am not complaining about that, because I understand that it is working well, but I wonder how much research went into the decision or whether it was simply a political one to get it out of the Adelaide Hills. It took the present Government several years to complete that report. Another interesting publication by the Hydrological Society of South Australia is entitled, 'Water Resources in Jeopardy'.

I have quoted the other symposia documents and do not propose to repeat them. All of them, between 1968 and 1973, are clear evidence that the E&WS Department, the CSIRO and the Government itself, different organisations associated with water use, were all well aware of the problems associated with water supply—water quality, water quantity and water pollution—and the Government has ample evidence before it of the need to conserve water and the need to prevent pollution. Hence my comment at the outset of this debate that I felt that the current spate of Bills was a little belated, and I hope the historical context is helping to add some credence to what I have said.

In July 1979—we have not finished yet—the South-Eastern Drainage Board published an environmental impact study on the effect of drainage in the South-East of South Australia, again supporting my earlier contention that the provision of weirs on existing drains might be an appropriate means of retaining at least some surface water during spring for absorption into the water table during the spring and summer months. The reason I felt that that might be appropriate—although the E&WS Department does not agree

with me that the retention of water north of Millicent and Penola will help recharge the ground water south, around Mount Gambier—was that, nevertheless, we might have a situation where there is a trough of water between Naracoorte and Keith, along the Padthaway Basin, currently subject to immense development with the introduction of viticulture (with wonderful wines being produced there), but is it fossil water, is it capital we are using, or is there a recharge?

The simple reason I ask that is that Professor Holmes divided the South-East of South Australia into eight or nine regions with only one of those regions, from the Victorian border along the extreme southern coastline as far as Millicent and across to Penola (he called it region 1), having a rainfall of 28 to 32 inches, with a higher rainfall rate than evaporation rate. Regions 2 and 3 are not quite as bad, but the rest have a much higher evaporation rate. Therefore, the retention of some of that winter water during the spring months might help recharge the underground watertable. It is speculation, because I do not have the equipment to determine those things, but the E&WS Department does have it, although I doubt whether it has used its full resources, mainly because of perhaps a lack of Government funding. Incidentally, the weirs have been installed on many of the drains, although it would be unwise to block Blackford drain, which takes masses of salt—about 28 000 parts per million, I think. It is better to get the salt off the ground and into the sea north of Kingston. The 'Wetlands Resources of South-East of South Australia Report, 1984' was four years in compilation. That has been before the Government and I notice that the Minister said that wetlands are part of her present concern.

In 1977, a letter from Keith Lewis, the then Director-General of the E&WS Department, proposed a national approach to water resources management. I have his letter, which was addressed to me and which was accompanied by a statement from Des Corcoran, then Minister of Works, to the House of Assembly, dated 9 September 1976, concerning a proposed national approach to water resources management in Australia. How far have we proceeded with that national resource proposition? Are these matters currently on the Minister's plate? I have read the various reports from the ministerial conferences held on the tri-State River Murray Agreement during 1989. They, too, are here. I am not ignorant of what the Minister has been doing over the past 12 to 18 months.

On 15 July 1982, J.D. Waterhouse, geologist with the South Australian Department of Mines, published 'Hydrogeology of the Mount Gambier Area, South-Eastern South Australia'. The pages are not numbered but the copy is here and members can see that it is substantial. It contains a number of very informative and complex graphs complete with the formulae used in deriving the statistics. I commend that also to the Minister, because it indicates that, as long ago as 1982, a tremendous number of bores have had the potential to be annually tested and the pollution content assessed. The Minister and her department, or previous Ministers, could have been aware of the increase or decrease in pollution, giving reassurance to residents of the South-East if in fact the pollution was diminishing, and also putting the lie to a number of claims made purely on political grounds about nitrate pollution in Mount Gambier. Perhaps I could refer to a specific claim. The Waterhouse report of 1982, to which I have just referred, confirmed statements made in 1972, 10 years earlier, in a departmental booklet that there was some nitrate pollution in individual bores in the South-East.

However, I remind the Minister that from 1979 to 1982, under a Liberal Government, the Hon. John Cornwall in another place published a number of documents stating that the nitrates in the South-East were deadly dangerous to pregnant women and to children, and that the water was unfit to drink. In 1972 he ignored that. The advice was simply 'Pregnant women and babies, don't drink this water—concentrate mainly on the city supply and on safe supplies from rainwater tanks.'

By 1979 it was a national scandal and hit the national papers but, as I said, it was a political scare, because by 1982, when the Labor Party won Government again, I raised the matter with the Hon. John Cornwall and it was no longer an issue—the water was safe. So, politics has entered into arguments in the past, and that is one reason why I have tried not to use scare tactics or open publicity which would be liable to scare the pants off the people in the South-East without due cause.

We have known for 20-odd years that there are nitrates in some, mainly private, bores in the South-East, and that pregnant women and young children should not drink that water. So, I hope that the Minister will respect the fact that I am not politicising this debate but purely giving her information.

I refer to all those publications for the purpose of establishing that at least two members of the Opposition—the member for Chaffey (who has had a lifelong interest in the well-being of Murray River waters and who has travelled extensively overseas to add to his hydrological knowledge) and I (as a former teacher at Mount Gambier High School and Secretary of the South-East Water Protection League and, later, member of Parliament)—have contributed substantially towards encouraging, if not forcing, Government action with regard to water resources, pollution control, and the maintenance of quantity and quality. The large number of publications I have produced are adequate testimony to the fact that we have between us, at least, made some impression upon Governments in South Australia.

Incidentally, these books are all part of my personal water resources library and not from Parliament, so they may not be readily available. As some 22 years have elapsed since the earlier spate of activity took place, it begs the question why there has been little or no effort to augment further the water supply for metropolitan and country South Australia; to ensure the quality and quantity of Murray River water available for Adelaide; to determine the extent of the pollution, both within land surface and underground waters and of marine waters; and to establish those long-term strategic plans and short-term tactical plans to cope with that recent scare from the emergency from the algal blooms, both safe and semi-toxic algae which have proved troublesome to consumers in Adelaide, along the Murray River, the banks of Lake Albert, Lake Alexandrina, Strathalbyn and Milang.

Dr Graham Allison—who, incidentally, is no relation at all; I knew of him only a few years ago when I first began investigating water resources—advises me that the CSIRO cautioned Governments some six years ago as to the possibly increasing dangers arising from these algae which feed on the increasing nutrients fed into the Murray from irrigation, naturally occurring phosphorus diffuse across the whole surface of the land, from superphosphates and nitrates in the orchards and other horticultural pursuits along the river, from the discharge of effluent from towns and villages, from increasing salinity (which is a massive long-term problem, as the Minister has acknowledged), and also from the reduction of oxygen in the river.

It is a double jeopardy, where we have the algae, which form a dense bloom across the surface of the water, thereby preventing light from penetrating and killing off any organisms beneath the surface of the algae, and when the algae themselves die, they go to the bottom of the stream or lake and they, too, absorb a great quantity of oxygen and further starve existing plants and marine life, causing complete eutrophication of water systems.

They are not at all happy things for us to be living with. Of course, Lake Victoria, which lies 32 miles across the State boundary in Victoria, and which was supposed to provide a substantial water reserve for the benefit of South Australia alone, has been excluded from the Murray River now because of the presence of highly toxic algae. That is just cut off completely, so that resource is not available for South Australia. There has already been substantial delay and inadequate research into South Australia's problems. I am not suggesting that the E&WS Department officers are incompetent: I admit freely that we have one of the finest water research laboratories to be found anywhere in the world. I simply say, as I said two or three weeks ago, that they are under-utilised and, if properly funded, could be one of the world's most resourceful units. They have the problem right on their doorsteps.

Dr Graham Allison also suggested that the removal of some $2 million from that $7 million fund allocation from the Federal Government for research into these problems was part of a major disaster, if that sort of thing continued. The Federal Government simply has not met its commitments and has made research by the E&WS Department and the CSIRO more difficult. It has also made the Minister's life more difficult, since she ultimately must carry the responsibility and make the public announcements.

I have suggested that, if the Government is really interested in finding out whether our underground waters are polluted, it could continue to carry out those annual tests in bores which already exist and which have been tested on occasion since 1968 in the South-East and, I suggest, right across South Australia. I am using the South-East as an example as I am particularly familiar with it, but I think that every region in South Australia is entitled to similar treatment.

In particular, they could have researched those which have already shown evidence of nitrate pollution and of minerals such as chromium and arsenic, and where it could be established on an annual basis whether the pollution was increasing or declining. I do not think those extensive tests have been undertaken, and I know from personal contact with some officers that insufficient work has been done. The idea of establishing wood lots to be irrigated with effluent water was at first ridiculed by the Government but is now proposed for the Bolivar district. It could also be used in the South-East near Lake Bonney and has, in fact, already been proposed as an alternative for Albury Wodonga effluent (that is, the city) instead of the effluent being discharged directly into the Murray River.

I understand that that is also being considered for the effluent from the new paper factory, as was stated very recently in an article. In fact, the decisions are being made within a few days. The E&WS Department itself has only recently published its views on the possible future supplies of water for South Australia, while questions were recently asked in the House as to why the Government rejected suggestions made by one of its former employees as to how and why it should be paying attention to marine pollution off the South-East coast and in the gulf adjacent to Port Pirie.

Incidentally, I know that there is some wood-lotting near Waikerie, adjacent to the Waikerie sewerage farm. An interesting point about that farm and about a number of others is that these were built sometimes by councils but always with the approval of the E&WS Department—of the Government, let us say—and were built on the flood plain. So, if the river floods, the effluent from those sewerage plants obviously is part and parcel of the river and merely exacerbates an already difficult problem.

I wondered about funding the removal of those sewerage farms to higher, safer locations. I am very familiar with the one at Mannum, since mine was the only shack demolished by the Labor Government in 1975 after a moratorium had been proclaimed by Tom Casey, then Minister of Lands. My shack was next to the high embankment which I believe would have rendered the Mannum sewerage treatment plant safe from flood.

The Hon. P.B. Arnold interjecting:

The Hon. H. ALLISON: I was the only Liberal member of Parliament who had a shack on the Murray River, probably, and I had just won a seat from the Labor Party! That is cynicism: that is politicising the debate. The provision of a sewage scheme from Mount Gambier was entered into somewhat reluctantly by the Government, and it ultimately provided a smaller sewerage plant than that originally proposed by the member for Chaffey (Hon. Peter Arnold) between 1979 and 1982. I have my own copy of the Cabinet submission for perusal—the originals are with the E&WS Department.

The Government's was a smaller scheme, which did not plan to cope with the whey products, with the result that the larger scheme, which would have coped with the whey, is not in operation. The scheme currently in operation at Mount Gambier (much as we treasure it since it has been longed for) will not cope with the existing dairy factories which are now carting whey from Gambier West to spray-irrigate on pastures around the city, and it could not cope with a proposed industrial development, the Safries development, when inquiries were made of development officers in Mount Gambier as to whether they might settle there and discharge their effluent out to sea.

So, we still have the problem of disposal of dairy effluent, which is not consumed by the pigs—and I hope we do not send tens of thousands of pigs down to the South-East to consume the whey, because I am not looking for that sort of solution. In 1972, the Deputy Premier, Des Corcoran, said that the South-East had a potential to cope with a population of 250 000. He had earlier suggested sending the population where the water is. Such a population would need industry, and industry cannot be allowed to pollute the water tables, since it is the water supply of the South-East that is the very life of the district and has to be protected at all costs. It is easier to take people to where the water is, as Des Corcoran admitted, than to expand the metropolitan population, which already faces considerable difficulty in obtaining an adequate, safe, potable water supply. Virtually nothing is being done to reverse the flow of population from country to city, and yet this problem has been obvious and oft repeated for the past 20 or 30 years, in these documents that I have tabled today.

Vast amounts of money have been spent on filtering 100 per cent of the water in Adelaide so that 10 per cent can be drunk, about 40 per cent more can go for domestic purposes and the other 50 per cent can be used for washing cars, watering gardens, and so on. Perhaps some lateral thinking is required so that the clean water, the rainwater, of which there should be plenty for these 1 million-odd people in South Australia, can be usable and can be utilised

for human consumption, and that water of lesser quality can be used for other purposes. The installation in '21 Prospects for the Year 2000 and Beyond' contains the provision of water tanks in all houses. I suggest that a large number of householders are already doing that at their own cost, with no cost to Government, and might be further encouraged to do that as one obvious solution.

Edward De Bono, who will soon be in Adelaide and whom I have not thought of for the past 20 years, wrote the book *The Power of Lateral Thinking*. In one of his books he suggested that towns were polluting major rivers in the Mississippi-Missouri system, with about 32 000 miles of major rivers flowing down towards New Orleans. At each of the rivers upstream there is pollution and it is hoped that the water will be diffused by other streams entering so that it is safe to drink at the next town. The Murray River does not have that luxury. We have only the Murray and the Darling at the Wentworth confluence, with very little other fresh water entering that river between Wentworth and the sea, so we do not have the luxury of the downstream dilution of effluents.

Edward De Bono suggested that we could make towns put their sewage into the river upstream of the city and take out their drinking water downstream of the city so that any reassurances, such as those given by the Albury Town Clerk that the water could be drunk straight from the effluent system, could really be put to the test, and the city would be the first to try it.

The Hon. Jennifer Cashmore: They do that in some cities in the United States.

The Hon. H. ALLISON: They do; that's what I said. Edward De Bono cited the Mississippi-Missouri system. It sure makes people think twice when they are giving reassurances, when the effluent is going away downstream rather than when they have to put it in upstream. I wonder whether the Minister would make this suggestion to the Albury City Council and whether she has in fact made any representations to the New South Wales Licensing Commission, to the New South Wales Government or to the Albury City Council in complaints about either the effluent or the proposed paper mill discharges into the Murray, because they are coming onstream to add to the present problems which we have in South Australia.

The Minister and her officers do have considerable powers already, many of which do not seem to have been used effectively. I wonder what plans the Minister has made, for example, for the adequate provision of water and the disposal of effluent to and from the new housing subdivision at Seaford, currently coming up for sale, and those new housing subdivisions south of Adelaide, adjacent to the Onkaparinga Valley. The Onkaparinga itself can barely make ist way through the sandbar to the sea, because the Happy Valley Reservoir holds back the stream. This summer we went to look at it and it could hardly make its way out across that sandbar. It meandered very fitfully as a greenish-brown stream, just making its way into the waves. It was already the subject of a ban on use, issued by the Minister a few weeks ago. Faecal coliforms and Escherichia Coli are among the first indications that we have serious pollution; at least, human beings should not drink the water or bathe in it, because these indicate the presence of excretia.

An effluent disposal system already exists on the Onkaparinga flood plain. Again, I wonder what would happen if the river flooded, even if it were a rare occurrence: if the effluent disposal system is on or below flood plain level, there could be major problems. Similarly, the Waikerie sewage disposal unit, as I said earlier, lies on the Murray River flood plain. Will councils be given any support to move these sewage schemes that are under threat from a river flood? What are the Minister's long-term plans for effluent disposal at Glenelg and to solve the problems at Port Pirie? Is that third water pipeline well in hand from the Murray River to supply Adelaide? I mentioned Port Pirie because I was reading about the problems off the coast of Japan at Minamata Bay.

Cadmium, which allegedly comes from Broken Hill Proprietary Limited, along with lead, is another threat to women, particularly elderly women, since the heavy metal cadmium replaces the calcium in bones, particularly in women who have had several babies. The cadmium replacing calcium in bones causes the bone to become brittle, with the strong likelihood that in old age the ladies will suffer tremendously from bones which shatter virtually without impact. These heavy metals may seem quite innocuous just to name but, once one realises the potential for damage to human beings, one must consider them in a more serious light.

The world abounds—and I know the Minister will acknowledge this—with examples of poor water resource management. This is just a signal as to why we support the Minister with this legislation, and I offer just a few examples. The *National Geographic* of March 1985—a significant report—stated that 264 million metric tonnes of waste emanated from chemical, petroleum and metal-related industries. There is a list of 2 500 toxic sites not licensed for disposing of waste, often illegally, and often of hazardous wastes, and 786 dangerous sites at that time had already been identified specifically. Billions of dollars of federally financed clean-up funds will be needed—that was the admission—in order to resolve the problems and to clean up the land and the streams in the United States. It is massive. Leaching of contaminates to local aquifers is possible with every rain. It is claimed that mapping the groundwater pollution spots will take years, while eliminating it will take decades. That is the United States.

Recently, we were told that in Russia, the Aral Sea at Aralskoje has become much drier than it was. I think about a third of the water has gone, and townships along the coast that were prosperous fishing villages are now miles inland; 10 or 20 miles away from the sea's edge. The sea itself is increasingly saline, because masses of water were used to generate cotton crops along the banks of the sea. The sea is salty. The township of Times Beach in Missouri was bought by the Environmental Protection Agency for $33 million in 1983, because dioxin-contaminated oil had been sprayed on the town's roads just to eliminate the dust. Soil tests revealed dioxin levels as high as 1 100 times in excess of that considered acceptable. Some people consider that no level of dioxin is acceptable. I cannot say whether that is true because I do not have the chemical and health knowledge, but I am worried about it.

It is predicted that, across the length and breadth of America, hazardous wastes seem certain to infiltrate drinking water for years to come. Incidentally, we acknowledge that Des Corcoran did help to resolve the Chain of Ponds-Millbrook Reservoir problem by acquiring the township immediately alongside, but that again was some 20 years ago, acknowledging the problems that were already known in the Adelaide Hills, trying to stop animal husbandry and trying to stop human excrement entering the water supplies. There again, the Government's own report, published a few days ago, indicates that there is a high faecal content in water from human use of the Adelaide Hills and that there is a high nitrate/phosphorus content from horticulture and animal husbandry. However, these figures are not new.

Des Corcoran bought that village and stopped pollution in the Hills; and also in 1973 he gave the South-East until

1977 to stop discharging animal waste products and industrial waste products directly into the groundwater. As I say, the problems have been with us for a long time and the department and the Government have acknowledged them. It is action that I am looking for.

To show that safe waste disposal may be possible, Alabama in the United States has a land-fill project which promises sufficient space to contain hazardous waste for 10 000 years, according to the Chemical Waste Management Authority. It will be placed above permeable layers of chalk. Near Heringen in West Germany solid waste is stored in drums 2 300 feet below the ground in disused salt mines. In fact, they already contain more than two million barrels of waste. At other locations incinerator ships are burning toxic wastes at sea on the theory that the sulphuric and other acids are diluted and cause little or no harm to the sea environment. However, the poisoning of Minamata Bay in Japan by the emission of mercury, lead, cadmium, manganese, zinc and other heavy metals from adjacent factories created a human nightmare and left a legacy of mentally demented and physically deformed adults and babies—and the mad cats of Minamata first brought the problem to the attention of the Japanese Government. That disaster occurred simply as a result of the ingestion of poisoned fish which had eaten those heavy metals in the bay over a long period. So, even the unborn baby is unsafe.

Ultimately, the cost of safe disposal of manufactured products may well have to be built into the cost of the purchase of items and the funds so derived placed into a fund for the provision of proper and safe disposal plants. Chemical companies in the United States already contribute billions of dollars towards the country's clean-up campaigns. The cleaning up of the Great Lakes between the United States and Canada is another massive problem. The problems of Poland and East Germany have hardly begun to be addressed, detente between the communist and western blocs bringing these problems to public attention.

By comparison South Australia is extremely fortunate with relatively little heavy industry, although we would like much more, and relatively few sources of surface and groundwater pollution. Nobody wishes to close down industry in South Australia, and nor do we wish to close down the earth itself. Pollution from dioxins, acids, cyanide, mercury derivatives, other heavy metals and PCBs (polychlorinated biphenyls), which are present in hydraulic brake fluids and in the old transformers which were used by the electricity generating authorities across the world (I think they are outlawed now but the equipment is still to be disposed of), is widespread, permanent and deadly. PCBs simply do not biodegrade; they are there forever. Biphenyls constitute a dreadful chemical and there is no known antidote if one is poisoned by them.

In 1973, as I said, Des Corcoran gave the South-East four years, until 1977, to stop putting industrial, farm and animal wastes directly into the groundwater through sinkholes. The 'green' persons of Australia, about whom some of us are extremely critical—and I admit that I have not been painted too green, but I have been extremely active in respect of, say, middle level anti-pollution and water protection measures—are fanatically keen to commence an immediate clean-up of surface and underground waters. They obviously have the right motivation and are not to be unduly criticised, but there is always the element of pragmatism and practicality in legislation. There has to be a time scale to give people and industry the opportunity to clean up. That time scale has to be decided and has to be reasonable. The safety of the planners is the long-term objective.

Will the Minister set time scales and parameters beyond which the Government will be increasingly intolerant of those who pollute and endanger our lifestyle? Will the Minister establish the requirements of expertise amongst the members of committees? A group of extremely well-intentioned people, the Citizens Committee in Mount Gambier, under the chairmanship of Faye Buckley, was keen to redress problems of pollution but was largely guided by scientific officers from the E&WS Department who, in turn, may have been a little anxious to protect the Woods and Forests Department in respect of problems it created, and that in turn created some problems of CCA pollution which were not included in the list of 22 pollution spots notified to that committee. Since that committee reported I have received two calls from people who used to work with the department. Rather than publicise and sensationalise it now, I will pass that information on to the Minister and her officers. However, that does cause me to be concerned.

Only a few days after that commission had been established and/or reported, another spill of several hundred litres of CCA was reported to the Government but not to the committee, and it was not investigated by that committee. I simply say that the Minister's intentions are not made clear in the fine print of this legislation. The Bill is essential. The Minister has to have power, but what is her final intention? What resources will be put into carrying out her intention? The Minister has great discretionary powers.

In conclusion, I refer to recent documents. Incidentally, the 'red tides', which is an algal bloom affecting ports across the world and is probably carried in the bilges of tankers, is being studied (with some subsidy from the Premier's Department) by Jean Cannon, who is doing a Ph.D. at Adelaide University. I read that material with great interest because research into that very toxic algae, the *Alexandrium minutum,* which has caused the death of tens of thousands of fish and other marine animals, is being researched in Adelaide. So, I give credit to the Government for giving that lady some incentive.

When I look at the Natural Resource Management in South Australia document, which I asked the Director-General for and which he was kind enough to send me yesterday, along with Water South Australia and South Australia Water Futures, I notice that five strategies are set out. This 10 page booklet is the department's primer, and the first point is communication, to let people know what they should do and what the Government intends to do. When I read it I thought that whoever had compiled this booklet must have been studying for a first in jargon. Let me give a couple of examples from the discussion. Page 3 states:

> My view, and this has been reflected in all the reports and papers referred to in the introduction, is that the department and the water resources council must maintain the strategic/policy criteria for water resource planning and management, apart from the conjunctive/integrated natural resource management policies formulated by the Natural Resources Council, but nevertheless contributing water resource expertise to that council and these latter policies.

This is a primer for the layman! What will we get when we reach the technical stuff a little later? I put rings around a few of the points and wrote 'jargon'. It could do with simplification. The intention is excellent. At least it is a step forward, as are these other volumes.

I express some concern that one of the intentions—high on the list, too—is to take water from the South-East. After having quoted from these documents and after having researched the decline in the watertable in the South-East since 1910, my conclusions being confirmed over the telephone a couple of hours ago by the E&WS in Mount Gambier, I simply say that the lakes' levels are still falling. So, we cannot be assured that there will be long-term quan-

tities of water in the South-East to supply Adelaide. I believe there are other more appropriate sources.

I do not propose to go into the various costings; they can be extremely expensive, such as the Ord River costings. As I said, it is a step in the right direction. One document that is not listed in the Minister's bibliography but which is part of the Minister's departmental literature is 'Urban Stormwater—Resource for Adelaide'. Stormwater could be channelled underground and stored so that, in times of crisis, when we get the toxic nodularia, we could have an emergency supply. It could be quite considerable.

With those fairly extensive comments but comments which are not exhaustive (I can assure the Minister I could have continued considerably longer, *ad nauseam*), I hope that the Minister will realise that members on this side of the House are not ignorant as to the problems. These problems have been around and have been recognised by Labor and Liberal Governments for 25 years. The problems have been worked on by E&WS officers who are conscientious, dedicated and extremely capable by world standards.

One major question is whether it is the Government's intention, first, to press the Federal Government for all its worth and jump up and down for reinstatement of funds for this important research that should be carried out into our toxic algae and the pollution of the Murray River, which is our life blood, yet we are at the wrong end of the sewer. Will it press for adequate resources so that our departmental officers can build on what I consider to be fairly ephemeral documents by comparison with the mass of information already to hand? The only reason I have gone into the historic background and referred to these documents is to demonstrate to the Minister that a wealth of information is already available. The resources have to be provided to carry out the Minister's intentions. We support the legislation.

The Hon. E.R. GOLDSWORTHY (Kavel): I read this Bill closely for the first time the other day. I must confess that I did not do my homework when the Bill was before the House last. My first reaction was one of alarm, particularly in respect of the powers invested in the Minister. They are indeed draconian. I refer in particular to Part IV under the heading 'Taking of water'. The Minister is invested with the authority to declare any watercourse or well a proclaimed watercourse; to restrict the taking of water from that well or watercourse (in this definition 'well' includes bores); to restrict the taking of water by individuals who have previously been doing that; and to make them take out a licence and to charge them a fee for the licence and the water. My concern was somewhat allayed when I looked up the 1976 Act and saw that it was similar. On the Government's track record, I thought that perhaps I am worrying unduly. Nonetheless, the powers are there.

Certainly, I hope that there is no change of policy and no change in the way that the legislation has operated since 1976 because, if there is to be change, I would want due notice of it. If the Minister sought to exercise these powers in a wide compass, it would effect pretty well everyone in my constituency engaged in primary production, particularly in the Adelaide Hills, where people take water from almost every watercourse, one way or another, and where the use of bores and wells is the life blood of the industry.

I cannot remember whether I was alarmed in 1976 when the Bill was before the House; I cannot recall being alarmed. But I was concerned at the breadth of these powers. However, as they are in the legislation already, there is not much point in my pursuing that point further, other than to say that I hope there is no change of policy. As I recall, thinking back, there was a problem about the taking of water from the Adelaide plains in Virginia. The problem related to the declining level of the watertable, and so on. Some restrictions had to be made in connection with that.

All primary producers require water for their operations. If they are irrigating on the banks of the Murray or in the area surrounding the Murray, if they are growing fruit or vegetables or if they are keeping stock, water is an essential part of their operations. Therefore, the only part of the Bill which I believe should be amended relates to the matters that were raised in the House previously, that is, the provision dealing with the maintenance of wells. This Bill provides for some sort of defence for people who have maintained their wells. It still seems to me that the provision puts unnecessary restrictions on people who want to maintain their wells. It is one of the routine jobs in some agricultural pursuits, as the member for Eyre well knows. Regular maintenance of wells is part of the job and it seems to me that the way in which the Bill is phrased—placing the onus on the landholder to prove that he could not get a licensed well driller to do this sort of work—imposes an unnecessary restriction.

With those few remarks, I support the Bill. As I said, on reading the Bill through for the first time, I thought that the powers of the Minister were indeed draconian and I was surprised that we let it go through in 1976 in that form, but there it is.

The Hon. D.C. WOTTON (Heysen): I want to seek clarification from the Minister on a couple of issues. First, I share the concern expressed by my colleague the member for Kavel, particularly in respect of the use of water in the Adelaide Hills. Water is a most important commodity. Many concerns have been brought to my attention about uncertainty resulting from this legislation. Fortunately, we have been able to clarify most of those concerns and I will use the opportunity in Committee to seek further clarification.

Of particular concern to me is the onus of proof on the part of the polluter. Under the powers of the Minister, if an officer of the E&WS Department thinks that a person is polluting, action can be taken and it is up to that individual to prove that he or she is not polluting. I realise the complexity of this matter. It would be difficult for a landowner to put together such a case. I will seek further information on this matter in Committee.

My major concern, having looked through the legislation, is that I do not believe we are coming to grips with the problem that both the Minister and I are aware of. It arose from a court case in the High Court last year when the opportunity was taken to determine which of two Acts—the 1932 Waterworks Act or the South Australian Planning Act—was the superior piece of legislation. Both the Minister and I are aware of that situation and the problems that have arisen from it. It was a great pity that action was taken in the High Court. I questioned the need for the matter to go even to the Supreme Court and then subsequently to the High Court.

I am sure that, if officers of the Departments of Environment and Planning and Water Resources had been willing to put their heads together, instead of attempting to outstage each other, these matters could have been dealt with in a quarter of the time and at a much lower cost to the South Australian taxpayers. When it was determined that the 57 or 58-year-old Waterworks Act was superior to the planning legislation, I am sure that at that stage the Government could have repealed regulations, thus clarifying the situation. As the Minister knows, I have brought that matter to her attention previously. The matter has never really been

clarified and I guess that we are looking at something that has passed, but it has been a very costly exercise.

However, the Minister instead indicated that she could not take action until the new regulations pertaining to the legislation that we are now discussing were gazetted. It was suggested that those regulations would probably be brought down some time in the new year. We are now well into the new year and we realise that the legislation has been delayed but, in the meantime, according to the grossly outdated regulations, people in the watershed catchment area who have on their properties any 'building enclosures, yards or structure on any land upon or within which any animals, birds, reptiles or any other creatures whatsoever are kept primarily for the purpose of display or exhibition, irrespective of whether any charge is made or payment required for such display on exhibition, are guilty of an offence under these regulations'. I believe that situation is totally unsatisfactory. I understand also that the 1932 Waterworks Act falls under the sunset legislation in January next year. We are running out of time in regard to that matter. Many people in my electorate, for example, are concerned that under legislation they are currently breaking the law.

The Hon. S.M. Lenehan: Not for long.

The Hon. D.C. WOTTON: The Minister says 'not for long' and I understand that, but it has taken a lot longer than it should have. A number of people who have private zoos or who have animals and birds on display have been very uncertain about the situation. I could refer to some of those people by name, but I do not intend doing so because I do not want to cause any embarrassment. However, there is no doubt that for far too long those people have been caught up in that situation and have been breaking the law, not to mention the 3½ years, two days in the Supreme Court and 1½ days in the High Court in the first instance. The matter then went back to the High Court and, as I say, the cost to this State is totally unacceptable.

On this occasion all I seek is some clarification from the Minister about what is likely to happen. I would have thought that, because this Bill is before us, some of those situations could be clarified. However, I am not sure why, as was suggested earlier, some matters have to be included in the regulations. The Minister may be able to clarify that situation also. I do not know whether or not it is intended to continue with the Waterworks Act 1932 after the expiration of the sunset clause, but we do not have much time to deal with those issues. I seek clarification from the Minister on those matters.

Mr BRINDAL (Hayward): I commend the Minister on the Bill and, like other members on this side of the House, I support this legislation. However, I would like to raise a couple of matters with the Minister and to give her notice that in Committee I will seek clarification on specific questions.

I am a little disappointed that the Bill does not include as one of its objectives the restoration of, where practicable, those wetlands and other ecosystems which have already been lost through unnecessary human intervention. I believe that such an objective would have fitted well into this Bill, since a large volume of work suggests that the restoration of wetlands and other ecosystems would have the effect of increasing the water quality, which is one of the objectives of the Bill under clause 7 *(b)* (ii).

I ask the Minister whether she considered providing for the restoration of wetlands and other ecosystems that have already been lost, and members on both sides of the House will know that there are indeed many of those. One has to look no further than the Coorong, Sturt Creek and a number of other places in this State where very valuable wetlands no longer exist because of human intervention, which was not always as necessary as it should have been.

In this context it is interesting to note that clause 58, while laudatory in itself, comes into this Parliament too late to do very much for the waterways I have mentioned. If my understanding of clause 58 is correct, it would be very difficult for a Government now to implement something like the South-West Drainage Scheme and to destroy a natural watercourse like the Sturt Creek, to which I have previously referred in this place. Clause 58 precludes a person from placing objects near the bank of a watercourse or lake to control flooding, depositing any solid object or material in a watercourse or lake, obstructing a watercourse or lake, altering the course of a natural watercourse, or destroying vegetation growing along the beds and the banks of a watercourse or lake. All those things were done by previous Governments in the name of the South-West Drainage Scheme. In not only that system but also in the Coorong and other areas of our State the natural waters have been interfered with and destroyed because of what was probably our best knowledge at the time but knowledge which, in the light of today's scientific understanding, was not well advised. As to degradation of water, clause 42 (1) *(b)* provides:

> Material that enters surface or underground water in any part of the State will be taken to have degraded the water if... the presence of the material... is likely to have a detrimental effect upon any animal, plant or organism.

Clause 43 (1) provides:

> A person who disposes of, or permits the escape of, any material directly into the surface or underground water is guilty of an offence if the material degrades that water.

I believe that this House requires a full explanation of those clauses, because in relation to clause 41 (1) *(b)*, what then is the effect on people who irrigate their land in the Murray River basin because the water that is drained back into the river can contain materials which the Minister has told this House contaminate and which are to the detriment of the waters as defined within this legislation. Before we rose for our recent two-week break the Minister explained to the House at some length the detrimental effects of phosphates on the water.

I am sure that the Minister knows that one of the ways in which those phosphates get into the water is through irrigation along the Murray River, and I believe that the Bill must make perfectly clear the Government's intent in terms of what will happen to people who irrigate along the Murray River. Their water goes back into the Murray River and, therefore, under this legislation I believe they are guilty of contaminating the river. Will the Minister exempt those people, or will she make some provision for run-off waters from irrigation to be otherwise dealt with so that the people who use irrigated waters are not contaminating the river?

It does not stop there because that clause, which deals with depositing material on the earth, can, if one thinks about it, be held to extend to any farmer who covers his land with superphosphate. With rain falling on the superphosphate, most members would know the situation with respect to land from which the mallee has been removed.

The mallee vegetation removes, I think, all but .1 of a millimetre of available water from the soil. Wheat and other pasture crops allow much more of that water into the watertable which, I believe, the Minister has explained previously in this place is the reason for increasing salinity. The water table then rises and brings salts to the surface. If a farmer seeks to fertilise his crop with superphosphate or any other artificial fertiliser and that fertiliser then dissolves in the water and enters the underground water or the watercourses

of this State, I believe that under this Act he is guilty of an offence. He is polluting the waters of this State.

In Committee I will ask the Minister for an explanation as to how the Government will cover that situation. I am not being judgmental about that—it is what is happening. It is a matter of what we are going to do about it. I would also point to clause 45, as follows:

> Any person who stores or disposes of material, or permits the storage or disposal of material, at a depth below ground level that exceeds 2.5 metres . . . is guilty of an offence.

In the Committee stage I will ask the Minister for an explanation quite specifically of that clause because, as I read it, it makes it an offence for anybody in this State to own a cellar, as cellars often are more than 2.5 metres below the surface.

There is then the matter of personal cellars, wine cellars, sub-basements in large buildings such as the Remm-Myer building, underground mines and things such as petrol tanks below service stations. They are all probably more than 2.5 metres under the surface of the ground. There is also the problem of Coober Pedy. Most of the housing in Coober Pedy exists at a level more than 2.5 metres below the surface of the ground. According to the provisions of this legislation, that housing could become unlawful. I know the Minister has the power to provide exemptions but it strikes me that clause 45 has such far reaching implications that the list of exemptions that will be needed almost boggles the mind. Perhaps it would be better to re-word clause 45 rather than keep it there and have a list of exemptions that would be two miles long.

I urge the Minister to consider my suggestion, given the Government's concern for the environment and energy conservation. In fact, our forebears knew that there was often no better way of storing and preserving food than putting it below the surface of the ground where there is a constant temperature. It is a very good way of preserving foodstuffs. It is also the cheapest possible way of preserving foodstuffs. So I would commend the Minister's attention to that point.

My final point is in respect of underground water. I note that 'underground water' includes, by definition, any personally owned or constructed underground tanks. In fact, the Bill defines 'underground water' as follows:

> . . . water pumped, diverted or released into a well for storage underground.

Therefore, I will be asking the Minister whether it is her intention that those people who may go to some considerable expense to construct for themselves underground tanks are to have certain rights taken away from them by this legislation. I believe that the owners and constructors of those tanks should be able to enjoy them.

In the Bill the Minister defines provisions for the conservation of water as something over which she has due authority. I do not know whether that was the Minister's intention, but I do know that it may well put people off such provisions. I believe in South Australia we should encourage the use of rainwater tanks and we should encourage the storage of run-off water. If any part of this legislation discourages people from storing water above or below the ground, it is to be deplored and I would ask the Minister to look at that. I conclude by indicating that I will ask the Minister those questions at the appropriate time since I doubt she has heard much of what I have said.

The Hon. B.C. EASTICK (Light): I rise only briefly to take the baton between now and 6 p.m. when my colleague, the member for Coles, will resume the debate. I do so quite genuinely, wanting to put on record my view that the water resources committees and the individual regional committees which have been in place since 1976 have done a great service to the State of South Australia. We have come a long way when one remembers the sorts of difficulties which were apparent on the Adelaide Plains prior to 1976, with all types of argument relative to the use of the artesian basin and whether, in fact, the cone was lowering so much that there would be an intrusion of salt water from the sea, and whether, in fact, the vegetable gardens which were there would eventually become a desert.

Regrettably, the belief at that stage of the Water Resources Council that the water which was going to be available from the E&WS facility at Bolivar might be integrated and provide a shandy and be worthwhile has not come to pass to the degree that was believed at the time. It became a matter of cost. There were some rather unfortunate delays at the time which prevented the service becoming available as widely and as early as the market gardeners would have liked. By the time a number of those difficulties had been sorted out, the cost factor was such that market gardeners said they were unable to take any of the supply from the Bolivar source.

So there was a greater demand at that stage upon the water from the Adelaide basin and that just exacerbated some of the difficulties which were occurring. I cannot say that all of the decisions of the Government—and that is Governments of two political persuasions during that period—or of the water resources committees received total approbation from the people who were unduly affected by the decisions but, in the longer term, I believe the type of statistical information which has subsequently been made available—the testing which took place, the attempted dialogue which took place through the individual regional councils—has become better understood by the landowners and fortunately we still have a market garden facility in the northern Adelaide Plains.

After difficulties started to appear in that area a great amount of water was found in the Pinnaroo/Lameroo area, and a number of market gardeners relocated there to grow their potatoes, onions and other vegetables. They soon found that there was not an unlimited supply, and even in the South-East we are fully appreciative of the fact that changed circumstances required further action to control the use of water from that area. We are also aware of the fact that the drainage system which opened up a great area of the South-East has been put under question in more recent times as to whether it is draining too much from the area and whether, in fact, the work which has been undertaken by the appropriate authorities to put weirs in to hold back some of the water may not become the order of the day in due course.

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

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

Returned from the Legislative Council without amendment.

WATER RESOURCES BILL

Adjourned debate on second reading (resumed on motion).

(Continued from page 608.)

The Hon. JENNIFER CASHMORE (Coles): I support the Bill. South Australia, more than any other State, needs high quality and far-sighted legislation governing its water resources. We also need administration of that legislation

of a high order. We need it to be effective, consistent and in line with the objectives of the Act. Later in my speech I intend to refer specifically to the administration of the water resources legislation in South Australia.

The member for Mount Gambier gave the House a very detailed and, indeed, learned exposition of the background to water supply problems in South Australia. He referred, as so many have done, to the fact that we are the driest State in the driest continent on earth. In addition to that double disadvantage, we have inflicted upon ourselves problems arising from land abuse, deafforestation, land clearance, overgrazing, intensive agriculture and animal husbandry, the abuse of marginal lands, excessive irrigation, rising water tables, salinisation, excessive application of fertilisers, discharge of sewage effluent and the discharge of industrial effluent and toxic waste. Despite our increasing knowledge of the difficulties caused by all of these factors, we continue to pollute our water resources and we are not reacting nearly fast enough to the knowledge that we have in order to preserve that water for future generations and for the well-being of the State.

The South Australian Year Book 1989 edition cites, as we know, the Murray River as the most important source of water for South Australia. Under the terms of the Murray-Darling Basin Act 1983, South Australia is entitled to 1.850 million megalitres of water annually, subject to the declaration restriction by the Murray-Darling Basin Commission. It is worth noting in the light of that 1.850 million megalitres that we suffer a loss by evaporation and seepage of about 800 000 megalitres per annum.

In recent years, irrigation diversions have averaged 420 000 megalitres per annum, and town, domestic, industrial and stock supplies have averaged 150 000 megalitres per annum. In fact, in dry years, town, domestic, industrial and stock supplies have, on occasions, been as high as 234 000 megalitres per annum. Taking the lower figure, we use about 1.6 megalitres per annum which brings us perilously close in terms of usage to our entitlement under the agreement. It certainly makes one wonder, when we hear the Government talking about new cities and increased immigration and higher population, whether South Australia's arid land can sustain that kind of increase.

Of course, there are many other areas of the State, aside from the metropolitan area and the major towns which are dependent upon water supplies from the Murray, which are dependent upon underground supplies, particularly for stock drinking water, and I want to make reference to that further in my speech. The Year Book continues:

> The aquifers of the northern Adelaide Plains provide the major source of water for market gardens and related irrigation, but the demand level has been found to be beyond the permanent capability of the area and use is subject to controls by a licensing system and metering of wells.

That is a very brief extract. Anyone who has studied South Australian newspapers over the years will be familiar with the phenomenon of periodic screaming headlines drawing the attention of the community to the perilous and, indeed, vulnerable nature of our dependence upon limited water supplies. To quote just a few from recent weeks, we have the *News* of 28 February stating 'Race to cure our water crisis: farmers battle disaster on river banks'; 'Water on tap but not a drop to drink' in the *Australian* of 7 March 1990; 'Tastebuds tortured by Adelaide water test' from the *Advertiser* of 21 February 1990; and 'Excuses over pollution no longer hold water' from the *News* of 9 March 1990. These are simply a recent few.

Probably one of the most concerning of the recent reports on our water supply appeared in the *Advertiser* of 2 March under the heading 'S.A. water supply to "get worse" ' and read as follows:

> South Australia's water supply is going to get worse and health problems caused by toxicity are likely to rise in the next few decades unless urgent action is taken, a leading Australian water scientist said yesterday . . .
>
> Professor Falconer, Dean of the faculty of sciences at the University of New England, New South Wales, is acknowledged as Australia's leading authority on toxic algae. He has advised authorities in Canada and England on the issue . . .
>
> He believed it would take cases of severe health problems such as liver damage, allergic reactions such as skin and eye irritation and other as yet unknown health effects before effective action was taken.

It is an indictment on all of us that an academic needs to highlight the fact that people must physically suffer before there will be effective action to stop the abuse of the water supply which I referred to earlier in my speech. Professor Falconer said:

> Decisions needed to be made about the use of the whole Murray-Darling catchment and the use of phosphates, predominantly from farm use and domestic detergents.

We have heard those remarks made in this House many times and we know that, as a result of our Federal system, there has to be voluntary cooperation between the States. Professor Falconer also pointed out that there had already been demonstrable cases of liver damage in New South Wales, and he said that there could be other health hazards not yet documented. That, of course, was only in respect of toxic algae.

The member for Mount Gambier referred to the health problems arising from the deposition of heavy metals polluting water supplies and the effect that that has on bone structures, particularly in middle aged and ageing women. I have referred but briefly to only a few of the problems, and I now wish to turn to the Bill itself and to the objects of the Act. Clause 7 of the Bill identifies the objects as:

> *(a)* to promote recognition of the fact that water is one of the most important natural resources of the State and that it is a limited resource.

Obviously, it follows that it must be used carefully, frugally and only where it is necessary to be used. Further, clause 7 states the objects as:

> *(b)* to establish a system ensuring—
>
> (i) the efficient use of the State's water resources at a sustainable level—

and I stress those last two words—

> (ii) the maintenance of water quality;
>
> and
>
> (iii) the sharing of available water on a fair basis;
>
> *(c)* in establishing and managing that system—
>
> (i) to recognise the importance of surface and underground water in the environment;
>
> (ii) to preserve, as far as possible, wetlands and other ecosystems and areas of scenic beauty;
>
> and
>
> (iii) to interfere as little as possible with sites of scientific, historical, cultural or archaeological importance.

That being the case, and those objects being substantially the objects of the existing legislation, how can it possibly have occurred that this Government is proposing, most insistently, to establish in one of the most arid and fragile areas of this State a four-star hotel that will draw on underground water supplies which have not yet been proven?

I intend to question the Minister in the Committee stage about the relationship between the Government's decision as to the Wilpena resort and the Minister's obligations under this and other Acts which she administers. The document 'Proposed Wilpena Station Resort, Flinders Ranges National Park, Assessment of the Potential Environmental Impacts', draws attention to this very problem. Chapter 4.1 of the report, identifying major issues, states:

An issue which is critical to the viability of the proposal is the long-term reliability of water supply for both domestic and irrigation requirements . . . Concern exists because studies so far have only demonstrated the feasibility of developing a groundwater supply, rather than proving the long-term sustainability of the supply.

In the face of the Government's own report, with that very concerning statement, nevertheless, the Government intends to press ahead. The report continues:

Water supply was the major issue raised in public submissions.

And well it might be, because not one conservation organisation or concerned citizen in this State does not have genuine worries about the impact of this proposal on the underground water supply in the Lower Flinders. The pastoralists are certainly deeply concerned; the local tourism operators are deeply concerned; and a multitude of South Australians who visit that area annually and have done for years are deeply concerned. The report continues:

In addition, a number of submissions raised the issue of potential adverse impacts on the biophysical environment as a consequence of watertable drawdown.

Nobody knows the impact of the drawdown of water on that whole area. Nobody in the Government can say categorically that there will be no adverse effects. To proceed in the light of that uncertainty is irresponsibility in the extreme. The report continues:

. . . there is debate about whether known supplies are sufficient for all proposed facilities, and there is debate over the long-term sustainability and quality of the supply . . . there is also debate over the level of impact that groundwater usage would have on nearby flora and fauna . . . there is some doubt about the current withdrawal rate from Wilpena Spring . . . the watertable drawdown at the two bore sites would be in the order of tens of metres but would produce a steep drawdown cone at the bores. Thus vegetation relying on the groundwater around the bores, such as the river red gums may be affected.

These are those magnificent river red gums, the subject of many Heysen and Namatjira paintings. The report states that this issue requires further investigation. It goes on to say:

. . . Even if treatment of waste water results in minimal loss of domestic supply, it has not been proven that sufficient water will be available either on an annual or a peak month basis, both for domestic purposes and for irrigation of either a woodlot of the size proposed . . . or a golf course.

The latter, of course, has been eliminated. That report was dated January 1989.

On 21 October 1989 Professor Gordon Stanger of the School of Earth Sciences (Hydrology) at Flinders University wrote to the Director of the NPWS and stated:

I strongly believe that before the development is implemented, the constraint of long-term water supply should be both proven and quantified to the satisfaction of a qualified independent assessor. Also, I still have certain misgivings concerning both the time scale and the adequacy of hydrogeological assessment within the environmental maintenance plan.

The writer goes on to say that within 12 months of the date of execution of the lease '. . . within this time, and under the current anomalously wet conditions. It may not be possible to determine the two essential parameters required for the water resources assessment.' Even that letter has not slowed down the Government's rush to get this development under way, and I ask the Minister how she can reconcile her support for that project in the light of her functions identified under this Bill. Clause 9 provides:

1. The Minister has the following functions—
   (a) to assess and keep under review the extent of the water resources of the State and the quality and availability of those resources;
   (b) to develop policies for the administration of this Act in accordance with its objects including the formulation of plans of management of water resources;
   (c) to promote public awareness of the importance of the State's water resources and to encourage the conservation of those resources.

How can the Minister claim that she is acting in accordance with her functions under this Bill, namely, the encouragement of conservation of these resources, if she is supporting a project that will enforce profligate use of the very limited groundwater resources in the Wilpena region? Clause 9 (1) *(e)* requires the Minister 'to integrate, as far as is practicable, Government policies relating to management of land and water resources'—and the two are indivisible—'and the environment and for that purpose to consult, if necessary, with any other Minister who has responsibility in relation to land management or the planning laws of the State.' All of those functions mentioned in paragraph *(e)*, that is, the integration of policies relating to management of land, water and the environment and the planning laws of this State, are bound up in one way or another with the proposed Wilpena resort. Yet, the Minister seems to find that she can somehow reconcile her functions under this Bill with her support for that project and with the Government's determination to proceed with it. I say that the two are irreconcilable and that it is more than time that the Government had second, third and fourth thoughts about this project and decreed that it should not proceed.

That reference to the Wilpena resort in connection with this Bill simply highlights yet again the tremendous dependence by the State upon our water resources, the essential nature of sound administration—of a sound law—and the fact that, if we keep on being inconsistent and ignoring the realities of the problems confronting us, we will simply find 36t this State is no longer livable. It will not be able to sustain its population as a result of the abuse that will have been inflicted upon it by those who overlook the need to conserve, preserve and maintain the sources and the quality of our water.

The SPEAKER: Order! The honourable member for Davenport.

Mr S.G. EVANS (Davenport): I support the Bill for reasons that are similar to those of most other members. In particular, I congratulate the member for Coles on her views. I might not hold the same view in every area, but there is no doubt that the honourable member has spent much time in researching not only her conscience but also the conscience of other people as well as the material that she has used.

As I live in the Hills, I have had to face this conflict of thought and activity as much as if not more than any other honourable member in this Parliament. I am concerned about the power we give to officers. The conferring of that power is acceptable as long as it is used with some sensitivity and a general understanding that the abuse of our water resources and land has continued for over a century and we will not correct the problem quickly. So, some compassion and sensitivity must be shown towards people who have been found, if you like, to have exploited or abused the adjacent water system.

It is interesting to note that the legislation binds the Crown. If the Crown is to be as tough on itself as the member for Coles and I expect the officers to be on private individuals, the Crown has some difficulties. The Bill states quite clearly that anyone who disposes of any material that contaminates surface or underground water is contravening the legislation. I give two examples: there are at least two points where the Engineering and Water Supply Department puts effluent from townships into the Onkaparinga River, which flows into the Mount Bold Reservoir, then into the Clarendon Weir and from there to the Happy Valley Res-

ervoir. The water that goes through the treatment plants at Woodside and Hahndorf flows straight into the stream. When the Oakbank race meeting is held the system cannot carry the load, so raw sewage flows down the Onkaparinga River and into the Mount Bold Reservoir. I am not saying that the sewage is in quantities whereby city people can taste or smell it, but surely it is unacceptable to allow that type of material to flow into the water which is then sold to the community for drinking and washing purposes. In fact, I suppose one could say that some of that recycled urine is pumped back for the same people to use. That is a rather horrific situation when one thinks about it, but nearly every country in the world must face that problem and they are still struggling to solve it.

It is a long-term project. I do not condemn the Engineering and Water Supply Department for the position which it faces. The historical development of towns like Hahndorf, Stirling, Aldgate, Crafers or Woodside has happened and those before us should have been aware of the long-term problem. Perhaps they were aware , or perhaps they ignored it.

One very recent example relates to a matter I raised with the press but it did not want to write about it. The Woodside army camp, which is right in the middle of the catchment area, has been completely rebuilt under the two philosophies that have been in power in recent years. Surely, that facility could have been built outside the areas where water is caught for human consumption. I do not say that, unless not properly treated, the wastes from that particular village, wherever it is established, would not be a problem in the area of contamination. Some might say, 'The effluent that comes out of the treatment works is not too bad'.

However, if it affects the use that people have generally had of the water from that waterway then that will be a contravention of this legislation. In the case of Sturt Creek, the effluent from that part of the Stirling District Council area which has sewerage facilities flows into Sturt Creek. About four to five kilometres from the beginning of any of the tributaries of Sturt Creek there is a spring called Shields Spring which puts out quite a large quantity of water and has done so for as long as white man has been in the area; in fact, it increased at the time of the earthquake in the early 1950s.

The people below that point have had the use of high quality water for all those years until the E&WS Department built the treatment works at Brick Kiln Road, Heathfield, some 10 or 12 years ago. The department gave a guarantee that that water would not harm any of the marine life of the creek (or the river, as it is shown on some maps) and would not be harmful to human beings. What has happened is that there are no trout, a fish that was accustomed to come to the upper reaches in the early days, until the winter months came and the creek started to dry up in the upper reaches, when the fish either died or went back down as the water receded. I cannot prove that that is as a result of the effluent in that spring. There has been a large increase in watercress. I do not mind that because my goats love it and they find it a nice source of lush feed. I find nothing wrong with it personally because I use it to irrigate my home gardens and some land and to water stock. However, when somebody stops and has a sunday picnic, I have to tell them that above Shields Spring at this time of the year they are drinking pure effluent. They think it is beautiful mountain water. They are enjoying a Sunday picnic, and they say it tastes nice. Perhaps that supports the Minister's department. When they are told it is straight effluent they seem to lose interest in that material. What I am really saying is that it will be very difficult to implement this Bill as it is written. I know why it is written in this way: it gives the department the power to move to the extreme if it finds there is an extreme abuse of the water resource.

One other area worries me a little. The Bill defines a water course as 'a river, creek or other natural water course modified or not'. It goes on to say that the Minister may take water from any of those areas. I do not have any strong objections to that, except when somebody has built quite a large dam, within the law, to store water to irrigate a crop. They may even have been given permission to put down a well or a bore, as some call it, and have a good supply and it may be part of their survival kit on their property. It may be that because of contamination of a lake or a reservoir, (as we have in the southern areas now) the department needs to take water from that owner.

I have no objection to that because it could benefit the whole township. My objection is this: nowhere in the legislation does it say that there is a chance of compensation. If you do not have a supply to water some crops, say, in a period of reasonably warm weather for a week, you either lose the crops or you have a substantial decrease in the amount harvested. Only on odd occasions will that occur, but no consideration has been given to that problem under this Bill.

Mr Lewis: It happened to me in 1967.

Mr S.G. EVANS: The member for Murray-Mallee says that it has happened to him. The point I am making is that, when we make laws to try to preserve the situation for the majority, if we act in a deliberate way through this Bill, surely we should think of the minority that might be adversely and unnecessarily affected. I am suggesting that we should consider compensation only where there is a river, a natural watercourse or an underground water supply that a person depends on for two or three days for a particular crop. I do not advocate opening up a Pandora's box for anyone who calls for compensation. The Minister might say later that, in circumstances like those pointed out by the member for Davenport, the department will consider some compensation. That is not good enough because, like me, the Minister is a bird of passage. She is here today, gone tomorrow.

Mr Lewis: She is not here now.

Mr S.G. EVANS: I am not commenting on that. People have their reasons, and there is a Minister in charge of the House. I make the point that that is one area that would concern me greatly if it were to adversely affect some individuals.

The member for Coles mentioned Wilpena, and I will make one brief comment about that. I am concerned about the underground water supply and its capacity to maintain the suggested facilities. I know that the golf course has been dropped, and just as well; but that may not always be the plan. It might be like the casino. It could not have poker machines until clubs got keno, and now other mechanical machines have been brought into the casino before the end of the same year.

The underground water supply at Wilpena is a problem. As an example I mention the town of Cleve, which has a population of 1 200 people. That community thought it would be wise to use the water from the common effluent catchment to water an 18 hole golf course. However, 1 200 people cannot produce enough effluent to maintain more than nine greens. That is worth thinking about. Perhaps if they carted more beer into the town it would be a help to what is recycled through human consumption. I believe that it is dangerous to go into a big project at Wilpena unless we are sure of ourselves.

Take as another example the north Adelaide Plains. When quotas were brought in, some of the market gardeners told deliberate lies. They were asked to give an idea of the amount of crops they had grown in the previous five years. No-one had any records. The honest were penalised because of the dishonest. On the north Adelaide Plains, the gravel bed is between 40 and 80 feet below the surface, but deep bores go down to 300 feet into the coral. If they pump all the time and take the level too low the salt water from the sea is above that level and gradually starts to soak in. It would take years to soak through the coral but, once it got in, we would never get rid of it and the whole basin would be lost. That is why the Government brought in controls on the amount of water used in that area, and I support that. Are we thinking of doing the same thing at Wilpena? Every country that has any development at all has polluted its waterways. When in Britain, I took the opportunity to look at the efforts in the Scottish Highlands and in parts of England.

No doubt that country and many others have set out on the same path as we are pursuing here tonight. Some of them are behind us and some of them are in front of us. They do not have the same problems that we have in being a dry State on a dry continent, relying on our neighbouring States to do the right thing by us. However, in the main, those States do not do the right thing, and we may never win the argument with them. I am now told that, for the first time, fish are back in the Clyde, the Thames and streams in the highlands where previously no fish have been caught, in some cases, over the past 50 years. This has been achieved through the efforts made to purify the watercourses and reserves.

This is a delicate subject for those who have been adversely affected by the actions of departmental officers. I hope that commonsense will prevail. In the main, one must say that the Bill is heading in the right direction. The one problem may be that regulations and proclamations will make the Bill a lot more difficult for individuals. Generally, the Bill is only an enacting Bill, and a lot of hardcore provisions will be introduced later by other measures. That sometimes concerns me. It is more difficult to debate those issues at that time, but that may be different given the minorities that we currently have. It is most probable that we will have an opportunity, at least where regulations are concerned, to have a fair debate and reach a just decision. However, where there are proclamations there is no hope. I support the Bill.

The Hon. P.B. ARNOLD (Chaffey): On 24 October last year, when the Bill was before the House, I indicated my support for the measure. Fundamentally, the Bill we have before us this evening is basically the same, with a few minor drafting alterations and so forth; in the main, however, it is the same Bill. On 24 October I indicated that, although I supported the legislation I would be looking to move one or two amendments. However, as we all know, the legislation lapsed as a result of the election in November.

My comments are recorded in *Hansard*, so this evening I want to take the opportunity to make one or two more broadly based comments in relation to water resources generally in South Australia and throughout the nation. The member for Mount Gambier has covered the subject for and on behalf of the Opposition in an excellent fashion and in great detail. Therefore, there is no need for me to add to what he has already said.

Mr S.G. EVANS: Mr Speaker, I draw your attention to the state of the House.

A quorum having been formed:

The Hon. P.B. ARNOLD: It is my intention this evening to make one of two comments on a broad basis about the state of water resources in South Australia and across the nation. It is one of the tragedies of this nation that virtually all our productivity is linked to our water resources. During her second reading explanation of this Bill, the Minister expounded on the importance of water resources in South Australia. Every member who has spoken in support of this Bill has also expounded on the virtues of adequate legislation and on how critical our water resources are to this nation.

Unfortunately, Governments are not committed. Largely, what comes from Governments is rhetoric that has little substance to it. We only have to look at the sorts of funds allocated to water resources in South Australia and across the nation, whether it be in the other States or funds allocated by the Federal or South Australian Government, to see that this is so. The problem in relation to water resources is created not by inefficiency or lack of desire by the E&WS department in South Australia or any other water authority throughout the nation, but by a lack of commitment by Governments. Until we have leaders in this country who will take a statesman-like approach to this subject and allocate the necessary resources, this nation's productivity problem will continue to worsen year by year.

On a number of occasions I have advocated the allocation of about $100 million annually to the Murray-Darling Basin. This resource has been readily recognised by successive Federal Governments as contributing about $10 000 million annually to the economy of the nation. But what did we see the other day? A few months earlier the Prime Minister announced that an additional $7 million would be allocated to the Murray-Darling Basin, but a few weeks ago he reduced that sum by $2 million to $5 million annually. That is absolutely appalling when we have a resource that contributes $10 000 million annually to the economy of the nation.

If as a nation we put back into this resource $100 million annually over the next 10 years, we would be putting back 1 per cent of what this resource is generating. I know of no other business that can generate this sort of wealth by putting back into the business only 1 per cent. I wish I knew of a business where 1 per cent could be put back and it could continue to reap the sorts of rewards that we get from the Murray-Darling Basin.

As far as I am concerned, this is criminal neglect and a tragedy for this nation. We will be condemned by future generations because of our attitude. We are squeezing every drop we can out of this resource and putting virtually nothing back. Until a statesman comes onto the scene, whether it be in State politics or in the Federal arena, the situation will not improve, because water generally is not a high profile, emotional subject. As long as water keeps running out of the taps in metropolitan Adelaide, Melbourne, or Sydney, it will not be an issue. However, when the quality of the water deteriorates to the point that it is unusable, the lead time to correct the problem will be probably be 10, 20 or 30 years, and that will be another tragedy.

It is difficult to get Governments to react other than to the weight of public opinion. Obviously the public is not conscious of the very real problems that exist in relation to water resources in this country. The member for Davenport said how dry Australia is. We are all aware of the quotation because we have heard it a thousand times, yet it is not a subject that generates a great deal of emotion in the community.

It is not like welfare, education or health, where a great deal of emotion can be generated without much trouble.

Unfortunately, the public seems not to appreciate that the whole productivity of this nation is based on the water resources that we have. As I said, it is an absolute tragedy that we are not putting back into the resources that we have a reasonable contribution out of what those resources are making for this nation.

In a recent publication put out by the E&WS, 'South Australia Water Future: 21 Options for the 21st Century', it is interesting to note some of the proposals that have been floated by the Government in the last 12 or 18 months. It indicates that they are unrealistic. Once again, this publication clearly indicates that the Clarence River proposal is by far the best option as far as volume and cost are concerned. But even if the diversion of the Clarence does come to pass one day—just when it will be necessary I do not know—if we did the work that is necessary on the conservation and preservation of the Murray-Darling Basin and we had the efficient use of the waters that exist within the Murray-Darling Basin, our water resources would be adequate for many years to come. Ultimately it will be necessary to divert the Clarence, and I believe that is the logical major additional water resource that can be used west of the divide. We can do an enormous amount with the Murray-Darling Basin with improved irrigation practices and reafforestation of the valley. It is not a water shortage that we have at the moment; it is inefficient use of the resource that is there and the fact that we are doing very little to improve the state of the water within that resource.

Reafforestation alone will have an incredibly amazing effect on lowering the watertables and keeping the salt load within the Murray-Darling Basin where it belongs, and that is two or three metres below the surface instead of being on the surface. With the small amount of reafforestation which has occurred in areas where we have watertables half a metre below the surface, where woodlots have been planted and the watertable has been drawn down to two metres, there has been an incredible revival of the state of the soil. The salt has not disappeared; it has gone back to where it was one million or two million years ago. Particularly in the Murray-Darling Basin, and even within the Riverland of South Australia, much of the heavy timber on the flood plains of the river was cut, partly for use in the river steamers in the early days and for the wood burning pumping stations. When that timber was cut, there was no knowledge of the implications that would result from that action. If that had been known, obviously the timber would have been cut from somewhere else. But taking the timber allowed the water table to rise on the flood plains bringing up the salt load which historically has been there for millions of years. As I said, there is little that the E&WS or any other water authority in Australia can do to rectify these problems unless the Governments of the day are prepared to put up the necessary money.

As I said, as long as the matter of water resources in this nation remains a low profile issue, pressure will not be put on Governments by the voters to take the necessary action. We can only hope that, in the very near future, we will see our political leaders come to the fore in this country and accept the responsibility and allocate the necessary funds to let the various authorities, not only in South Australia but also in the other States, deal with this problem once and for all. The problem can be dealt with; the answers are there; the technology is there; all of the know-how is there to come to grips with the problems that we have, but we certainly cannot do it with the sorts of allocations that are being made by Governments at this time. The paltry allocations will not make any impression whatsoever.

As I said, we are looking at a minimum of $100 million annually in connection with the Murray-Darling Basin if we are to have any impact at all; otherwise we are just singling out one salt mitigation problem at a time and tackling it on that basis. The Woolpunda scheme, which is an excellent scheme and well on the way to completion, is one of many such schemes that need to be undertaken simultaneously. With the present funding, it only enables one or two projects at any one time, and at that speed we will never solve the problem.

Mr LEWIS (Murray-Mallee): Much like the member for Chaffey, I refer members (and anyone else who may be examining the record historically from time to time in the future) to the remarks I made on the measure before this Chamber just a month before the last election. The measure presently before the House in no small part resembles that legislation. Some relevant points need to be emphasised and some variations pointed out between that Bill and the one before us now.

I note with some measure of satisfaction that the definition of a well is clarified in the present legislation, whereas it was at very best ambiguous in the legislation before the House in the last Parliament late last year. The member for Mount Gambier also referred to other matters and, in much the same way as the member for Chaffey has drawn members' attention to his remarks, I do likewise. I have no wish to detain the House unduly by repeating those remarks.

However, it is quaint that I find it necessary nonetheless to draw attention to something I have never noticed before in the 10 years or so that I have been here. This Bill makes reference to other legislation. That is not so quaint, but the thing that is quaint is that that other legislation does not exist. In fact, it is yet to be debated in this Chamber. If members doubt what I am referring to, I draw their attention to clause 48, for instance, which refers to the so-called Marine Environment Protection Act 1990. How the hell it can do that is beyond me because it does not exist! It is on the Notice Paper but we have not debated it.

Notwithstanding that point, but indeed because of it, I draw members' attention to the anomalies that exist in the definitions of the common terms between this and that measure. Terms are used here which both proscribe and prescribe what can, may or may not be done by people affected by the legislation. The definitions of the terms and the way in which they are otherwise applied in the other measure to which I have referred are different. I would have thought that, in the event of this rather unique set of circumstances that we have before us, the Ministers responsible for each of the measures that will change the law in this way would have consulted with each other.

In any other cirumstances I should have said that, but to have said that in this circumstance would, of course, either acknowledge the point that I was ignorant of reality or that I was considering the Minister at the bench to be schizophrenic in her legislative responsibilities, since she is the Minister responsible for both measures, and she has not got her Acts together. That is indicative of the measure of interest this Minister has in the legislation she deals with. The Minister is a very intelligent person and has a great capacity for understanding and compassion, but she has an even greater mouth. She talks her way out of awkward situations, and not without reliance on rhetoric, but independent of or indifferent to the facts.

The SPEAKER: Order! There is no reference at all to the Bill in anything the honourable member is speaking about. I draw the attention of the honourable member to the Bill and to the requirement to relate remarks to the Bill.

Mr LEWIS: Thank you Mr Speaker. Having drawn attention to the difficulties that will be posed by the differences that exist in the written word before us but not in the law as we propose to make it, let me draw attention to some of the provisions within the Bill itself. It is quaint to compare the Minister's functions in this instance with what they are elsewhere in the proposed legislation. That is clause 9. The member for Coles made some very telling points in relation to the Minister's functions and the way in which they may be in conflict with yet another of her portfolios, that of environment and planning, and her position as spokesperson for the Government in some of the projects presently under consideration for development.

Within clause 9 there are such a wide range of responsibilities that the Minister will have as to make it almost impossible for anyone to breathe or to scratch themselves, in some situations, without being in danger of offending. Under clause 10 the powers of the Minister are outlined as they relate to the functions and, as the Minister should know, they involve controlling the flow; the use of any surface or underground water; protecting and improving the quality of any surface or underground water; assessing any foreign matter that may get into the water above or below ground; the way in which the water is drained, treated, stored, discharged or used for irrigation; and then there is the storage of water in underground basins, and any of the other functions referred to elsewhere in the legislation.

That is fairly wide-ranging. I admire the boldness of the ambit claim but worry about the implications of trying to be realistic in its implementation. I note that, while clause 12 (3) gives us the opportunity to appoint other people, we have on the council someone from the E&WS, the Lands Department, the Department of Environment and Planning and the Department of Mines and Energy. That is very commendable. In addition, we have a selected person from each of the following categories: local government; presumably the Chamber of Commerce; someone from an irrigated farming background (presumably the UF&S)—whether it is horticulture or dairying is a moot point, and completely ignores the very valuable and large industry of fodder production, for both local consumption and export. That is a multi million dollar business.

There is also the United Trades and Labor Council, and what it would know or be able to contribute I am unsure, but I guess that, if that is the Government's penchant, that is the way it goes. One presumes that under clause 12 (2) *(b)* (vi) the South Australian Conservation Council will provide the consumer representative; whether or not that person is a scuba diver, I do not know.

Clause 12 (3) contains the catch-all phrase. I like that and commend the Minister for including it. I hope there is enough space to fit onto the council the kinds of people who I believe should be there. If under clause 12 (2) *(b)* (iii) we appoint a dairy farmer then, under clause 12 (3), we can appoint someone who is an olericulturalist—a vegetable grower for those members who might not know—a viticulturalist, or a dairy farmer and/or fodder producer. In fact, a member of the Murray Valley League would be an appropriate inclusion under this clause because the Murray Valley League, unlike this place and the Federal Parliament, or any other organisation I can think of, has had, for more than 60 years, an overriding concern and interest in the Riverland and its tributaries from which South Australia derives the majority of its potable water for over 80 per cent of its population. Such people have played no small part in raising national awareness, not only parochial State awareness but also of the importance of this resource we have at our disposal.

I note that the tribunal, in its function, is reasonably well comprised. That is better than many of us would have dared hope when we first contemplated the consequences of it. I also note that under clause 32 riparian rights will disappear for people on small streams, creeks and so on. Those people have traditionally had riparian rights not so much to catch fish, in the ancient meaning of the word, but, more particularly, to take water from the ponds in which the fish might be living. Previously people, particularly in the Adelaide Hills, the Mount Lofty Ranges and the southern Flinders Ranges, have been able to divert water from natural watercourses, creeks, rivers and so on (whether the Broughton River, the Torrens River or their tributaries) into dams for catchment, storage and irrigation. Now, under clause 32 *(b)*, water taken from a proclaimed watercourse, lake or well has to be limited to water for household use or to give to stock to drink. That would mean that the market gardeners who have relied, at least in part, on water taken from the surface run-off to go into their dams would be precluded from doing so if it became a proclaimed watercourse.

I hope that the Minister does not use this provision to destroy the viability of those disparate and, in geographic terms, difusely located but, nonetheless, important and hard working people who have made their living as small irrigators of specialist crops. I was one of them at one time and know how hard it can be when the Government puts you between a rock and a hard place in the middle of a drought, when you do not have sufficient funds to fight the Government even though the Government is, as it was in those days, breaking the law. It cut off our water supply, which we had under riparian rights.

It simply restricted the flow of water down the river in the '67 drought and through the '68 summer, to the point where it cost me in dollar terms of those days thousands upon tens of thousands of dollars in lost income. I made the investment and I believed that the law protected my rights and interests as an irrigator, and my access to water available; yet the Government simply chose to cut off the supply and I lost my crops.

I did not have then a notion to sue the Government for what it had done to me because I did not have that turn of mind, but I soon learned that if one does not take care of one's own interests, no-one else will. One cannot rely on the Government when its interests seem to be in conflict with one's own interests, even though the law says that it must not transgress or trespass against a person. It did.

I raise my voice in concern about the implications of clause 32 and I am not comfortable with it at all. Whilst acknowledging the place that this legislation, or at least parts of it, had in the measure of the mid 70s—I think 1976—nevertheless this provision is far more explicit and the draconian provisions that will apply as penalties against the interests of people are harsh indeed. The Government is simply taking unto itself—'arrogating' is a word I have heard members opposite use from time to time—the right to decide who shall get what, regardless of what they had before. In that connection I raise my voice in concert with, and in support of, the remarks made by the member for Davenport who has also some experience in these matters.

I note under clause 34 (3) that where a person takes water in contravention of subsection (1) the Minister may estimate the quantity of water taken and charge the person for that quantity at the excess rate prescribed by regulation. Members can imagine what that will do to some poor lettuce grower out in the hills, whether it is somewhere near Port Pirie or out near Mount Lofty or wherever—and this is an indication of the range of localities to which I am referring. Even on lower Eyre Peninsula there are implications, which

I am sure the member for Flinders will mention in the course of any remarks he might make to the House, and I do not wish to steal his thunder on this point.

I am as anxious as anyone to see, in respect of clause 42 concerning the degradation of water, that people do not degrade water. The Government of this State and the Government of other States, and municipal governments included in this, are as guilty as hell in this matter, yet I cannot see this Government attempting to sue any out of State corporation for damages or to stop them from doing something that is polluting our waterways. Nor can I see this Government taking itself to task.

For years I have called on Governments, of both political persuasions, to do something about the contamination of the Murray by the way in which we treat and dispose of our sullage and sewage effluent. It disturbs me that still nothing is done, that we simply pump the crap back into the river after it has been treated and turned into dissolved substances or suspended sludge. It is not good enough. Notwithstanding what other people think, the facts are that the bulk of the phosphates that go into our watercourses comes from the water softeners used in detergents and the like—whether industrial or domestic.

They end up in the sullage water and are pumped back into the river when the evaporation ponds' capacity are exceeded by the inflow from the systems that feed them from our factories and homes. More than anything else, that has contributed to the problems of the toxic algal blooms that we have seen in the last decade and, more particularly, this summer in the Lower Murray. They do not come from the use of dye or tricalcium phosphate—that is superphosphate—which is rapidly and effectively tied up in the soil very close to the point where it is applied, within centimetres of where it falls. It does not go beyond that.

I am referring to phosphates of a different chemical structure; they are soluble. It is these that have contributed more than anything else to the problems. So, this relates not only to nutrient overload, but other toxins and pathogens can get into the water by that means. If anybody has something to be guilty about in that regard it is the South Australian Government, the State Governments in Victoria and New South Wales and local governments along the way. I greet with pall the thought that Albury will pump its treated sewage and sullage effluent back into the river, and we have said nothing about it.

The Hon. S.M. Lenehan: That's not true.

Mr LEWIS: Then, the South Australian Government should take the New South Wales Government to the High Court over the matter. I think that situation is totally unacceptable, and the Minister would well know the ultimate consequences of allowing that kind of development to go ahead. It is an example and a precedent that should not be allowed in this day and age, while we worry about the consequences of the kinds of things that affect our water in the Lower Murray at the present time. Even though I speak frankly, I trust that the Minister will take on board what I have said and that she does not take it as being a deliberate attempt on my part to offend her—it is not. I simply want the existing problems to be addressed sensibly.

Mr MEIER (Goyder): I am pleased that we have this Bill before us, because it is high time that there was proper management of the water resources of this State and that we had appropriate legislation to preserve water quality and to provide for the sharing of available water on a fair basis. I do not intend to prolong the debate, because I think that most points have been made by the previous speakers, and I wish to endorse their remarks.

Probably one of the greatest treasures that this State has is our limited water resources, which we have to guard carefully. Most members would remember the imposition of water restrictions in the 1960s. I suppose we are fortunate that since then it has not been necessary to impose such restrictions, but this could well occur again. Hopefully, this legislation will help to ensure that we follow the right track.

I have several areas of concern and one relates to my own electorate on the Adelaide Plains where, over the years, the water basin has unfortunately continued to fall. I have met with constituents who are becoming increasingly worried about the future. There is still sufficient water for them to irrigate their properties, but there is no doubt that the matter must be addressed. Whilst I question whether this Bill has all the answers to the problem, at least there is greater attunement to the problems and, hopefully, this matter will be addressed in real terms in the not too distant future.

The problems relating to the Murray River Basin have been canvassed at considerable length by the member for Chaffey, who has an expert knowledge of that whole Murray Basin water network and he certainly appreciates and recognises the problems that we face in that area. We must keep in mind the future of agriculture in this State and we are possibly heading to a situation where we will have to introduce legislation to ensure the rights of rural producers so that farming can continue. That is perhaps my one worry with this legislation—that it does not become a hindrance to the future productivity of this State but rather that it will ensure that development can proceed as it has proceeded in the past, perhaps even proceed to a greater extent. At the same time we must ensure that our water resources are maintained to the greatest extent possible.

Several members have referred to pollution in the Adelaide Hills and the produce from that area. I will not comment further in that respect. The obstruction in watercourses and lakes does concern me a little bit, having seen many areas where dams are used by farmers. I hope that this legislation is never used to prevent people from obstructing a natural water course with a dam. I do not believe it will, but the wording is a little worrying. Certainly, there has to be some control and farmers or property owners further down the watercourse would at least have some chance to address their wrongs. But let us not go overboard in this legislation; let us make sure that commonsense prevails.

I suppose the best analogy we can draw is with the Planning Act in this State. Whilst there are many positive things about it, unfortunately there have been many problems too, and the Government would well recognise how aspects of the Planning Act have held up potential projects and in many cases have seen them disappear from this State. That is something we must avoid in the future. We do not want any legislation that would even hint at restriction of development that could be positive for this State if we can see that water resources would not be affected to any great extent. I know from the prefaced questions already that a lot of the answers will come from the Minister in her reply or in Committee. I endorse the remarks made by other speakers on this side of the House and I do believe that this Bill is definitely a step in the right direction.

Mr BLACKER (Flinders): I support the Bill. On Eyre Peninsula water is a scarce commodity. It is only on the southern end of the peninsula that underground water is available and that is, in fact, reticulated through to Ceduna.

I believe it is about the third longest reticulated pipeline in the world. To that end the people on Eyre Peninsula know the real importance of water for the development of the area. It is important that the Government keep in the back of its mind that, for all of our agricultural areas, for any diversification to take place water becomes the crucial point. The Government says that people in some areas of the north of Eyre Peninsula must get out of cropping. The logical extension is that the area must go into stock, much the same as the pastural area, and the limiting factor is the availability of water. We have heard in this house on many occasions that water needs to be extended to Penong, and I support that project. It worries me that, although Governments have the power to control waters (and I understand some of the varying reasons why those controls have been brought in) the legislation is perhaps restrictive rather than proactive in encouraging people to conserve water themselves. The restrictions that are included to encourage farmers to build dams for the conservation of their own water could become prohibitive.

I am more concerned that we should be encouraging farmers to conserve their own water and householders to put on tanks and use their own rainwater. We have a finite resource. We will run out of water in the not too distant future. Recently I had the privilege of hearing a speaker who has had experience in Israel. He said that, in Israel, the crucial point is not production per hectare: the first criterion is the production per cubic metre of water and the second is that the water be used initially more than once.

The logical extension is that water is used for trout farming, then for yabby farming, and then on the paddock. There is a triple usage of the water. In Australia, people use water once and then it goes down the creek. It is wasted. That seems to be the natural thing. A change of attitude is necessary to encourage people to use water more than once, if that is feasible or practicable, and this legislation should do that. It may well be that a farmer who can prove that he can use water twice or for two productive purposes should be able to negotiate a reduction in the price of water per kilolitre. That has some value, because it encourages conservation and the maximum productivity of a finite resource. Generally speaking, everyone would benefit by it.

With respect to the underground water supply on Eyre Peninsula, the point I raise with the Minister, which her officers can take up at a later time, concerns the level and quality of water in those limited areas on the peninsula where underground water is available. I refer specifically to the southern areas of Eyre Peninsula and the Polda Basin where, station owners tell me, there are considerable difficulties getting water and, when they can get it, the quality is deteriorating rapidly. Perhaps the Minister's officers can follow that matter up separately or at a later time.

I support the Bill but suggest that caution be extended to persons who are the *bona fide* users of water. I know of a grower who is endeavouring to diversify into almonds and, when there was talk of this legislation late last year, that particular grower thought that it was targeted at him. The department informed me that that was not the case but, somewhere along the line, restrictions will necessarily have to apply. I ask that those comments be considered in the future management of the Bill.

The Hon. S.M. LENEHAN (Minister of Water Resources): I thank all members for their contributions, which were wide ranging and diverse. They ranged from a strong conservation perspective to suggestions that the powers in the legislation were draconian. Indeed, those same powers have been in the Act for 14 years. I have decided that I will not respond to all the points raised by members because, if I were to do that, we would be here for the same length of time as the debate has taken so far, and it has taken a number of hours. However, I really feel that I must comment on the contribution of the member for Mount Gambier. I publicly acknowledge the enormous amount of research that the honourable member has undertaken. He has traced this question with a very detailed, historical perspective. I certainly appreciate the work that he has done and I also appreciate his support for the legislation.

I will touch briefly on a couple of points raised by the honourable member. He shares my concern to ensure that the appointments to the council and advisory committees are based on people's expertise to contribute constructively to the successful implementation of this legislation. I share his views and I assure him that, under the draft regulations, the points that he has made are more than adequately picked up. I am sure that he will be pleased with them.

Of course, the other thing talked about was the whole question of the quantity of water. I remind the honourable member that this matter is dealt with. If he looks at the title, he will see that it refers to managing the water resources in terms of quality and to provide for the sharing of available water on a fair basis. Given the lateness of the hour, it is more appropriate that I deal in Committee with the specific points raised by members. Otherwise, I could be accused of repeating myself and of taking up the time of the House unnecessarily. Therefore, I conclude my remarks by again thanking members, but most particularly the member for Mount Gambier for his contribution and for his support of the legislation.

Bill read a second time.

In Committee.

Clauses 1 to 3 passed.

Clause 4—'Interpretation.'

Mr LEWIS: Why do the definitions of the word 'lake' and the words 'water course' vary between this measure and other measures to which it refers? The Bill provides that the word 'lake' means a natural lake and includes a natural lagoon, swamp, marsh and spring. Why is it different? Why is 'water course' defined differently under each of the proposed measures and why are there variations of that kind between the two proposals in the definitions of the meanings of the words that are used? The time will come when someone, somewhere, will make a quid out of arguing that in court.

The Hon. S.M. LENEHAN: I can only assume that the honourable member is referring to the Bill that we will debate tomorrow—the marine environment protection legislation. As I do not have a copy of that with me, it is more appropriate that I deal with that question tomorrow in that debate.

Clause passed.

Clauses 5 and 6 passed.

Clause 7—'Objects.'

The Hon. JENNIFER CASHMORE: In my second reading speech I referred to the objects of the Act provided in clause 7 which relate to the subsequent clause and the Minister's functions under clause 9. I spoke of the obligation under clause 7 to share available water on a fair basis and to recognise the importance of surface and underground water in the environment. How can the Minister reconcile statements made in the Wilpena resort environmental impact assessment with the objects of this Bill?

It is clear that pastoralists on properties adjoining Wilpena Station lands have made known their views that drawing on the underground waters may increase salinity and reduce their access to water for stock. It is also clear that

on a State-wide basis the potential threat to native vegetation, most notably the magnificent river red gums, posed by the drawing of water is in conflict with the object of clause 7 *(c)* (i), which provides:

To recognise the importance of surface and underground water in the environment.

The document from which I drew the facts about the environmental assessment report is now with *Hansard* but the Minister would be familiar with its content and I believe that she was paying attention when I referred to the complaints by the compilers of the report about the safety, desirability and advisability of proceeding in the light of such concerns.

The Hon. S.M. LENEHAN: I have absolutely no problem at all with reconciling clause 7 and clause 9 with the Government's support for the Wilpena resort development. It is important to get on the public record exactly what we are talking about. We are talking about the fact that the Government has given approval for a lease to be drawn up for stage one of the development. As I have been informed quite thoroughly on a number of occasions by my department, and according to the assessment by both the Department of Mines and Energy and the E&WS Department, sufficient water is available in the area for stage one.

I remind the honourable member that we are not just talking about underground supplies; we are talking in terms of Wilpena Creek as well as as looking at bores and the fact that—and I acknowledge this quite openly—it was made one of the conditions of the lease that the proponents of the development would carry out further work to prove up the sustainable flow in the longer term. I do not have the statistics with me but I would be pleased to provide the honourable member tomorrow or as soon as possible with the statistical data which indicates that the recharge rate far exceeds the draw-down rate for stage one.

I remind the honourable member that Cabinet took this matter into account in making the decision to grant approval for the drawing up of a lease and that this information was provided to us. In terms of visitation numbers for stage one, the figure will be about 20 000 which is the number that is visiting the area now. I fully acknowledge that the length of stay may be longer and that because of the different quality of the development more water will be used. However, I assure the House as Minister of Water Resources that I have behaved most responsibly. At the time of Cabinet's approval I was not the Minister for Environment and Planning and I sought on a number of occasions the expertise of the of Engineering and Water Supply Department to ensure that as Minister responsible for water resources I was completely convinced that there would be an adequate water supply for stage one of this development.

I remind the House that Cabinet decided that the golf course would not be approved and that this has not happened. We have to confine ourselves to what has been approved, and that is stage one without a golf course. The honourable member may well be referring to future developments in terms of stage two. Cabinet and the Government have not and will not give approval to stage 2 until it can be adequately shown by the proponents of the developments that there is adequate water supply in the area.

It is important to recognise that a responsible decision has been taken about these issues. I know that the honourable member has a great interest in this matter. I do not know whether she reflects the general official view of the Opposition in terms of suggesting that the whole development should be opposed at this stage. I imagine that the local member would have some feelings on this matter. However, it is important to get objective evidence on the table (as opposed to speculation, scuttlebutt and rumour), and that is what I will deal in. I shall be happy to provide the honourable member with the statistical information that was provided to me.

The Hon. JENNIFER CASHMORE: I am glad that the Minister referred to objective evidence. I believe that it would be extremely offensive to Professor Stanger of the Department of Hydrology, School of Earth Sciences at Flinders University, if it were inferred that his evidence was not objective on a scientific basis. Yet Professor Stanger's letter to the officer in charge of the National Parks and Wildlife Service clearly indicates that the claim that the recharge rate exceeds the draw down rate cannot be sustained because it has been tested during a period when there has been heavy rainfall in the area. It cannot be claimed that that recharge rate is sustainable under drought conditions, because it has never been tested under those conditions. That is an incontrovertible fact, and the Minister cannot dispute it. Her departmental officers made submissions in the environmental impact assessment procedure indicating that it could not be proven that the water supplies were sufficient even for stage one. The Minister has claimed that only 20 000 people will be involved in visitation at stage one. That is not correct. The numbers are greater than that, and, as the Minister said, the length of stay will be considerably longer.

I also point out that the Government's requirement for the developers to prove up in the longer term would seem, under the objects of this clause, to be an act of great irresponsibility. One does not embark upon something that will consume precious, rare water resources in an arid area that could be chopped off if the long term did not prove to be viable. One cannot make an investment of $50 million and say, 'That is just a short-term project, folks, because we have not proved it up for the long term.' It cannot be done and it must not be done. The Minister said that the developers have been required not to proceed with the additional stages until water supplies can be proven in the longer term. The Minister knows full well that the project will not be viable, according to the developers, unless the succeeding stages are proceeded with. That is also an incontrovertible fact.

I use the opportunity under clause 7 to highlight, yet again, the Government's hypocrisy on this issue, and its failure to be consistent and to adhere to its own laws and rhetoric, because that is all it is—rhetoric.

The Hon. S.M. LENEHAN: I totally reject that. We are all aware of the obsession that the member for Coles has about this project. I should be interested to know whether the general view of the whole Opposition is that they are hell-bent on preventing this project from proceeding. If it is, I hope that honourable members might come out and state that for the community of South Australia. As the honourable member knows, at the moment about 20 000 people are visiting that area, and the degradation which has taken place around the mouth of the pound is obvious. If one wants hard evidence, one has only to visit it and look at the degradation.

The project has been thoroughly investigated in terms of the water aspect. If the honourable member wants to cast aspersions on the E&WS Department and on the Department of Mines and Energy, let her do that. However, I give the House an assurance that I believe that the water will be available for stage one and that testing will be going on by the proponents before any approval is given. I do not know how much more categorical I can be. Cabinet has taken what I believe was a most responsible decision—a decision which was supported by the vast majority of the Opposition,

including the local member for the area and shadow Ministers at the time.

This is not something that has been entered into lightly. It has been thoroughly investigated by my department and, as I understand it (although I am not the Minister of Mines and Energy) by the Department of Mines and Energy. The clause is much broader than one single development and I believe that the statement of objects is the statement that is related to this Bill. As Minister of Water Resources, I will ensure that these objects are carried out, and I give the Committee that assurance.

The Hon. JENNIFER CASHMORE: This is my final opportunity to speak to this clause which, in its general intent, substantially reflects the objects of the Water Resources Advisory Council in advising the Minister. Looking at the Act and the Bill, at the record of the Government's decisions, as well as at the uncertainties and question marks that hang over the reliability of the water supply and its sufficiency to meet the demands that will be imposed upon it by the Government's plans, one can only say that the Minister's rhetoric and her assertions simply do not match the facts; nor do they match her responsibilities under this Bill.

Mr BRINDAL: Has the Minister considered including under this clause an object which seeks to restore, where practicable, those wetland and other ecosystems that have already been lost to this State through unnecessary human intervention? I ask that question because a substantial volume of work suggests that such ecosystems enhance the quality of water. I point out that object 7 *(b)* (ii) is 'the maintenance of water quality'; if that were to be done, it would be the cheapest and most effective way of ensuring a quality water supply to this State. In the long term it would save this State a considerable amount of money in filtration and various additives which I believe are currently used and which may be considered in the long term to be detrimental to the health of South Australians.

The best and most natural way to preserve our water is through natural means. Environmental wetlands are an important part of that and an important part of the beauty of this State. Has the Minister considered this matter and, if not, would she do so?

The Hon. S.M. LENEHAN: In terms of the restoration of wetlands, I thank the honourable member for raising this matter. I announced yesterday a program for the expenditure of $1 million on a number of wetland areas along the River Murray. This program has been funded through the Murray-Darling Ministerial Council and, as a council made up of the Ministers of the three States and the Commonwealth, we recognise that the restoration of wetlands, particularly those that have been destroyed and degraded along the River Murray, is vitally important. I have not thought of putting it specifically into this Bill but, if members look at the way in which the objects are worded, they will see that clause 7 provides:

> *(c)* in establishing and managing that system—
>
> (i) to recognise the importance of surface and underground water in the environment;
>
> (ii) to preserve, as far as possible, wetlands and other ecosystems and areas of scenic beauty;

That indicates the direction in which the Government is presently headed and it certainly recognises the vital importance of wetlands to the ecosystem and (to use the honourable member's own words) of adopting a natural approach. I do not think it is necessary to write that in specifically. It is happening and it is recognised, not just in South Australia but right through the Murray-Darling Basin. I thank the honourable member for his support in the action that is being taken to restore wetlands in this State.

Mr BRINDAL: I accept what the Minister says and we congratulate her on what is being done along the Murray River. However, there are other areas of wetlands in the South-East and in other places which I think deserve the attention of the Government, perhaps when money permits. Whilst I accept what the Minister says about clause 7 *(c)* (ii), that clause deals with preserving. The point I was making was that perhaps we should go further than preserving what is capable of preservation, and in some areas of the South-East, at least, it may be possible to restore. There is a difference between preservation and restoration, but I thank the Minister for her answer.

The Hon. H. ALLISON: The Minister was slightly critical of my suggestion that quantity—

The Hon. S.M. Lenehan interjecting:

The Hon. H. ALLISON: The Minister said that quantity was already an issue, but I remind her that the Bill is an Act to provide for the management of water resources and to provide for the sharing of available water on a fair basis. Available water could, in fact, be a diminishing quantity. There is no evidence of that, nor is there any evidence from the clause we are currently looking at to show that quantity is also one of the objects. In fact, it could be amended, if the Minister chose to do so in another place, simply by adding to clause 7 *(b)* (ii)the words 'and quantity'. That would address the matter in the Bill.

Obviously, from the Minister's own strategy as promulgated by Donald Alexander, the Director-General, in the shiny booklets that came out a short time ago, the strategy includes 21 options to provide for additional supplies of water for Adelaide and South Australia into the next century, yet in the Bill the object of providing additional water simply does not appear to be an issue. The Bill itself is derelict.

Clause passed.

Clauses 8 to 11 passed.

Clause 12—'Establishment of Council.'

Mr GUNN: This is the first occasion on which I have had the pleasure of rising to speak in Committee under your chairmanship, Sir, and I should like to draw the attention of the Committee to clause 12 (5), which provides:

> At least one member of the council must be a woman and one must be a man.

I wonder why a clause of this nature appears in the legislation, since I am of the view, after considerable thought, that people should be selected upon merit and not upon gender, that the best people should be appointed, and that therefore, it should not be necessary to distinguish between the sexes. Is this provision necessary? It is unfortunate, in my view, that it has become a common drafting course of action to put clauses of this nature in legislation.

It is a course of action we ought to bring to an abrupt end, since I believe that if there were five women with the qualifications, they should be put on the council, and the same applies to five males. I am quite serious: I do not wish to delay the proceedings of this Committee, since plenty has been said this evening. I think that the Bill would be a better Act of Parliament if this subclause were deleted, because the Minister has ample opportunity under this clause to appoint whom she desires, as is the right of the Government of the day. I have no problem with that, but suggest that this provision is superfluous, and I suggest that it is a provision which should not appear in legislation. I understand that we have adopted equal opportunity as a matter of principle, and therefore it is not necessary. In view of the fact that this has crept into the legislation, I suggest to the Minister that the time has now arrived to make an improvement to the legislation by deleting this provision. I

think everyone accepts that people should not be discriminated against because they are male or female and that they should be appointed to committees, boards or other organisations purely on merit.

The Hon. S.M. LENEHAN: On this point the honourable member and I part company. The honourable member talked about having policies of equal opportunity. All this provision does is embody, in a practical way, the implementation of policies and principles relating to equal opportunity. The honourable member is right; all the Bills that now come before Parliament contain this particular clause. I remind members of the debate we had in relation to the pastoral legislation, which contained this same clause. I think that some members opposite—and the member for Eyre was not one of them—thought that civilisation was about to come to an end because we were going to appoint a woman to the Pastoral Board. We have actually appointed two women to the Pastoral Board because of their competence and expertise. In fact, the Chairperson of the Pastoral Board is a woman—Anne Stimson—and I do not think one would find one pastoralist in South Australia who would not speak highly of her work and of her professional qualifications to do this job.

This provision does not mean the end of civilisation. We are talking about 15 members. It has to be recognised that when we are looking for people with expertise—and I totally agree with the honourable member—we have to look beyond some of the stereotypes we might have had in the past. I refer the honourable member to the composition of the water resource advisory committees in South Australia; if he considers that he might well understand why it is appropriate that the Bill contain this clause.

Mr GUNN: I recall the matter to which the Minister refers. I believe that this provision is unnecessary because the Minister of the day has the power to appoint people who are best qualified to carry out the functions of this particular body. I think it is demeaning for legislation to contain such provisions. Unfortunately, this practice has crept into the drafting of Bills. I do not believe that this provision is necessary and, although I will not call for a division, I hope that when future legislation is being drafted it is not thought necessary to include such a clause.

The Hon. S.M. LENEHAN: I do not think this provision is demeaning. What it does is recognise that both men and women have the ability to contribute and have skills that are important in a range of committees. I agree with the honourable member: I look forward to the day when we do not have to insert these clauses. However, until we get, as it were, a more representative representation on the committees which reflects the breakdown of the population and do not have situations where committees are totally dominated by one sex or the other this provision is a gentle reminder that when we are looking to appoint people to committees we not only look at their expertise but also get a representative balance of the community. What this provision does is recognise that both men and women have a lot to contribute. It is important that the Parliament recognise that.

Clause passed.

Clauses 13 to 18 passed.

Clause 19—'Establishment of water resources committees.'

The Hon. H. ALLISON: In her second reading response the Minister gave a reassurance that by regulation the question of the personal skills of members of the committee under clause 12 and in this clause would be appropriately addressed. Further, in the three pamphlets issued by the Director-General specific mention is made on several occasions that ultimately the regional advisory committees might well be integrated with those from marine and environmental areas, and for a natural resources panel ultimately to emerge. How long does the Minister envisage before the regional advisory committees are integrated into natural resources panels combining other legislation?

The Hon. S.M. LENEHAN: I thank the honourable member for his question. I refer to what we would like to see written into regulation, that is, that a water resources committee must comprise persons who have knowledge or experience that will be of value to the committee. Also, in the regulations it will be fairly clearly laid down as to the manner by which people can be appointed. It will not just be at the whim of the Minister. There will need to be a panel of people put forward based on their experience and expertise to contribute to the advisory committee.

The second part of the question was how long do I believe it will be before we have an integrated natural resources advisory committee in the various country areas. I cannot give a definitive answer because it is not possible to do that. Obviously, this is something that will have to emerge through working closely with particularly rural communities, and with the departments working closely together to move, I suppose, more rapidly towards looking at the management of our resources, from a natural resources perspective rather than a plethora of individual committees, each one with a specific charter. I assume from the honourable member's question that he supports the move towards natural resources advisory committees, as I do, and I look forward to working with him constructively in the future to ensure that we can move towards those committees.

Clause passed.

Clauses 20 to 28 passed.

Clause 29—'Powers of authorised officers.'

Mr GUNN: I move:

Page 12, after line 12—Insert subclause as follows:

(6) An authorised officer, or a person assisting an authorised officer, who—

(a) addresses offensive language to any other person; or

(b) without lawful authority or a reasonable belief as to lawful authority, hinders or obstructs, or uses or threatens to use force in relation to, any other person,

is guilty of an offence.

Penalty: Division 6 fine.

The purpose of this amendment is in no way to hinder officers lawfully going about their business. A similar amendment was accepted by the Minister of Agriculture in regard to the soil conservation debate and by this Minister last year in respect of the previous Bill. We have reached a stage in our political development where we are passing more and more legislation. We are taking away people's rights and giving the Government more and more power over people.

Unless one is wealthy or exceedingly poor, the right to legal representation to defend oneself is limited. It would be a travesty of justice if advice is tendered to Government to prevent the lawful exercise of people's rights. If we continue to pass legislation and if amendments of this nature are not accepted, it will be a sick and sorry day for democracy. In no way will the amendment hinder reasonable or responsible officers in the course of their duties. I have seen at first hand how people's rights can be abused, how they can be treated with contempt and where arrogance replaces courtesy and commonsense.

Unless the Government accepts amendments such as this in this type of legislation we will be in for some long nights. I will start to trot out some of the examples that I have at

my disposal where officers have acted so incorrectly in these matters.

I am amazed that it has been necessary for me to have to move amendments of this nature because, unfortunately, South Australia does not have legislation which gives people the opportunity to avail themselves of the benefits of the Administrative Appeals Tribunal. It is nearly impossible for people to defend themselves in relation to minor offences or actions, because people do not know their rights. When Government officials start interrogating and questioning people, most are intimidated. That situation may not occur very frequently, but it does occur, so therefore it is absolutely essential that amendments of this nature are accepted.

I do not want to delay the Committee unduly. I could say a number of things in support of this matter, but I hope I do not have to do so tonight. Most of this legislation has the total support of the Opposition. We debated this matter earlier in the year and I sincerely hope that the Minister will display the commonsense which she displayed on that occasion. I thought that the Labor Party believed in protecting people's civil liberties.

Honourable members: Hear, hear!

Mr GUNN: I can assure those members who are saying 'Hear, hear!' that they will have the opportunity to put it to the test.

The Hon. H. Allison interjecting:

Mr GUNN: I hope they do.

The Hon. S.M. LENEHAN: The reason I did not move to include the amendment that the honourable member moved when the Bill was before the House the last time was that I received advice that common law remedies are open to a landowner who is treated in this way. However, having weighed up the arguments on both sides, at the end of the day I must come down on the side of the honourable member in that, if one reads the amendment carefully, it mentions 'unreasonable behaviour' and 'without lawful authority'. It also mentions things like assault. Under the National Parks and Wildlife Act I am responsible for the training of wardens and, provided our officers have adequate training and are professionals in terms of what they do, I do not believe that there will be the opportunity for there to be any grey areas. If people take mischievous or unreasonable action against the officers, the defences will be there.

I do not believe that this is opening a Pandora's box. I realise that I have been given advice which is not quite along those lines. However, I feel that at the end of the day I must make a decision based on what I think are the reasonable arguments and I think that the arguments raised by the honourable member in this House on previous occasions can be sustained. I therefore accept the amendment.

Amendment carried; clause as amended passed.

Clauses 30 to 40 passed.

Clause 41—'Interpretation.'

The Hon. H. ALLISON: Subclause (1) adds the definition of 'owner'. Paragraph *(b)* of that subclause refers to 'flood waters' and adds the definition of 'water protection area'. Subclause (2) refers to 'material floating'. The provision in subclause (4) has been added. I am not critical of the additions; I am just pointing out to other members who may wish to comment that there are additions. However, I am querying an omission from the previous Bill of last year. Clause 41 (1) *(a)* referred to water in a dam, reservoir or artificial lake that is situated in a water protection area. Previous legislation, which was passed at the end of last year, mentioned 20 megalitres or more. That has been omitted. Can the Minister explain the rationale behind that?

The Hon. S.M. LENEHAN: If it is within a water protection area we are concerned about it, irrespective of the size. That then picks up the broader implications rather than just restricting it to a particular size. If it falls within a water protection area then that is covered.

Clause passed.

Clause 42 passed.

Clause 43—'Disposing, etc., of material into water.'

The Hon. H. ALLISON: Clause 43 (2) states:

> The owner of land from which any material is disposed of, or permitted to escape in contravention of subsection (1) is guilty of an offence.

This also applies to clause 44 (2) so the answer is going to be the same. It concerns not so much the content of clauses 43 and 44, but I have related that to clause 76 (2) later which says that there is no defence to either of these provisions, 43 (2) and 44 (2). I wondered why the Minister could see absolutely no instance where there could be a defence. It specifically says that there will be no defence and, therefore, the inclusion of these clauses and the no defence clause is quite critical.

The Hon. S.M. LENEHAN: I refer the honourable member to clause 48 (2) which states that it is a defence to prosecute for an offence against section 43 (2) or 44 (2)—which are the two provisions to which the honourable member is referring—to prove that there was nothing that the defendant could reasonably be expected to have done that would have prevented the disposal or escape of the material or reduced the quantity of material that was disposed of or that escaped. Does that answer the member's question?

The Hon. H. ALLISON: The point that I am making is that the two sections referred to specifically refer to the owner. An owner might be in Sydney, for example, with the property being in the north of South Australia. The owner might be completely innocent of any offence, with someone else being responsible for it. Such an offence may well be completely abhorrent to the owner, but since he or she is the owner there is no defence, and yet the owner may not reasonably have been able to take any action.

The Hon. S.M. LENEHAN: I understand that owner means occupier, but, on reading clause 48 (2), if the owner, as the honourable member suggests, is absent from the property then it would be a defence, surely, to say that there was nothing that the defendant, that is the owner, could reasonably be expected to have done if they were not in any way associated with the property when the offence was committed. That really does give the owner an out. If the owner had nothing to do with the offence, did not know that it had been committed, then the person who was there, that is the occupier, would be the person charged under the Act.

If by some mistake the owner was charged, that would be a defence, as I read clause 48 (2). I must confess that I am not a lawyer, but it seems to me that that would be a defence if it could be reasonably shown that there was nothing that the owner could have done, that the owner was not present and did not know what was happening. If an action is done deliberately, it must be done by a person, who would be charged. In the case of the owner, the owner means the occupier.

The Hon. H. ALLISON: The two terms 'owner' and 'occupier' are not completely satisfactory. I can see the Minister's rationale but neither the owner nor the occupier need be aware of the action. Take an outback situation where the farm homestead could be 100 km from the gate. Someone driving by may choose to dump toxic material on that property, which may escape from that property and penetrate a waterhole. It is really a third party situation: the owner is far removed from the property, the occupier may

be totally unaware because of remoteness or distance and the third party may choose to make that property a dumping ground. It is not beyond conception that someone could do that, in view of the fact that people are looking for places to dump undesirable materials.

The Hon. S.M. LENEHAN: I thank the honourable member for that point but, if it is taken through to its logical conclusion, if someone driving past dumps something on a property that subsequently gets into a stream or a waterway, surely the owner, occupier or any other person connected with that property would have a clear defence in saying that he had nothing to do with that dumping, particularly if it was a toxic substance that could not be traced to that property. In talking about the type of toxic substances which can cause harm to the water supply or watercourse, this happens now in cities with respect to people putting things down the E&WS sewers. We cannot have, can I say, watertight legislation to protect against every eventuality.

This clause provides that there is an onus on an occupier, an owner or someone working on a property, in a firm, or wherever, to ensure that the waterways are not polluted. If someone flagrantly breaks the law and dumps on someone else's property, it would be difficult to enshrine in legislation how to prosecute that person but ensure that there is no onus of responsibility on the owner to say, 'Look, we were not present. This toxic substance does not come from our premises.' We are actually doing that now in terms of being able to trace back to source some of the illegal dumpings that are happening around South Australia. We need to employ fairly scientific techniques to do this, but it can be done. There is enough protection through clause 48 to be able to ensure that people will not be prosecuted when they are innocent.

Mr BRINDAL: How will clause 43 be interpreted with regard to two categories of persons? I refer, first, to people who irrigate their land. As I understand the provisions of this clause, those who irrigate their land pass water over it. In the process, salts are leached out and that residue water is returned to the river. Under the definitions in this Bill, those people would be guilty of an offence. I take the Minister's point that there is probably a defence under clause 48 (1) or 48 (2), and that they would probably not be prosecuted.

That leaves the current problem of people who irrigate their land increasing the phosphate content of the water, which goes back to the river. Not three weeks ago, the Minister told this place that that is what causes the algal bloom in the river. I therefore ask the Minister, in respect of those people, what plans the Government has to exercise some control over the increasing amount of phosphate going into the river. The second part of my question relating to this clause concerns the Crown and the E&WS.

The disposal of treated effluent, even at a tertiary level, into waters contributes to the nutrient content of that water. Again, that would constitute an offence under this Act. The Crown could probably exempt itself from prosecution under clauses 48 (1) and 48 (2) but, again, the problem remains. What concerns me most is that clause 48 (1) provides that a defence is that the disposal, escape or storage was allowable under the Marine Environment Protection Act. So, in terms of this legislation, the Marine Environment Protection Act will be used not so much to protect the environment but, in some ways, as a licence to pollute the environment, because the increase of nutrients is forgiven by virtue of the fact that a licence was granted under the Marine Environment Protection Act. I believe that is a bit of gobbledegook: instead of protecting something, one is increasing the level of nutrients and hence the danger to the environment.

The Hon. S.M. LENEHAN: There are a number of aspects to the honourable member's question. The regulations cover waste or waste waters generated by irrigation activities, utilising water legally taken from the Murray River proclaimed watercourse for a period expiring on 30 June 1992, provided that the manner and extent of draining or pumping remains substantially the same as occurred in the 12 months preceding the commencement of the Act. In fact, it is proposed in the short term to exempt legitimate irrigation activities.

In respect of the reference to the Marine Environment Protection Act, it has never been suggested by this Government or, indeed, by the Opposition that we should bring down an Act that would ensure the absolute cessation of any activities that have been carried on for literally 150 years in this State, and longer in other States. The whole aim of both these Bills as companion legislation is to work constructively with industry, the agricultural community, farmers and so on to ensure that we move to better practices. To that extent, I must pay tribute to the Department of Agriculture, which is already working with irrigators to look at more effective and efficient means of irrigating through drip systems as opposed to flooding and so on. This process is currently under way. My department is working in the Riverland with the Department of Agriculture at officer level to move this whole debate further down the track. It is not an easy task when people have irrigated in a particular manner for generations to come along and say, 'Sorry, you can no longer do this,' when their livelihood is affected. However, I believe there has been constructive and positive cooperation on the part of irrigators in the Riverland and in various other places along the river, in the dairy industry and in other areas. People recognise that no longer can the practices of the past be sustained and supported and that they will have to change. However, we will not march into these places with our jackboots on and say, 'You will stop tomorrow.' Under regulation, we are giving them a period of time within which they must slowly change their irrigation practices. The same will apply to any kind of discharge into the marine environment. We will be negotiating and working with business, industry and the agricultural sector to ensure that we achieve our collective goals. However, we will do so in such a way that we do not close down business and industry in this State overnight.

Mr BRINDAL: I thank the Minister for answering my question in relation to irrigation and I understand what she is saying. That seems to be a logical and sensible solution. Treated effluent is a much larger problem; what are the Government's projected plans in relation to that issue?

The Hon. S.M. LENEHAN: I have made the position quite clear in a number of areas and in reply to a question in the floor today about the removal of sludge from the marine environment. If we look at what is happening to treated effluent, we see that in South Australia most of the effluent discharged into the marine environment is secondary treated effluent. I believe that we as a community will have to move to the removal of heavy metals and nutrients from effluent that is discharged into the marine environment. But this will not be achieved overnight unless every member of this House goes out and becomes an apostle for charging under water and sewerage rates much more than we are charging now, because the costs are enormous.

When one considers that New South Wales is using an $80 levy to raise money for secondary treatment of effluent, something which we have accepted as the norm in South Australia for many years, one sees that that highlights the

enormous costs to any community wishing to move to the next stage. I am very keen to put on the public agenda that we will have to do this in the future. I think that we will have to move toward a system somewhere between what is conventionally known as secondary and tertiary treated effluent, removing some of the more polluting substances from our effluent without restoring it to drinkable quality, because that would be an enormous cost to any community.

My department is constantly reviewing every piece of available literature from around the world before coming to me for approval to implement the introduction of the latest technology in terms of these environmental enhancements. However, at this stage I cannot give the honourable member a definitive answer as to when we might be look to do this because the budgetary commitments will be substantial and a decision will depend on my Cabinet colleagues and other members of the Government.

Clause passed.

The Hon. S.M. LENEHAN (Minister of Water Resources): I move:

That the time for moving the adjournment of the House be extended beyond 10 p.m.

Motion carried.

Clause 44—'Disposing, etc., of material onto land.'

Mr BRINDAL: What does the Government intend to do about the very real problem of phosphates leeching into ground water? As the Minister would know, through grain crops and various other factors, phosphates leech into ground water and cause the same sort of problem as in surface water.

The Hon. S.M. LENEHAN: The Government is continuing with ongoing research and testing in relation to this whole question. My department is working constructively with the Department of Agriculture, because obviously this is an issue that relates to not just one department. I believe that the community is being educated about the effect of phosphates not only on the soil but on water resources, particularly when they find their way into ground water. This is an ongoing problem, one that I recognise as does the Government, and we are taking an interdepartmental approach to the resolution of this problem in the medium to longer term.

Clause passed.

Clause 45—'Storage or disposal of material underground.'

Mr BRINDAL: I am worried about this clause, because the way that I read it, any person who stores material at a depth below ground level which exceeds 2.5 metres is guilty of an offence. I know that the Minister has powers later to exempt categories of people and I see that there are some defences in clause 48. However, it strikes me that the exemptions that the Minister may have to produce are indeed exceedingly long. I draw her attention to the fact that at Coober Pedy people live more than 2.5 metres below ground level. There is the problem with places like the Remm-Myer development across the road, the basement and sub-basement of which would be more than 2.5 metres below the surface. There are wine cellars as well. A whole category of human activity goes on below that level. I may be wrong but, as I read it, the clause clearly says that if one stores anything more than 2.5 metres below the surface one is *prima facie* guilty of an offence. I would therefore ask the Minister for her comments.

The Hon. S.M. LENEHAN: I think that we must clarify the conditions. First, we are talking about things being stored deeper than 2.5 metres. The material must be in a container and to contravene the legislation it must escape. If it is not escaping, there is no offence. A number of conditions have to be met. The other side of it is that people can get approval to store a particular substance. This clause is attempting to establish clearly that one cannot dig a hole in the ground and store whatever one likes and have no concern whether it leaches into the water table or gets into a stream or whatever. It is not intended to prohibit the living and lifestyle of people at Coober Pedy or anywhere else. Obviously, they are not going to be having things escaping into the water table through their daily living.

Mr BRINDAL: With respect, it does not say that. Like the Minister, I am not a lawyer. What the clause says is that a person who stores material at a depth below ground level that exceeds 2.5 metres is guilty of an offence. I know that people can get permission and that the Minister may grant exemptions, but it strikes me that there will be a huge list of exemptions and an inordinate number of people who will have to apply for permissions under this provision. I might be being dense, but what it says is clear and simple English.

The Hon. S.M. LENEHAN: I refer the honourable member to clause 48 (3). That provides that, in regard to clause 45:

It is a defence . . . in relation to the storage of material to prove that the material was stored in a container and that no part of the material escaped from the container.

If it is in a container and no part of the material escapes from the container, the person is not committing an offence. Like the honourable gentleman, I am a little concerned as to why this comes after the clause, but I am told that there are good reasons for it. I understand that this is probably the best way in which the whole thing should be written. It seems to me that if people store material in containers and there is no escape of that material, they are fine. If they store material at more than 2.5 metres below ground level and it is not in a container and it is escaping, then they commit an offence. That is the intention of the legislation. Otherwise, we will have people all over South Australia storing heaven knows what that is not in a container or is escaping. That is the intention of the clause.

Mr BRINDAL: I accept what the Minister is saying but I really do not think that it is quite right. There is a whole category of things which might not be put in a container but which are stored below ground, and I am referring to food stuffs. A lot of cellars are used to store apples, for example. Logically they would not be in a container so is that person guilty of an offence? The clause has no provision relating to what is probably the most serious form of pollution below ground—mines.

Clause passed.

Clauses 46 to 57 passed.

Clause 58—'Obstructions, etc., in watercourses and lakes.'

The Hon. H. ALLISON: This is nothing serious but just a drafting inconsistency. Clause 56 (2) refers to 'banks of a watercourse or lake'. This clause refers specifically to 'bank' in paragraphs *(a)*, *(b)*, *(f)*, *(g)* and *(h)* (i) and (ii) but in clause 61 it reverts to 'banks'. Is there a reason for that or could we stick to one or the other? There is very little difference between clause 58 referring to 'bank of a watercourse or lake' and clause 61 referring to 'banks'. It seems an inconsistency. Would there be a defence to a charge if someone did something on one bank and not the other, and said, 'This is not the bank referred to in the legislation.'

The Hon. S.M. LENEHAN: I really do not have a terribly intellectual answer to this question except to say that it is a matter of personal choice in terms of language usage. While I am not allowed to refer to the people giving me advice, I can only say that perhaps it was their personal choice that in some cases 'bank' read better than 'banks'. I do not think it changes the intent of the Bill. I take the

honourable member's point but say that it is probably a personal choice in terms of the language use.

Clause passed.

Clauses 59 to 62 passed.

Clause 63—'Drilling and maintenance of wells.'

Mr GUNN: I move:

Page 23—
Line 23—After *(d)* insert (i).
Line 26—Leave out *(e)* and insert (ii).
After line 26—Insert the following word and paragraph:
or
(e) the well is situated on land used for primary production and the work is carried out by the owner of the land (or his or her agent or employee) in the course of maintaining the well.

One of the few things about which I can speak with some authority, as can my colleague the member for Alexandra, is the maintenance of bores, wells, windmills and pumps—those things that I have been involved with regularly for most of my life in providing water for my stock. I have not had the benefit of having the Engineering and Water Supply Department have pipelines pass any of the properties with which I have been involved. That has necessitated going down wells and cleaning out bores, installing electric and mechanical pumps and windmills. In the past few weeks I have been involved in putting up a new windmill and pump.

The Hon. S.M. Lenehan: How deep?

Mr GUNN: Thirty-odd metres. It has been suggested to me that my amendment is not necessary because there is an exemption if it is less than 50 feet. Nearly all of the bores and wells in my electorate are far in excess of that; therefore this amendment is essential. Otherwise, we will take the chance of having people commit offences when going about their normal maintenance and repairs to bores and wells. I say to the Minister that, if a well or bore breaks down, no-one will worry whether or not they have a bit of paper or whether they have to race and get a licensed well driller to fix it up.

The first priority is to get the thing pumping again so, once you pull the pipes out, you drop the slush pump down. I do not know whether the Minister or other members know what a slush pump is. It is a simple device with a clack which is dropped down; when it opens up and fills with water, it also fills with sand and rust and you pull it up; the clack drops down and it does not lose its load. It is a simple device. If you think that the perforations on the casing are blocked, you may have to drop down a mechanical tool to cut some more.

That must be done quickly, and that would be contrary to the provisions of this clause. I do not want to be difficult about it, but I appeal to the Minister's good sense. This is a very minor amendment which makes commonsense, and we do not want to create unnecessary permits and form filling, because people will not do it. Many properties have trucks set up especially to do this work, or own their own boring plants. I was involved with a boring plant until a bush fire unfortunately went through, and that was the end of the Horwood Bagshaw boring plant. Unless anyone has had that practical experience, he or she probably does not appreciate what I am talking about.

I still think in imperial measurements, and wells of 120, 150 or 200 feet are quite commonplace. I do not know whether anyone in this Chamber has ever gone down on a windlass or been let down a well 120 or 130 feet deep, but the first time is quite an experience. Going down to service a pump on a hot day and being involved in pulling up a 2.5 inch or 3 inch column pipe is a fairly difficult exercise. Once you do that, you have to clean out the well and fix up the pump, depending on whether it is a draw plunger pump, a syphon pump or some other kind of pump.

I have been involved with submersible pumps such as Grundfos, and there are mechanically-driven pumps such as monos, normal flexible columns and steel columned pipes. I appeal to the Minister to accept this amendment which I have brought to the attention of the House purely out of concern that people are not unreasonably hindered in carrying out normal maintenance of their watering points.

The Hon. TED CHAPMAN: I rise, only briefly, to support my colleague in his plea to the Government to accept the amendment on file in his name. I cannot boast the extent of experience with underground water supplies or the maintenance of equipment required for those supplies that my colleague has had, but I understand the need to maintain equipment on rural properties in this State. I also understand the requirement to do that sort of maintenance as a matter of urgency and without hindrance, encumbrance or delay in many situations, particularly where there is a requirement for such maintenance of a water supply on which stock are reliant.

In that situation, I do not believe that the member for Eyre's amendment undoes in any way the spirit of the Bill. It does not encumber the objectives that the Minister is trying to achieve with this piece of legislation, and it recognises the role of the independent primary producer. By 'independent' I mean the primary producer who is totally dependent upon his own management activities. In those circumstances, it seems to me inappropriate to proceed without having full recognition of the points made by the member for Eyre, and I appeal to the Minister, as he did, for a bit of compassion, understanding and support for the rural sector, which is very often entirely reliant on its own skills and maintenance activities. To have pieces of legislation that encumber is not only frustrating but, in this instance, unnecessary.

The Hon. S.M. LENEHAN: I thank the two honourable members for their contributions. They made the point that we must look at this in a commonsense way. I refer members back to the debate of last year. We amended some of these provisions because of a recognition that it is not a matter of trying to encumber the rural community with unnecessary regulation. I will explain what clause 63, in particular the paragraph that deals with 15 metres (or 50 feet) means. If a property owner is carrying out normal maintenance, that is fine. Ordinary normal maintenance is not covered under the provisions of this Bill.

However, if that work extends to replacing or altering the casing, lining or screen of the well, that requires the services of a licensed well driller. If a well is more than 15 metres (or 50 feet) deep a permit is required to do the work because that is considered to involve fairly major changes to the well. We are not talking about basic routine maintenance. If, as the member for Eyre points out, there is an emergency, we do not suggest that people should wait and get a permit or licensed well driller before they do something about that emergency. Subsection (4) *(a)* provides that it is a defence where the work comprising the alleged offence is carried out to prevent or reduce pollution of water in the well and in the circumstances it is unreasonable to expect that a person should have obtained the services of a licensed well driller or a permit.

The emergency provisions to which the honourable member refers are picked up, albeit in a roundabout way. It was never intended that we would prevent normal routine maintenance. I think the Opposition pointed that out when the Bill was before the House last year, and we therefore amended those provisions.

We expect a properly trained well driller to oversee this kind of work because we want to ensure that people doing

what is considered to be relatively major work on a well do not accidentally—and I am not suggesting deliberately—cause pollution of the underground waters or of the water within the well. This provision was not intended to cause undue hardship to landowners or to the owner of the land in relation to primary production. I do not think it will do that because subclauses (4) *(a)* and (5) contain enough explanation and really relate only to wells that are deeper than 15 metres in relation to major maintenance. In such cases landowners will have to obtain a permit and have a licensed well driller carry out or supervise the work.

Mr GUNN: The longer I am here the more it concerns me that there are few practical people in this Parliament. The overwhelming majority of bores and wells that I know of are well over 15 metres deep. I ask the Minister and her advisers to tell me where one can get licensed well drillers on Upper Eyre Peninsula. One cannot get them; they are not there.

I remind the Minister that this is such a minor amendment. I say to the Minister's advisers that they ought to take stock of themselves and use some commonsense, because it is a nonsense that they are putting forward. If the provision related to putting down a new well, there would be some sense in it. However, once a screen blocks up at the bottom of a well, there is no time to race around and get a permit. It has to be fixed that day. I am angry at the thought of people who have done this work all their lives having to race around to find a well driller. That is a joke. They cannot find one.

Bob Wilson had over 100 windmills at his station, and he did not have a licence. It is ridiculous to expect people who want to retimber or put in a 10 feet or a 15 feet drive to have to have a licence. The retimbering has to be done quickly, and local station owners and managers have been doing such work for generations. How pedantic can some of these nobs get? At Jamestown there are a number of people skilled in putting down bores, and some families have been involved for generations. One person who decided to give the game away was most experienced and had provided information to the Mines Department. On deciding to go back and do some work the department told him that he must sit for an exam. Yet, that person had provided information over years to the department. That is the problem we will face.

The Minister should re-examine the amendment because it will be moved in another place. We will fight. The advice is not based on commonsense and it is not practical. This is a subject on which I have knowledge, and I cannot accept that Parliament will enact legislation that is a nonsense. Has the Minister or her advisers experienced the hot weather when a tank is empty, when the windmill is broken and when the cattle are bellowing for water, and the inspector says, 'Before you can do major work, I want to know whether you have a licence'? Where are licensed people?

One person engaged in putting down wells over years was asked whether he had a licence. He said that he did not worry about it because it would not help him dig better wells. It is not likely that such people will get a licence. Such people are still busy, and a bit of paper means nothing. In fact, it is just another hindrance. Recently I attempted to add up how many permits and licences people needed to make a living in the rural area.

The provision is a nonsense and the amendment is minor and will not in any way interfere with the proper maintenance or running of the Bill, which the Opposition supports. We need to look after our underground water supplies. Both my neighbour and I rely on limited underground water to survive. It is foolish to include in legislation provisions with which people going about their normal business cannot comply. My amendment seeks to cause the least inconvenience to the people administering the legislation. I do not want to delay the Committee, but the experience gained by many people over the years is not accepted and it brings the parliamentary process into contempt.

People who know about these matters cannot understand why officers, who have never got their hands dirty, impose their will upon others who are doing these sorts of things every day of their lives. It is a bloody nonsense, to put it mildly—an absolute nonsense. These silvertails, who race around trying to impose these things on people, really get under my skin. I do not suppose I have been involved in a lot of subjects in my limited experience in this world, but this is something about which I have some knowledge and I cannot understand why commonsense should be rejected when it is patently clear that it should not. Unfortunately, the Minister is being advised by people who I doubt have ever pulled a sludge pump or done this sort of work in their lives. I hope that the Minister will reconsider the matter and that she ensures that commonsense prevails.

The Hon. S.M. Lenehan interjecting:

The Hon. TED CHAPMAN: I take it from the Minister's interjection that she wants to clear up the matter quickly and I am happy to oblige. I want to pick up one of the points made by the member for Eyre and that is that, irrespective of who is carrying a licence to undertake the sort of duties to which the Minister has referred and which the Bill picks up, that licence and training does not necessarily make that person any more experienced or better at that job than those who have been doing it for generations. From what I heard the Minister say the implication was that the Government was concerned about the level of expertise in the field, hence its proposal to introduce legislation to insist upon so-called licensed experts to carry out this major work in the field.

The Minister might have made those remarks with good intention and her remarks might have been based entirely on advice. I do not mind what the source of the advice was but, in practice, let me assure members, along with the member for Eyre, that the vast majority of people who have relied on their own water supplies are quite skilled in this area. They do not neglect their water supplies or abuse the natural resources available to them: they use them and for many years they have invested lots of money to make those water supplies work for them.

In that context I think it is difficult, to say the least, to accept the Minister's statement that there is a need for this provision and, without a need, there is no justification for legislation of this kind. It is a different issue if there is a clear need for expertise, in other words, if none or not enough is available out in the field, or if evidence suggests that those people in the outback do not understand what they are doing. But there is no significant evidence to support the sort of legislation the Minister has indicated she will insist upon in relation to clause 63. I again indicate my support for the argument put forward by the member for Eyre, who has had more experience on this subject than the rest of the members of this Parliament put together, plus, I suggest with respect, the advisers of some of those members.

The Hon. S.M. LENEHAN: I thank the members for their contribution. I agree that the member for Eyre would have had much more experience in the drilling and maintenance of wells than probably any other member in this House. I am sorry if the honourable member thinks that this is some kind of an attempt to downgrade the skills and contribution of landowners who for years have maintained

their water supply. That was not the intention of these provisions.

I have to reiterate that, as the honourable member has said, the legislation provides for emergency situations to be dealt with and, if there is no qualified well driller in an area, people cannot be expected to get such a person and nobody would suggest that that is the case.

The Hon. Ted Chapman: Then why have it?

The Hon. S.M. LENEHAN: If the honourable member lets me finish, I will explain. I am happy, given the persuasive arguments of the two members, to look again at this clause. I will take further advice on this matter. I do not know and do not pretend to know whether 15 metres is, in fact, a reasonable depth. I would like to get some independent, I guess, hydrological advice on that and I am sure the two members would appreciate me doing that. I give both members a commitment that I will certainly take further advice on this and have a look at it again when it reaches the other place. That is probably the most open way I can handle the situation.

I will ask my officers to look at the points raised, particularly by the member for Eyre, because the intent of this Bill is to protect the water resources of this State; it is not intended to create undue hindrance. Having given that commitment, I do not think it furthers the argument if either side says that, just because someone has a piece of paper, it makes them a good well driller. We could use that argument in terms of electricians, plumbers or anyone else. I do not think anyone would suggest that people should not be qualified in their particular area of expertise, and I do not think that is what the members are saying. We have to be very clear that that is not the basis of the argument on which I am prepared to relook at it.

I am prepared to relook at it because it could cause enormous problems of hardship in country areas, and people could feel they are breaking the law when, in fact, they may not be. But if it is agreed in the community that there should be properly trained well drillers, we must recognise that. The legislation attempts to do that and to try to ensure the preservation of the ground water in these areas. However, as I have said, I will get my officers to have a look at this before it arrives in the Upper House with a view to reaching a sensitive and sensible compromise.

Mr GUNN: I appreciate that and I am pleased that the Minister will have another look at it. I would be most grateful, and it would be useful, if the officers have the time, if we could have a discussion with them. I am not talking about the use of rotary drills where one can drill down very quickly and go through salt water or a mix of salt water and fresh water. I am not talking about that. That is a skilled area and I recognise that.

One of the other things is that the actual cost of bringing a licensed well driller a considerable distance to this main work would be, to put it mildly, very expensive, and that is also a consideration. I will give the Minister an example. To get someone to assist with the erection of windmills costs $35 to $40 an hour plus other charges associated with bringing in specialised equipment. Those charges can be excessive. I will not call for a division now that the Minister has given that undertaking.

I look forward to perhaps the member for Alexander and I having discussions with officers with a view to resolving this matter so that there are no misunderstandings or hiccups. Every landowner who relies on underground water has a commitment to protect that resource because they will go bankrupt without it. The farm on which I live has only about a few hectares where there is decent underground water. I regard the protection of that area as absolutely essential to my economic survival. Most people are the same. I look forward to having those discussions and I thank the Minister for deciding to have another look at it.

Mr BLACKER: I support the member for Eyre in his amendment because the Minister and the department have not considered the practical application of what has been said. Even if the Minister said that in an emergency exemptions would be granted or tolerated, what constitutes that? Any station owner or farmer with a dozen, 15, or in some cases 100 windmills will organise to have replacement pumps, downpipes, rods and so forth on hand, and it may well be that he will have enough equipment to upgrade three or four mills at a time.

To my knowledge, there is no resident well driller on Eyre Peninsula. Visiting well drillers come over for two or three months at a time and advertise in the local paper to say that they will be in such and such an area. It is a totally impracticable proposition to suggest that licensed drillers will have to be brought in to do regular maintenance, let alone emergency work. The practical application must be looked at very carefully, and I am appreciative that the Minister is prepared to have another look at this. I can see the whole thing failing and the department being brought into disrepute. If this particular clause is quoted to the farmers as it stands now, they will ridicule the department because it does not make sense to the practical application of the farming community.

I do not suggest that the drilling of a new bore should not be looked at under the provisions of this legislation but, when it comes to maintenance, it is a different matter. The Minister herself confused the issue when she referred to piping and, at the same time, to the bore case. I do not refer to the replacement of bore casing as being normal maintenance; that requires some special skills. However, the replacement of the downpipe, the pump at the bottom and the pump rods is something that the average farmer and pastoralist can do and has been doing for generations.

The Hon. H. ALLISON: I would express my disappointment if the Minister and her officers decline the member for Eyre's amendment. It would add insult to injury to all outback proprietors and managers. I have met a great deal of them in the company of the member for Eyre when travelling the entire length and breadth of his electorate. It took about 10 days to do that by fast aircraft. What struck me on that visit, as on visits to other outback friends of mine, is that in every case, without exception, they, their managers, their families, and the mechanics they employ are skilled in every aspect of farm management because, not to be, is asking for failure. It could risk death.

In my second reading speech, I spoke of the time when the member for Eyre and I visited the Pipalyatjara settlement at Mount Davis in the far north-west of the State and Wingelina in Western Australia. In both of those settlements, there were problems with bores and it was necessary for the Aborigines there, lacking completely in any mechanical skills, to contact Alice Springs. They had already waited for several days for someone to come from Alice Springs, a long journey for one task, incurring a travelling expense and, ultimately, the repair and maintenance expense, with no guarantee that the necessary equipment would be brought. In some cases, one would have to bring along a complete, new windmill and pump to guarantee the correct equipment.

I simply point out that these outback people are skilled practitioners. They are interested in only their own survival and that of their families and their stock. They are water conversationists in their own right because, if they were not, they would not survive in the harsh outback environment. I hope that, after consultation with the member for

Eyre and his colleagues, the Minister will seriously consider one of two things: either accepting the honourable member's amendment as it stands or exercising the Minister's prerogative under clause 80 to exempt a person, or a person of a class, from the operation of any provision of this legislation. By regulation, the Minister can provide for these exceptional circumstances. Without further consultation, the Minister could say this evening that she will provide, by regulation, for these exceptional situations and enable the outback community—farmers generally—to maintain their own wells.

I was a hotelier for three years in western Victoria, not even in a remote outback community, and I was 90 miles from the nearest large town. It was simply imperative that we engaged in electrical and plumbing work, well and water supply maintenance, repairing the toilets, painting, woodworking—general factotum—simply because there were no skilled tradesmen within 90 miles of that hotel. Not to have that kind of service simply means that one does it oneself. I have joined in ventures with the member for Eyre on his farm and have thoroughly enjoyed the practical experiences, but the thing that struck me most of all on every occasion was the personal skill and integrity of these people.

Amendments negatived; clause passed.

Clauses 64 to 81 passed.

Clause 82—'Regulations.'

The Hon. H. ALLISON: Subclause (1) provides that the Governor may make such regulations as are contemplated by this Act or as are necessary or expedient for the purposes of this Act. Subclause (2) provides 'In particular the regulations may'—and is followed by paragraphs *(a)* to *(k)*. Are the provisions in *(a)* to *(k)* exclusive of anything that the Governor may proclaim under clause 82 (1), or does 82 (1) allow the Governor to make regulations setting standards, for example, for pollution control? I am not saying setting standards for the absolute banning of pollution, but for a gradual phasing in of pollution control standards. In other words, standards may be acceptable this year and further improved next year and further improved the year after that. Otherwise, as I said during my second reading contribution, the Minister virtually has made no provision in her second reading speech or in any of the stated intent of the legislation to provide acceptable standards for pollution control. I hope that it was the Minister's intention to phase in pollution control, even if gradually, giving industry, farmers and the whole of the community time to bring in pollution control measures.

The Hon. S.M. LENEHAN: The short answer to the honourable member's question is, yes, it is the intention to do all the things that the honourable member has said—and I will not take up the time of the House in delineating those. The answer is yes, that is the intention of the clause.

Clause passed.

Schedules 1 and 2 passed.

Title passed.

Bill read a third time and passed.

ADJOURNMENT

At 10.40 p.m. the House adjourned until Wednesday 21 March at 2 p.m.

HOUSE OF ASSEMBLY

Tuesday 20 March 1990

QUESTIONS ON NOTICE

GOVERNMENT MOTOR VEHICLES

10. **Mr BECKER (Hanson)**, on notice, asked the Minister of Transport: What Government business was the driver of the motor vehicle registered UQO 674 attending to when he was loading a folding garden chair into the boot in Harry's car park, Mile End at 11.47 a.m. on Monday 4 December 1989?

The Hon. FRANK BLEVINS: The circumstances surrounding this issue were that the officer, an ETSA employee, had been working long hours recently in the course of his duties and had found it difficult to get to that particular store during its regular opening hours. The officer in question has been reprimanded and reminded of his responsibilities while in charge of an ETSA vehicle.

12. **Mr BECKER (Hanson)**, on notice, asked the Minister of Transport: What Government business was the driver of the motor vehicle registered UQO 650 attending to on Wednesday 15 November 1989 when he was loading bags of may have been barbecue heat beads into the back of the vehicle at approximately 1.10 p.m. in the Super K-Mart car park in Port Adelaide?

The Hon. FRANK BLEVINS: The motor vehicle in question is assigned to a building inspector in Central Region Sacon. On Wednesday 15 November 1989 he did, in fact, purchase some heat beads from the Super K-Mart at Port Adelaide during his lunch break. The Minister of Housing and Construction is satisfied that this is quite reasonable behaviour and does not represent a misuse of a Government vehicle. The building officer concerned does not return to his depot for lunch breaks and is expected to have his lunch breaks travelling from job to job. The assets that are his responsibility are within Port Adelaide and to shop during his lunch hour did not involve him in additional travel or time.

13. **Mr BECKER (Hanson)**, on notice, asked the Minister of Transport: What Government business was the driver of the motor vehicle registered UQR 558 attending to in Port Adelaide on Saturday 25 November 1989 in the Super K-Mart car park at approximately 1.25 p.m. and who was the female passenger?

The Hon. FRANK BLEVINS: Motor vehicle registration number UQR 558 is a State Fleet vehicle which in November 1989 was leased to the Aboriginal Health Organisation of South Australia. The organisation's records indicate that the vehicle had not been allocated for official duties during the afternoon of Saturday 25 November. Two health workers who had been using the vehicle during November have since resigned. The organisation has ensured that all staff are aware of instructions relating to the use of Government vehicles.

17. **Mr BECKER (Hanson)**, on notice, asked the Minister of Transport:

1. What Government business was the driver of the motor vehicle registered UQQ 752 engaged in on Monday 29 January 1990 (Australia Day public holiday) at approximately 5.30 p.m. on the Port Wakefield Road south of St Kilda?

2. What Government business was the female passenger engaged in?

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

1. This vehicle was being used at 5.30 p.m. on the Australia Day public holiday by an ETSA employee based at Port Augusta, travelling to Adelaide to attend a course which commenced early on Tuesday morning 30 January 1990.

2. The passenger in the vehicle was the employee's wife.

HERITAGE COMMITTEE

18. **The Hon. D.C. WOTTON (Heysen)**, on notice, asked the Minister for Environment and Planning: How many nominations from the public received by the Heritage Branch of the Department for Environment and Planning for consideration by the Heritage Committee have not been:

(a) considered by the committee; or

(b) acted upon,

and over what period of time has there been a delay in the consideration of such nomination?

The Hon. S.M. LENEHAN: There is no delay in the consideration of nominations for the Register of State Heritage Items received from the public. Over the past three months 11 nominations have been received. Five of those nominations have been reported on and considered by the Heritage Committee. Four nominations are in the process of having reports on their heritage significance prepared. Two of the nominations have been considered and rejected as inappropriate for inclusion on the Register of State Heritage Items.

There are a large number of places listed in the computer database of potential heritage items which have been identified as a result of surveys of various areas of the State. In many cases these places have inadequate information about them in the surveys and they require further work before they can be assessed. The computer database shows these places as having been nominated but they do not represent nominations by members of the public. Every effort is made to consider public nominations as they are received. The more information concerning the heritage significance of a place provided with a nomination, the more expeditiously it can be considered.

YATALA LABOUR PRISON

26. **Mr BECKER (Hanson)**, on notice, asked the Minister of Correctional Services:

1. Since the refurbishment of 'B' Division in Yatala Labour Prison, how many service calls have been made concerning the ducted air-conditioning system and what has been the cost of these service calls?

2. What are the problems of the air-conditioning unit, what action has been taken to rectify them and when will the unit be operating satisfactorily?

3. What guarantees were given regarding the equipment and what sections of equipment were not covered by guarantees?

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

1. Sacon has recorded five service calls for minor matters since August 1989, four of which were passed on to the contractor. Several other unrecorded calls have been made to reset chillers after power has been turned off for various reasons, either inadvertently or deliberately, for testing of equipment. Cost of service calls amounts to $229.02.

2. The air-conditioning system has been progressively installed and commissioned in conjunction with the four main stages of the redevelopment of 'B' Division. This has occurred over a period of time from July 1986 to August 1989. The latter stage, although physically complete and in use, has not been finally commissioned. The commissioning basically includes balancing of the system, finalising some of the control circuits, and training of staff in its use.

Current problems, if any, could be attributed to the outstanding items, that is, some areas of the building may be getting excess air to the detriment of others or some plant may have been inadvertently turned off by untrained staff. Sacon has advised that the outstanding work will be addressed when access to the building can be given to the contractor. This has been denied by prison management due to the recent inmate unrest. Three to four days are estimated to be the time required to complete the work. The prison management is monitoring the situation and will advise Sacon when access can be given.

3. The entire system, equipment, materials and workmanship is subject to the standard 12 months warranty period from date of practical completion. Due to the extended construction period, the contractor may claim additional costs for extending warranty on equipment installed in earlier stages.

ADOPTION ACT

27. **Mr BECKER (Hanson)**, on notice, asked the Minister of Health: Did the Manager of Adoption Services in the Department for Community Welfare receive a letter from Caldicott and Company, barristers and solicitors, dated 30 November 1989 regarding the Adoption Act and, if so, when and what reply was given and, if no reply has been forwarded, why not? When will a reply be forwarded and what is the reason for the delay?

The Hon. D.J. HOPGOOD: The Manager of Adoption Services did not receive a letter with that date, but did receive a letter from Caldicott and Company dated 13 November 1989. Presumably this is the same letter to which the honourable member refers. The Manager of Adoption Services replied to this letter on 16 January 1990 and included an apology for the delay, which was in part caused by the Christmas break and annual leave. It is not normal practice to publicly release details of correspondence between Adoption Services and solicitors acting on behalf of a client. The honourable member may wish to approach the solicitors or the client directly.

YATALA TAFE COURSES

30. **Mr BECKER (Hanson)**, on notice, asked the Minister of Employment and Further Education: In view of the industial dispute at Yatala Labour Prison, will TAFE continue to provide courses for offenders resident in prisons and, if not, why not?

The Hon. M.D. RANN: Adelaide College of TAFE operates the Education Centre attached to the Industries Complex at the Yatala Labour Prison (YLP). That Education Centre is out of action at this stage because of an industrial dispute in the Industries Complex.

TAFE staff who normally provide the education service in the Education Centre also work in other divisions of Yatala Labour Prison and the Northfield Prison Complex. Currently they are concentrating on requests in these other locations which do not involve the Industries Complex. Once the dispute is resolved and the prisoners have access to the Education Centre, operations will return to normal. The educational provision to prisoners in other prisons throughout the State is unaffected by the dispute at the Yatala Labour Prison.

YATALA INDUSTRIAL DISPUTE

31. **Mr BECKER (Hanson)**, on notice, asked the Minister of Correctional Services:

1. What is the Government's policy in relation to handling the current industrial dispute between prisoners and management at Yatala Labour Prison?

2. Are some prisoners being used to break the prisoners' strike and, if so, why?

3. Have offenders in 'B' Division not involved in the current dispute been refused requests to transfer to 'E' Division and, if so, why has their transfer been refused?

4. Have offenders who do not wish to strike in 'B' Division been refused cigarettes and are they being made to march around the exercise yard and stand to attention and, if so, why and how long will these practices continue?

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

1. The Government's policy in relation to the handling of the dispute between prisoners and management at Yatala Labour Prison is that prisoners who refuse to go to work will receive an allowance of 10c per day. Further, Departmental Instruction No. 47—Unathorised Action by Prisoners—was reissued on 12 January 1990. The instruction now states that if, in the opinion of the Manager, prisoners are gathered together or acting in concert, such that the normal routine of the institution is affected, then action must be taken to stabilise and isolate the situation and to record the events. This situation does not alter the opportunities prisoners have to raise grievances and concerns with the appropriate authorities including the Ombudsman and visiting inspectors.

2. No.

3. 'E' Division serves the function of a reception prison. Prisoners are accommodated in this area awaiting assessment and, therefore, it is not appropriate for assessed prisoners to be transferred from 'B' Division to 'E' Division. Further to this, there are normally few, if any, vacant areas in 'E' Division for accommodation.

4. Prisoners in 'B' Division purchase their tobacco products from moneys credited to them. Prisoners have at no stage been refused supply of such if they have sufficient moneys to make a purchase. Prisoners are not being made to march around an exercise yard, or any other area, or stand to attention.

TRAFFIC STUDIES

32. **Mr BRINDAL (Hayward)**, on notice, asked the Minister of Transport:

1. Has any study of traffic flow across the Oaklands level crossing been made since the opening of the Westfield Shoppingtown and the Marion Civic Centre and, if so, why? What were the results of that study and how did they compare with the traffic flows as indicated by the previous studies? If none has been carried out, why not?

2. What is the number of minutes of road closure at the crossing for each hour between 7 a.m. and 7 p.m. from Monday to Friday and 8 a.m. to 2 p.m. on Saturday?

3. What are the current projections of the Department of Road Transport in respect of the increased traffic flow

which will result from the redevelopment of the Oaklands school site and the plans which are currently before the Marion council for the further development of the Westfield Shoppingtown?

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

1. No studies have been made recently of traffic flows specifically across the Oaklands level crossing, as these movements can be estimated adequately from routine short-term traffic counts on the surrounding road network. On the basis of these data and, in particular, the Department of Road Transport's permanent traffic counting meter located on Diagonal Road between Sturt Road and Morphett Road, it appears that:

- there have not been any large recent increases in traffic movements on the arterial roads in the area of the Oaklands level crossing;
- the overall traffic growth rate in the area is consistent with the metropolitan average and does not appear to have been influenced by any specific local factors;
- traffic counts on Diagonal Road during the latter half of 1989 and also in January 1990 have not indicated any significant increases in traffic movements since the opening of the Westfield Shoppingtown or the Marion Civic Centre.

2. An examination of road closure time was previously undertaken by the State Transport Authority to take into consideration the worst road closure period of the day. This examination covered the weekly periods 1646 hours through to 1825 hours (104 minutes). During this period a total of 24 minutes of road closure was recorded.

3. The Department of Road Transport (formerly Highways Department) has not made any specific estimates of traffic flow which will arise from the proposed redevelopment of the Oaklands school site and the further redevelopment of the Westfield Shoppingtown. As is normal practice with large scale proposed developments such as these, the planning approval process requires the developers to demonstrate to the appropriate planning authority that adequate provision has been made for all aspects of the development, including traffic flows within and around the proposed development. As part of the planning authority's review of the adequacy of these provisions, it is required to consult with the Department of Road Transport on matters of traffic management. However, this stage of the process has not yet been reached with this proposed development.

OAKLANDS RAIL TRAFFIC

33. **Mr BRINDAL (Hayward)**, on notice, asked the Minister of Transport:

1. Is stage 3 of the signalling equipment not operative with respect to the Oaklands level crossing and is the management information system now able to distinguish between express trains going through the Oaklands Railway Station and the crossing and those which stop at the station?

2. How many trains in any 24 hour period on an average working day travelling towards Brighton are express trains which do not stop at the Oaklands station and how many of those expresses are passenger trains?

3. What are the plans, timetable and costs projected for grade separation at the crossing?

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

1. The discrimination between express and stopping trains at Oaklands level crossing was commissioned on 19 February 1990. The previous total road closure time was approximately three hours and 20 minutes per 24 hour day. This has been reduced to two hours and 12 minutes, which represents 34 per cent saving in road closure time, with the train speed discrimination system in operation.

2. There are a total of 12 express passenger trains travelling towards Brighton which do not stop at the Oaklands station, with a further three which stop if required. In addition, one freight train runs express through Oaklands towards the south.

3. Investigations are being undertaken on the feasibility and cost of grade separation.

FOREIGN STUDENTS

34. **Mr BRINDAL (Hayward)**, on notice, asked the Minister of Education:

1. How many foreign fee-paying students are attending secondary schools in 1990?

2. How much are they charged and how much revenue does this generate?

3. Does the charge cover the 'on costs' which the State claims as a cost against such specific purpose Commonwealth programs as the Disadvantaged Schools?

4. In view of the age of many of these students, does the Government provide a specific counselling and support service for them and, if so, how many full-time equivalent counsellors are employed to provide this service, how many personnel are employed, on what days and over what hours is the service and are the cousellors allowed to garage Government vehicles at home so as to be readily on call after hours and, if not, why not?

The Hon. G.J. CRAFTER: The replies are as follows:

1. 41.
2. *(a)* $5 800
   (b) $237 800
3. The full fee tuition charge covers 'on costs' associated with the program as a proportion of use, including payroll tax, superannuation and productivity/superannuation.
4. Yes, one. Students also have access to regular counsellors within the schools. The counselling service is provided to meet the needs of students. Service is usually required five days a week during regular school hours, but requests for necessary assistance out-of-hours are also met. The senior counsellor for overseas students has access to the service of the Government car pool. A Government car is available for use overnight and weekends when necessary.

STATE HOUSING AGREEMENT

36. **Mr BECKER (Hanson)**, on notice, asked the Minister of Housing and Construction: Will a supplementary budget be brought down in the light of the State Housing Agreement passed by the Federal Parliament in November 1989 and, if not, why not?

The Hon. M.K. MAYES: The State budget for 1989-90 takes full consideration of the terms and conditions of the current Commonwealth-State Housing Agreement.

GLENELG SOUTH SEWAGE TREATMENT WORKS

37. **Mr BECKER (Hanson)**, on notice, asked the Minister of Water Resources:

1. When will dewatering of sewage commence at the Glenelg South Sewage Treatment Works?

2. What odours will be emitted and what area will be affected by such odours?

3. Will residents at Glenelg North and West Beach, affected by such odours and dust, be compensated for such inconvenience and, if not, why not?

4. What records or documentation exist relating to the impact on residents' health from such a scheme?

The Hon. S.M. LENEHAN: The replies are as follows:

1. Mechanical dewatering of sewage sludge forms part of one of the options being considered as an alternative to marine discharge of sewage sludge from the Glenelg Sewage Treatment Works. At this stage no decisions have been made as to the alternative to be adopted.

2. Mechanical dewatering of anaerobically digested sludge is an established technique which does not usually cause excessive odours. Due to the residential nature of the area the preliminary concept for dewatering sludge as an option for consideration will include an odour control system.

3. There will be no change to the amenity of the area. Consequently the matter of compensation to residents is not considered to be an issue.

4. A consultant of international standing was recently engaged to review the options available for the land based disposal of sludge. The techniques being considered have been endorsed by the consultant and are established safe and environmentally sound procedures which have proved successful both within Australia and overseas.

TRAVEL CONCESSIONS

42. **Mr BECKER (Hanson)**, on notice, asked the Minister of Transport:

1. Will the Minister grant transport concessions to a spouse who is under 60 when the other spouse is over 60 and, if not, why not?

2. Will the Minister grant travel concessions to a spouse who is over 60 in a single income superannuated family and, if not, why not?

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

1. No, the Seniors Card is an age based concession that is available to all retired South Australian residents over the age of 60 years. It is a personal card available to either or both spouses and is not means tested. Recipients may be in employment for up to eight hours per week.

2. We do.

MARINELAND

45. **Mr BECKER (Hanson)**, on notice, asked the Premier:

1. Why was it necessary for the Department of State Development and Technology and persons associated with Marineland and Tribond to sign a deed of secrecy and what were the terms and conditions of the deed?

2. Was Tribond paid $600 000 compensation for the cancellation of the 40-year lease guaranteed by the West Beach Trust?

3. Were Mr Grant and Mrs Margarete Abel paid $170 000 compensation for cancellation of their employment contract with Zhen Yun Proprietary Limited and, if so, why, when and were the payments made tax free and, if not, why not?

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

1. There was no such document as a 'Deed of Secrecy' as referred to by the honourable member. There was, however, joint agreement on non-disclosure to allow settlement negotiations with other parties to proceed without prejudice.

2. Tribond Developments was paid an amount of $300 000 on surrendering of the lease that Tribond had entered into with the West Beach Trust. The lease was not guaranteed by the West Beach Trust.

3. Mr Grant and Mrs Margarete Abel were paid $170 000 after the appointment of a receiver/manager to handle the affairs to Tribond Developments Pty Ltd. The Government had committed itself to a redevelopment of Marineland and a hotel/convention facility. This resulted in Zhen Yun making an offer to purchase Tribond which apart from a small goodwill payment of $300 000 also included employment contracts for the Abels.

Subsequently, Zhen Yun decided not to proceed with the Marineland component of the project. Zhen Yun wished to proceed with discussions on the new development project excluding Marineland, if the wind-up of Tribond was dealt with in a fair and equitable way.

Quite apart from Zhen Yun's attitude, the Government believed it had a moral obligation to compensate the Abel family and to assume the financial responsibilities of Tribond to clear the way for further discussions with Zhen Yun with respect to the West Beach development. It is not the province of the Government to comment on the tax status of Mr and Mrs G. & M. Abel.

STATE ELECTION

38. **Mr BECKER (Hanson)**, on notice, asked the Minister of Education, representing the Attorney-General:

1. How many persons did not vote at the State election on 25 November 1989 and how many 'please explain' notices have been forwarded to persons whose names were not crossed off the electoral roll?

2. How many persons were forwarded postal votes at overseas destinations and how many of these votes were received in time and how many votes have not been received?

3. What action is being taken to accommodate postal votes for State elections for persons travelling overseas and, if none, why not?

The Hon. G.J. CRAFTER: The replies are as follows:

1. No. of electors on roll as at 6.11.89	941 368
No. of electors who voted	888 918
Percentage of electors who voted	94.43
No. of electors who failed to vote	52 450
Percentage of electors who failed to vote	5.57
No. of 'please explain' notices sent	34 276
Percentage of 'please explain' notices sent (after removal of over 65 year olds)	65.35

2. Today no distinction is made in the statistics between absent, postal, declared institution, interstate and overseas ballot papers, etc. They can be extracted from counterfoils, but this would require resources beyond those of the Electoral Department.

3. No further action is contemplated to accommodate overseas postal voters. The 1985 rewrite of the Electoral Act extended the time between nomination day and polling day, from 10 days to 14 days to enable remote residents and overseas travellers to receive mail and return it to the Returning Officer. Returned postal votes must be in the hands of an officer within seven days of the close of polling. This allows almost three weeks for the despatching and receiving of postal votes. Electors travelling overseas may apply for a postal vote even though we may not be in an election period. Such applications are treated in much the same way as those of electors who apply to be on the permanent register of declaration voters.

Electors in the United Kingdom during an election period may apply for a declaration vote (in person or in writing) to the Assistant Returning Officer in the Agent-General's office, London. To improve the current situation would

require continuous publicity to ensure all travellers were aware of the facility to apply for a declaration vote before departure, and the provision of pre-poll voting facilities in all Australian missions overseas.

MINISTER FOR ENVIRONMENT AND PLANNING

52. **Mr BECKER (Hanson)**, on notice, asked the Minister for Environment and Planning: Did the Minister, upon her appointment, seek to refurbish her office and place an order for a new desk and, if so, why and what was the estimated cost of the desk?

The Hon. S.M. LENEHAN: Prior to the resignation of the former Minister of Lands a request had been made to replace office furniture due to its age and poor condition. However, upon his resignation this order was held pending the appointment of a new Minister. In keeping with the Goverment's aim of maintaining the Old Treasury Building as a working heritage unit, a reproduction period desk was selected at a cost of $5 015.

DEVELOPMENT PROPOSALS

54. **Mr BECKER (Hanson)**, on notice, asked the Premier: Is it normal practice for the Government to request developers not to speak to the media regarding any aspect of their development proposals and, if so why, and at whose request?

The Hon. J.C. BANNON: In conducting sensitive negotiations the preferred approach is to delay any public announcement until negotiations are completed. It is not appropriate to negotiate agreements through the media and both the Government and developers usually agree to delay announcements until negotiations are completed.

MARINELAND

57. **Mr BECKER (Hanson)**, on notice, asked the Minister of State Development: How was the $5.12 million paid so far in relation to Tribond and Marineland made up and from which line in the budget did the money come?

The Hon. J.C. BANNON: The information requested by the honourable member was tabled in the House on 28 September 1989.

WEST TORRENS COUNCIL

60. **Mr BECKER (Hanson)**, on notice, asked the Minister of State Development: What involvement did the Minister have in answering questions placed on the West Torrens Council Notice Paper and shown to the Minister by an *Advertiser* reporter, and why were all such questions not answered by the West Beach Trust through its trustees nominated by the council?

The Hon. J.C. BANNON: The Minister's office coordinated answers to these questions in expectation that they were to be asked by the Opposition, as indicated in the media. A number of the questions did not merely relate to the West Beach Trust, and had to be answered from other sources.

SECOND AUSTRALIAN MASTERS GAMES

63. **Mr BECKER (Hanson)**, on notice, asked the Premier:

1. Why was it necessary to charge entrants a fee to participate in the Second Australian Masters Games held in Adelaide between 14 and 22 October 1989?

2. What concession was given to pensioners or retired fixed income earners such as superannuants and, if none, why not?

3. What was the total amount of sponsorship by Foundation South Australia for this event?

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

1. To contribute towards the costs associated with staging the event and to provide services and goods to participants.

2. The entry fee of $10 charged was pitched at a low level to enable pensioners and retired fixed income earners the opportunity to participate. A separate concession was not therefore necessary. The fee of $10 per participant is the lowest fee that has been charged for entry into a Masters Games.

3. Foundation South Australia provided a sponsorship of $150 000 towards the staging of the Second Australian Masters Games and a further amount of $50 000 for signage.

FINANCIAL INSTITUTIONS DUTY

64. **Mr BECKER (Hanson)**, on notice, asked the Premier:

1. Why is Financial institutions duty payable on the balance of bank accounts transferred internally from one branch to another?

2. Will the Government review this legislation and rectify any anomaly in relation to such an internal bookkeeping arrangement and, if not, why not?

The Hon. J.C. BANNON: Financial institutions duty taxes every movement of money at a very low rate of duty. This enables the Government to meet its revenue requirements whilst the impost passed back to individual customers remains relatively small. To provide a concession for transfers of bank account balances from one branch to another would be contrary to the fundamental principle on which FID is based and lead to further requests for exemptions (for example, for the transfer of sums from one account to another). Ultimately the tax base would be eroded and the Government would have to consider raising the FID rate.

PUBLIC SERVICE

65. **Mr BECKER (Hanson)**, on notice, asked the Premier:

1. How many graduates have been employed in the Public Service in each of the past three years?

2. How many graduates are currently employed on contract, for how long and why?

3. When will permanent employment be offered to people employed on contract and what is the reason for the delay?

The Hon. J.C. BANNON: All Government departments have been contacted to ascertain the number of graduates employed in the Public Service in 1987, 1988 and 1989. The totals for each of these years are:

1987	116
1988	104
1989	83
Total	303

These figures do not include the significant level of recruitment to promotional or other positions which require

tertiary qualifications. In contacting each of the Government departments, it has been ascertained that the majority of graduates are recruited on a permanent (on probation) basis. A comparatively small number of graduates are recruited in a temporary capacity to assist with specific one-off projects; to replace permanent staff engaged on other duties for a specific period of time; completing a cadetship or a special work experience component of their higher course of study.

FOUNDATION SA

66. **Mr BECKER (Hanson)**, on notice, asked the Minister of Recreation and Sport: How many newsletters have been produced by Foundation SA since its inception, how many are produced each issue and what is the cost per issue?

The Hon. M.K. MAYES: The reply is set out as follows:

Issue	Quantity	Cost $	Cost per Newsletter $
November 1988	4 000	1 860	0.47
December 1988	4 000	2 310	0.58
May 1989	4 500	3 040	0.68
July 1989	4 500	2 230	0.50
September 1989	4 500	2 780	0.62
December 1989	4 500	5 050	1.12
February 1990	4 500	3 181	0.71

DOLPHINS

67. **Mr BECKER (Hanson)**, on notice, asked the Premier: Why did the Premier give approval to capture dolphins from the sea?

The Hon. J.C. BANNON: Cabinet endorsed the taking of dolphins for the original Tribond proposal and reaffirmed that commitment to Zhen Yun with the requirement for approval of a suitable plan of management. The Cabinet endorsement provided for the taking of bottlenosed dolphins from State waters to the extent necessary to provide for an initial breeding stock of animals if they could not be obtained from established oceanaria.

GOVERNMENT EMPLOYEE HOUSING AUTHORITY

71. **Mr BECKER (Hanson)**, on notice, asked the Minister of Housing and Construction: What is the budget for the Government Employee Housing Authority this financial year and what action is being taken to reduce the accumulated deficit of $401 000?

The Hon. M.K. MAYES: The cash budget for the Office of Government Employee Housing for 1989-90 is $20.41 million as detailed on page 97 of the Estimates of Payments 1989-90. The deficit which occurred in 1988-89 resulted from the requirement to set budgets on a cash basis during that year. However, discussions have been held with Treasury and it is proposed to budget on an accrual basis in future years. The accumulated deficit will be addressed as part of the accrual budget process.

SOUTH AUSTRALIAN HEALTH COMMISSION

79. **Mr BECKER (Hanson)**, on notice, asked the Minister of Health: What qualifications in terms of the requirements of the South Australian Health Commission Act 1976 does a Ms Strickland possess justifying her appointment to the Commission as Deputy Chairperson and what is her annual salary and allowance?

The Hon. D.J. HOPGOOD: Ms J. Strickland, B.A. (Hons), Dip.Ed., A.L.A.A., has been a part-time member of the South Australian Health Commission since 1985. She has been a valuable member who has extensive knowledge of health administration at the local government level. Her duties, in addition to the normal functions of a member of the Commission, have included chairing the Environmental Health Working Party Implementation Committee. In 1987, amendments to the South Australian Health Commission Act introduced more flexibility into the nature of membership of the Commission, in particular, removing the nexus between Chairman/Chief Executive Officer and Deputy Chairman/Deputy Chief Executive Officer, so that they need no longer be the same person in each case nor do they need to be full-time members. Following the resignation of the former Deputy Chairman/Deputy Chief Executive Officer in September 1989, Ms Strickland was appointed Deputy Chairman. She does not receive a salary, but continues to receive the allowance determined for part-time members—currently $7 221 per annum—plus reimbursment for reasonable travelling expenses.

TAB FACILITIES

80. **The Hon. D.C. WOTTON (Heysen)**, on notice, asked the Minister of Recreation and Sport: What criteria are used to determine whether a hotel is suitable for the installation of TAB facilities?

The Hon. M.K. MAYES: With regard to the establishment of TAB agencies on licensed premises, all applications received are thoroughly evaluated by the TAB based on their commercial viability. In evaluating each application, a number of factors are considered by the TAB, including estimated turnover, costs, geographic location, visibility, accessibility, parking facilities, client profile, present volume of hotel trade, staffing arrangements and facilities offered, including provision of SKY Channel racing telecasts and TAB teletext. The effect on existing TAB cash outlets is also an important factor in the evaluation process to ensure that over-servicing of a particular area does not occur. Where the establishment of a TAB agency on licensed premises is considered to be commercially viable, the application is made to the Minister of Recreation and Sport for approval to establish the outlet.

PLAYGROUND MONITORING UNIT

81. **The Hon. B.C. EASTICK (Light)**, on notice, asked the Minister of Recreation and Sport: Has the unit to monitor playgrounds announced in late July 1988 been set up within the Department of Recreation and Sport and, if so—

(a) what is the membership;
(b) how often has it met;
(c) what has been its advice to the Government;
(d) what is its future;
(e) what has been the cost of establishment and maintenance of the unit and what is its expected budget for the next two years; and
(f) what effect has the existence of the unit had on the number of playground injuries and what are the details,

and, if it has not been formed, why not and what explanation has been made to the public for not proceeding with the promised unit?

The Hon. M.K. MAYES: The replies are as follows:

(a) What is the membership: A Playgrounds Division has been set up within the South Australian Recreation Institute consisting of four full-time officers, namely: a manager; two advisors; and an information officer.

(b) How often has it met: The unit is part of the SA Recreation Institute establishment and operates on a full-time basis. The unit has a Community Reference Group that has met formally on three occasions and its membership is consulted continually on a needs basis.

(c) What has been its advice to the Government: Its achievements include: 289 safety inspections and assessments; the production of 227 comprehensive reports; the organisation of a major playground seminar and several training workshops; community consultation on local government play provision; an input into the new Australian Playground Standard; and the establishment of a major resource relating to the development of playgrounds.

(d) What is its future: Its future is assured with continued support of the unit by the Government. There is a continuing need for the Government to be pro-active in the area of playground development, specifically—

— playground safety and the alarming number of injuries occurring in them;
— the cost to the community of these injuries;
— the rising incidence of litigation surrounding playground accidents;
— the benefits to the community brought about by meeting the play needs of our children in terms of physical and mental development.

(e) What has been the cost of establishment and maintenance of the unit and what is its expected budget for the next two years: The unit was established by relocating an existing position from the South Australian Department of Housing and Construction and funds that were being spent on playgrounds and related operations in the Health Commission and Education Department.

Its current annual salary costs are $126 000 and it has an operating budget of $48 000 for 1989-90.

Future years budgets will be reviewed as part of the normal budgetary process with allocations made in line with total departmental funding available.

(f) What effect has the existence of the unit had on the number of playground injuries and what are the details: The South Australian Health Commission monitors the occurrence of playground injuries over time. The Health Commission reports that it is too early to draw conclusions about trends in injury rates and the relationship to the work of the division. After another 18 months it should be possible to review statistics confidently. In the meantime, the success of the Playgrounds Division can be measured directly by the number of new and renovated playspaces built with input from the division. This measure, unlike injury *per se,* will not be biased by the fact that more children may be induced to play more often in new, more interesting play settings. Much of the work of the Playgrounds Division, aimed at improving quality of play, can only be measured subjectively.

WESTERN GAWLER BYPASS

82. **The Hon. B.C. EASTICK (Light),** on notice, asked the Minister of Transport:

1. What are the details and extent of any deterioration of the road surface of stage 2 of the Western Gawler Bypass?

2. What has been determined as the reason for any deterioration and has there been any variation to subsequent contracts on the bypass as a result and, if so, what are the details?

3. What remedial action has been taken to protect or replace the original surface, by whom has the work been performed, at what cost and at whose cost?

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

1. Sections of the heavily trafficked lane (left lane) on stage 2 of the Gawler Bypass were showing signs of distress in the sealed surface. A total lane length of 1.3 km was involved.

2. Problems on Gawler Bypass stage 2 arose from a combination of factors including:

(1) Structural parameters of the basecourse material used on this project being lower than previously estimated in the design of the pavement. New laboratory testing apparatus has recently been commissioned which now allows a more objective assessment of the material strength to be made.
(2) Evidence of poor adhesion of the asphalt surfacing to the underlying pavement and water infiltration through the asphalt which, in turn, will greatly reduce the life of the surfacing.

As a result, the following variations have been made in stage 3 contracts:

(1) Strengthening of basecourse material by addition of cement.
(2) Adoption of a prime and seal treatment to improve waterproofing and the bonding together of the basecourse and asphalt.
(3) Adoption of a modified asphalt surface treatment with improved life expectancy.

On stage 4, a revised and more expensive pavement design will be adopted.

3. The following remedial action has been undertaken for stage 2:

(1) Removal and reinstatement of failed areas of asphalt with modified asphalt.
(2) Application of stress absorbing membrane to trafficked lanes.
(3) Application of modified asphalt open graded surface course.

Cost is estimated to be $700 000 and was carried out by the Department of Road Transport using state funds.

ENFIELD CEMETERY

83. **The Hon. B.C. EASTICK (Light),** on notice, asked the Minister representing the Minister of Local Government:

1. What is the total area of the Enfield Cemetery Trust and when was it acquired?

2. What portion of the area is currently developed for cemetery purposes?

3. For what purpose is the remaining area used and are there any formal leases or contracts involved and, if so, what are they?

4. Is it expected that all of the land will be required for burial purposes and, if so, what is the predicted schedule for utilisation of additional areas?

5. Has the Government contemplated alienation of any of this area for Government or private use and, if so, what are the details?

6. What is the statistical detail for body interment vis-a-vis cremation in each of the preceding ten report periods?

The Hon. M.D. RANN: The replies are as follows:

1. The total area of the Enfield General Cemetery Trust is 29.43 hectares and was acquired in 1945.

2. The portion of area currently developed for cemetery purposes is 16.65 hectares.

3. The remaining area is currently used by the local pony club. There are no formal leases or contracts.

4. It is expected that all of the land will be required for burial purposes. A landscape development program has commenced, and will continue with the planting of structural vegetation. Access roads and an irrigation scheme will be constructed before the first burial in this area occurs, which should be within a period of three to five years.

5. There was consideration by the trust of sub-division for private housing in 1972; however, this proposal was abondoned in 1976.

6. Details of burial and cremation statistics are as follows:

Year	Burials	Cremations
1980	419	1 453
1981	422	1 531
1982	457	1 638
1983	518	1730
1984	459	1 704
1985	520	1 928
1986	511	1 941
1987	566	2 052
1988	559	2 026
1989	634	2 001

CONSOLIDATED ACCOUNT

87. **Mr BECKER (Hanson)**, on notice, asked the Treasurer:

1. Why has the Government stopped sending out copies of the monthly Statement of Consolidated Account?

2. Why cannot the statement be sent to Members of Parliament and the public within fourteen days of the end of the preceding month?

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

1. The Government has not stopped sending out copies of the monthly Statement of Consolidated Account, as suggested by the honourable member's question. It is practice each year that the first statement prepared covers a period of some months at the beginning of the financial year. I have now released a statement for the period ending 31 December 1989 that will be provided in the usual way.

2. Again, in keeping with existing practice, there will be further statements issued for the remaining months of the year as they become available.

GEOGRAPHICAL NAMES BOARD

88. **Mr MATTHEW (Bright)**, on notice, asked the Minister for Environment and Planning:

1. Has the Minister accepted the recommendation of the Geographical Names Board regarding the proposed suburb name of Karrara for part of Hallett Cove and, if not, why not?

2. Will the Minister be taking any further action regarding renaming part of Hallett Cove as Karrara and, if so, what action?

3. Does the Minister intend to make moves to abolish the Geographical Names Board and, if so, why?

The Hon. S.M. LENEHAN: The replies are as follows:

1. A Notice of Intent to create the suburb of Karrara appeared in the *Government Gazette* on 19 October 1989. The date for objections has now closed. While a recommendation has been forwarded to me by the Geographical Names Board, I am still giving the matter consideration in view of the number of objections received.

2. A decision will be made after due consideration of the issues brought forward by the objectors.

3. In regard to the abolition of the Geographical Names Board, I can advise that a Green Paper is currently being prepared which addresses proposed changes to the Geographical Names Act. One of the issues being canvassed by the paper, which is currently in draft form and has not gone to Cabinet, is the future of the Geographical Names Board.

FORMER ALP MEMBERS

89. **Mr BECKER (Hanson)**, on notice, asked the Premier:

1. Which lines in the Budget contain funds for Ministers to employ ALP members defeated at the last State Election?

2. Which former ALP members are employed by the Government and

(a) in which ministerial portfolios;

(b) on what salary and terms of conditions;

(c) what qualifications do these former members possess to make them suitable employees in their respective jobs?

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

1. Salary costs for all staff employed in Ministers' offices are met from lines specifically voted for this purpose. Salary costs for staff employed by departments are met from lines voted for relevant programs.

2. Mike Duigan, formerly member for Adelaide; Phil Tyler, formerly member for Fisher; Derek Robertson, formerly member for Bright; and Di Gayler, formerly member for Newland.

Mr Duigan, employed in Attorney-General's office as ministerial officer, grade I, $45 518 per annum plus allowance of 10 per cent of salary for out-of-hours work.

Mr Duigan has a BA (Hons) and a Graduate Diploma in Social Administration and had previously filled this position from 1982 to 1985.

Mr Tyler, employed in Minister of Employment and Further Education's office as ministerial officer, grade II, $39 314 per annum plus allowance of 10 per cent of salary for out-of-hours work for a period of six months.

Mr Tyler was a ministerial officer prior to 1985.

Mr Robertson, employed in Minister for Environment and Planning's office as ministerial officer, grade II, $38 021 per annum plus allowance of 10 per cent of salary for out-of-hours work.

Mr Robertson has an Honours Degree in Science, majoring in mathematics, geology and geophysics plus a Diploma in Education. He was previously employed by the Education Department of South Australia.

Ms Gayler, employed under Minister for Environment and Planning portfolio as temporary employee under GME Act in Department of Environment and Planning as temporary project officer for a period of 12 months (to undertake review of pollution control legislation) at salary of $44 198 per annum (AO-4).

Ms Gayler is a qualified professional planner and was previously Principal Advisor to the Minister for Environment and Planning, having held a number of Public Service posts in Housing, Urban and Regional Affairs and Environment and Planning.

HEART OPERATIONS

91. **Mr BECKER (Hanson)**, on notice, asked the Minister of Health:

1. What is the waiting time at Flinders Medical Centre for heart surgery?

2. Was a patient with acute angina and difficulty with restricted arteries recently advised that heart surgery was not available for six weeks and, if so, why?

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

1. Heart surgery is not performed at Flinders Medical Centre.

2. Although it is not possible to answer the question without specific details of the patient concerned, the cardiothoracic unit at Royal Adelaide Hospital has advised that patients requiring heart surgery are treated within a few days if the referring cardiologist indicates that the need is urgent.

HOLDFAST BAY RAILWAY LINE

92. **Mr BECKER (Hanson)**, on notice, asked the Minister of Transport:

1. What studies have been undertaken relating to the possible establishment of an O-Bahn transport system along the old Holdfast Bay Railway Line?

2. Is the Minister aware of the response by residents at a public meeting concerning this scheme and that the uncertainty surrounding it is affecting property values and, if so, will the Government now scrap the project and, if not, why not?

The Hon. FRANK BLEVINS: In 1986 and 1987 the Northeast Busway Project Team carried out a study of the options available to improve public transport to the southern metropolitan area. One of the options examined involved the construction of an O-Bahn from the City to the Sturt Triangle via the old Holdfast Bay railway reserve and Sturt Creek.

I am aware of the response by residents of Plympton at a public meeting held last year concerning the scheme. I do not, however, have property valuation information which indicates that the uncertainty about the scheme is affecting property values. Since the Government has a responsibility to examine all options for improving public transport, it would be premature for it to make a final decision on the scheme before more detailed studies have been undertaken.

SCHOOL MAINTENANCE AND PAINTING

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

1. What is the system of working out contracts for school maintenance and painting?

2. What happens if insufficient funds are allocated to a particular job?

3. Have contractors left Camden Primary School to start another job and, if so, why?

4. How many schools in the past three years have not had their painting completed in the year commenced?

The Hon. M.K. MAYES: The replies are as follows:

1. Schools are inspected and scope of work decided upon, which may include the whole or part of the school dependent on the condition of the paintwork, woodwork, roof, etc. An estimate is prepared by the SACON building officer on the basis of labour and material costs, covering the extent of the work to be done. The estimate and a suggested priority is discussed with the Education Facilities Manager for the area. If the project is deemed to have a high priority, it is included in the education area works program and approval for the expenditure requested. If the district day labour are fully committed on other priority projects, the work will be let to private contractors.

2. Funds are allocated to a particular job before commencement. However, extra expenditure can occur, and therefore additional funds required, on a contract through inclement weather interrupting the external trades; for example, painter and roofer. When possible this is counteracted by including internal work in a contract which can be undertaken during periods when it is too hot or wet for external work. Additional costs can also occur through variations to the scope of the work and unforeseen problems which become evident during the course of the contract. The monitoring of the contract cost is carried out by SACON and extra funds to cover additional costs are approved by the Education Department following a SACON recommendation.

3. The contractors did not leave Camden primary school to start another job before the completion of the project. The contract work at Camden primary school was extended by a further week to undertake authorised additional work. It is possible that some confusion as to the completion date may have occurred because some of the tradesmen on site were unaware of the extra work to be done and the revised finishing date.

4. Education program maintenance works which include painting are undertaken on an 18-month rolling program scheduled in priority order. There is a continuous program of painting to keep the district office's painting gangs gainfully employed. Every year there are schools which have painting commenced in one financial year and completed the next year, but without a break in the project. Part funding is committed and expended in one year and the remainder carried over into the next financial year.

SCHOOL PAINTING

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

1. How many schools were painted—
   (a) internally and externally;
   (b) internally only; or
   (c) externally only,

in the past financial year, what was the estimated cost and actual cost for each job and how many jobs exceeded the original estimate and what was the reason for the excess?

2. How many schools will be painted this financial year in each category?

The Hon. M.K. MAYES: The statistics provided as follows include special allocations from the 'Back to School' funding. However, the estimates are subject to alteration depending on client demands and circumstances which may arise.

Estimated Painting Projects—Schools
Financial Year 1989-90

Interior/Exterior	Interior Only	Exterior Only
44	76	66

SCHOOLS
Projects Over $2 000—1988-1989

Asset	Int & Ext		Int Only		Ext Only		Remarks
	Est $	Act $	Est $	Act $	Est $	Act $	
Fremont H.S.					112 000	109 151	
Gilles Plains P.S.					13 000	11 533	
Houghton P.S.					53 100	61 978	Additional work incorporated
Klemzig P.S.					98 700	97 932	
Parafield Gardens J.P.S.					14 200	14 191	
Ridgehaven P.S.					62 300	55 158	
Salisbury North P.S.					34 000	37 407	
Salisbury P.S. and J.P.S.					66 100	62 108	
Salisbury Park P.S.					42 400	34 131	
South Downs P.S.					40 200	40 388	
Tea Tree Gully P.S.					18 000	17 250	
Augusta Park H.S.					18 700	18 025	
Carlton P.S.					32 000	30 206	
Hawker Area School	40 000	37 000					Includes carpet
Wilmington P.S.					5 000	4 860	
Coober Pedy Area School	120 000	102 744					Project continuing, balance to 1989-90
Port Augusta West P.S.					17 000	16 809	
Old Quorn School	32 000	29 062					Includes roofing
School of the Air					8 800	8 213	
Whyalla Nicolson Av J.P.S.	20 000	19 032					
Whyalla Nicolson Av P.S.	20 000	20 007					
Risdon H.S. (Pt Pirie)	30 000	29 100					
Pt Pirie H.S.	24 950	24 000					
Croydon H.S.	89 500	88 067					
Kilkenny H.S.	63 000	61 888					
Rose Park P.S.	43 000	37 775					
Burnside P.S.	80 000	75 824					
Payneham	42 800	40 443					
Sturt St. P.S.					80 500	80 255	
Penneshaw Rural					12 000	11 856	
Seaton Park J.P.S.					11 700	11 601	
Seaton Park P.S.					17 000	15 574	
St Morris P.S.					65 000	63 396	
Croydon Park P.S.					108 000	107 066	
Findon P.S.					47 600	46 326	
Kidman Park H.S.					29 000	25 050	
Largs North P.S.					27 300	27 030	
Lobethal P.S.					22 000	21 689	
Plympton H.S.					40 500	40 279	
Woodville P.S. and J.P.S.					99 900	101 056	Rate increase after project was estimated
Woodville Speech and Hearing					10 000	8 840	
Woodville H.S.			97 000	50 928			Scope of work reduced by client
Brahma Lodge P.S.—Toilets			9 200	6 627			
Craigmore H.S.—Toilets			9 100	9 540			
Craigmore H.S.					65 700	52 767	
Enfield H.S.					42 900	44 107	
Enfield P.S.					83 900	80 682	
Pt Pirie West P.S.	120 000	125 050					Under estimated
Coorabie Rural	10 580	9 085					Includes upgrading
Kimba Area					15 000	14 751	Includes replace eaves gutters—some roof
Lock Area					30 000	29 601	Included some wall reclad
Miltaburra Area					8 000	7 820	
Poonindie P.S.					18 370	16 739	Included reroofing and cladding
Pt Lincoln Special School	6 900	6 839					
Pt Lincoln H.S.					40 500	31 174	Included some recladding
Streaky Bay Area					29 650	29 609	Included some gutter replacement and metal window panels
Warramboo Special Rural					4 000	3 084	
Miltaburra Area					4 830	4 830	
Penong Rural					2 553	2 553	
Bellevue Heights			81 000	67 696			
Daws Road Education Centre	16 600	14 827					
Forbes P.S. and J.P.S.	70 000	68 279					
Hackham West P.S.					128 000	90 872	
Langhorne Creek P.S.	31 600	31 510					
Lonsdale Heights			18 100	18 962			
Mitcham Girls H.S.	134 000	133 353					
Christies Beach H.S.	12 000	11 500					
Seacombe H.S.					7 400	8 574	
Urrbrae H.S.	90 000	40 000					Carry over to 1989-90 $50 000
Browns Well P.S.	93 000	91 513					
Burra C.S.	12 000	10 402					
Cambrai A.S.					45 000	48 000	Additional work
Coonalpyn A.S.	18 400	17 227					
Geranium A.S.					31 000	25 513	
Raukkan A.S.					15 000	13 500	

Asset	Int & Ext		Int Only		Ext Only		Remarks
	Est $	Act $	Est $	Act $	Est $	Act $	
Raukkan A.S.	40 000	18 878					Work continuing
Salt Creek A.S.	20 000	15 800					
Keith A.S.	108 000	83 260					Work continuing
Loxton P.S.	62 500	61 383					
Murray Bridge H.S.	50 000	50 709					
Mundulla P.S.	25 000	21 738					
O.B. Flat	15 000	8 798					
Owen P.S.	15 000	15 000					
Penola P.S.	35 000	12 077					
Penola P.S.	25 000	12 052					
Pinnaroo A.S.					15 966	14 131	
Waikerie P.S.		16 300					
Mt Gambier East P.S.	15 000	15 000					
Waikerie H.S.					30 000	28 579	

FRAUD SQUAD

95. **Mr BECKER (Hanson)**, on notice, asked the Minister of Emergency Services:

1. How many staff are employed by the Fraud Squad in a full-time and a part-time capacity?

2. Has a shortage of staff meant that detectives have been unable to move quickly to detect and resolve the embezzlement of a partner of a building company and has the delay enabled that person to 'cover their tracks', making detection more difficult?

The Hon. J.H.C. KLUNDER: The replies are as follows:

1. There are twenty-eight staff employed by the Fraud Squad.

2. The Fraud Squad is involved in 50 ongoing major fraud investigations which have totally committed the entire squad. A further eight investigations are awaiting allocation.

These eight pending investigations have been strictly prioritised according to the date reported to police, complexity and, most importantly, the likelihood of evidence being lost through any delays. If such a likelihood exists, steps are taken, where possible, to secure such evidence prior to the matter being allocated for subsequent investigation.

The matter to which the honourable member refers has not been identified; however, it is thought to relate to an inquiry referred to the Corporate Affairs Commission in November 1989. The investigation is soon to commence after being assessed and prioritised. The victim has been kept informed and appraised of the reasons for the delay.

The best information currently available does not support that the delay has resulted in the loss of documentary evidence and therefore has not 'enabled the partner of a building company to cover his tracks and make detection more difficult'.

JUSTICES OF THE PEACE

96. **Mr BECKER (Hanson)**, on notice, asked the Minister of Education, representing the Attorney-General:

1. What is the quota for Justices of the Peace in the following suburbs of the electorate of Hanson and how many persons have been appointed in each—

(a) Camden Park;
(b) Plympton;
(c) North Plympton;
(d) Netley;
(e) West Richmond;
(f) Brooklyn Park;
(g) Lockleys;
(h) Fulham;
(i) Henley Beach South; and
(j) West Beach?

2. How can Australian Labor Party candidates be appointed as Justices of the Peace as soon as they are endorsed when other people cannot be granted such appointments and what arrangements are made for the appointment of local councillors?

The Hon. G.J. CRAFTER: The replies are as follows:

1. Hanson:	Quota	Appointed
(a) Camden Park	12	9
(b) Plympton	20	27
(c) North Plympton	12	15
(d) Netley	10	4
(e) Richmond (West Richmond included)	16	19
(f) Brooklyn Park	17	16
(g) Lockleys	22	39
(h) Fulham	16	25
(i) Henley Beach South	15	14
(j) West Beach	15	45

The number of Justices of the Peace can exceed the quota for a district because of a movement of Justices of the Peace into the district and the appointment of departmental Justices of the Peace who are also expected to be available to the public at their home address.

2. There are no special arrangements for the appointment of Australian Labor Party candidates or local councillors. Any applications received from these people would be processed in the normal way.

WEST BEACH TRUST

97. **Mr BECKER (Hanson)**, on notice, asked the Minister of Employment and Further Education, representing the Minister of Local Government:

1. Why did the West Beach Trust amend the staff superannuation scheme by cancelling the arrangements with a life assurance company and transferring the funds to the State Superannuation Scheme?

2. Upon the cancellation of the staff superannuation scheme with the life assurance company, was there a surplus of $270 000 which belonged to no one contributor to the scheme and, if so, was this money credited or refunded to all contributors past and present and, if not, why not and did the trust use the surplus to reduce the trust's indebtedness to the South Australian Financing Authority and, if so, why and what legal opinion did the trust receive prior to so doing?

The Hon. M.D. RANN: The replies are as follows:

1. Superannuation arrangements for staff of the West Beach Trust were changed after the board of the Trust accepted a recommendation of the trustees of the West Beach Trust Superannuation Fund that the staff would

benefit considerably by becoming contributors to the State Superannuation Scheme.

2. As a result of the decision to wind up the West Beach Trust Superannuation Fund and transfer to the State Superannuation Scheme, the South Australian Superannuation Fund advised that, after the transfer payment they required, there was a surplus of $271 870.23. The responsibility for accumulating and disposing of this sum clearly lay with the trustees of the West Beach Trust Superannuation Fund who unanimously agreed to transfer it to the West Beach Trust. After further consideration, the board of the trust resolved without dissent to apply it to reducing the trust's indebtedness to the South Australian Government Financing Authority (SAFA).

COMPLAINTS TO POLICE

99. **Mr BECKER (Hanson)**, on notice, asked the Minister of Emergency Services: How many complaints did police at Headquarters and Henley Beach Station receive on Saturday evening and Sunday morning, 17 and 18 February concerning a party at Seaview Road, West Beach and what action did the police take to stop noisy, unruly and foul language and, if none, why not?

The Hon. J.H.C. KLUNDER: Police received two telephone calls on 17 February 1990 concerning a party at 84 Seaview Road, West Beach. One was received at the Henley Beach Police Station at 10.08 p.m. and the other at the Communications Centre, Central Police Headquarters at 10.42 p.m. Police attended and observed the party, and during the 25 minute period of observation, there was no evidence to suggest offences had been or were being committed.

NOISE CONTROL ACT

100. **Mr BECKER (Hanson)**, on notice, asked the Minister for Environment and Planning:

1. Does the Government propose to amend the Noise Control Act to provide greater protection for residents from noisy neighbourhood parties and give police greater control over unruly and noisy residents and, if so, when?

2. How many complaints did the Department of Environment and Planning receive concerning a party at Seaview Road, West Beach on Saturday 17 and Sunday 18 February?

The Hon. S.M. LENEHAN: The replies are as follows:

1. No.

2. None.

HAPPY VALLEY RESERVOIR

102. **Mr BECKER (Hanson)**, on notice, asked the Minister of Water Resources: How many suburbs are receiving filtered water from Happy Valley Reservoir and what is the scheduled program to achieve maximum coverage of suburbs to be served?

The Hon. S.M. LENEHAN: When the Happy Valley Water Filtration Plant Stage I was commissioned in November 1989, approximately 140 suburbs received filtered water. Stage II is scheduled for completion in the latter part of 1991 and a further 11 suburbs will be served.

MARINELAND

106. **Mr BECKER (Hanson)**, on notice, asked the Premier: What legal action will the Government take in relation to the building trade unions decision not to work on the redevelopment of Marineland?

The Hon. J.C. BANNON: The question of building union threats against the Marineland redevelopment is irrelevant as no redevelopment ever took place, therefore there was no opportunity to impose bans and no basis for any legal action. No consideration has been given to this issue because the proposal for a dolphinarium has lapsed.

STOLEN MOTOR VEHICLES

107. **Mr BECKER (Hanson)**, on notice, asked the Minister of Emergency Services: How many motor vehicles have been reported to the police as stolen in each month from July 1989 and how do these figures compare with the same months from July 1988?

The Hon. J.H.C. KLUNDER: Stolen motor vehicles are recorded on the Police Department's Crime Reporting System and reports are produced on a quarterly basis. The following table depicts the number of motor vehicles reported stolen during the quarters ending September and December of 1988 and 1989 respectively:

MOTOR VEHICLE THEFTS

Quarter ending	Total	Quarter ending	Total
September, 1988	2993	September, 1989	3155
December, 1988.....	3409	December, 1989.....	3552
Six Monthly Total...	6402	Six Monthly Total...	6707

Mr H. TOWERS

108. **Mr BECKER (Hanson)**, on notice, asked the Minister of Health:

1. Has the South Australian Health Commission ever investigated claims by Mr H. Towers of 3 Hopson Street, Torrensville, and, if so, what were the results and, if not, why not?

2. Have investigations been conducted into the effects of a mixture containing home kerosene on herpes, shingles, dermatitis, acne, cold sores, skin cancers, rodent ulcers, fungus cancer, papilloma, melanoma, chillblains, tinea, warts, tonsilitis, mumps, some eye diseases, head lice, dandruff, toothache, and diseases of the prostate glands and, if not, why not?

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

1. Yes. Advice about the health and safety aspects of Mr Towers' proposed remedies, including home kerosene, was sought from a range of specialists in the fields of toxicology and pharmacology within the South Australian Health Commission. Because of the risks known to be associated with the recommended treatments, the specialists suggested extreme caution in their use.

2. With particular reference to kerosene, significant problems have been noted to arise following prolonged exposure to the skin, inhalation, ingestion or introduction into the urinary tract.

YATALA INMATES

122. **Mr BECKER (Hanson)**, on notice, asked the Minister of Correctional Services: Were nine 'E' Division inmates of Yatala Labour Prison sent to work in the work compound on Monday 19 February 1990 and, if so, why, in view of the Minister's statement that he 'could not guarantee the safety of any inmate'?

The Hon. FRANK BLEVINS: Ten 'E' Division prisoners were offered and subsequently accepted employment in the laundry workshop of the Yatala Labour Prison Industries Complex on Monday 19 February 1990. I am unable to respond to the second part of the question as I do not know in what context 'could not guarantee the safety of any inmate' is being used.

YATALA LABOUR PRISON

124. **Mr BECKER (Hanson)**, on notice, asked the Minister of Correctional Services: During February 1990 were three prisoners transferred from an area of 'B' Division, Yatala Labour Prison known as 'H Middle' to 'G' Division because they caused considerable damage to their cells and, if so:

(a) were water pipes and various fittings torn from the walls and floors to which they had been secured by bolts;

(b) were the walls and electrical fittings such as intercoms damaged;

(c) was water damage so extensive as to cover dormitory floors to a depth of at least four inches;

(d) were the incidents caused by a female officer allegedly refusing to pass a vacuum flask and a male officer subsequently calling the inmates 'dogs' and telling them to 'get back to their kennels' or words to that effect;

(e) what is the total cost of damage and what action is being taken to prevent a recurrence; and

(f) are police investigating the incident and will the three inmates involved be charged?

The Hon. FRANK BLEVINS: Three prisoners were transferred from 'B' Division to 'G' Division as a result of an incident which occurred in Unit 4, 'H Middle', 'B' Division on 14 February 1990.

(a) Water pipes and fittings were broken from the walls and floors of the cells.

(b) The walls and electronic equipment in all three cells were damaged.

(c) The water level was approximately 75 mm.

(d) The circumstance that caused this incident has not, at this stage been established.

(e) The total cost of damage to cells is estimated to be in the region of $19 000. The Department of Correctional Services is currently conducting an investigation into what action may be taken to prevent such a recurrence.

(f) The police have investigated the incident and the prisoners have been advised by detectives from the Holden Hill CIB that they have been reported for criminal damage.

HOLDFAST BAY YACHT CLUB

125. **Mr BECKER (Hanson)**, on notice, asked, the Minister representing the Minister of Local Government:

1. Has the lease for the Holdfast Bay Yacht Club and the South Australian Sea Rescue Squadron not been renewed and, if not, why not?

2. When will the access road to those two organisations be bitumenised and what is the reason for the delay?

The Hon. M.D. RANN: The replies are as follows:

1. Discussions between the West Beach Trust and the South Australian Sea Rescue Squadron Inc. have been continuing for some time with a view to amending the area the squadron and the Holdfast Bay Yacht Club Inc. presently lease from the trust. At a meeting held on Tuesday 6 March 1990 between the trust, Yacht Club and Sea Rescue Squadron representatives, agreement in principle was reached and a survey is being put into effect preparatory to the drafting of new leases for the bodies concerned.

2. As the Corporation of the City of West Torrens agreed some time ago to accept Barcoo Road as a public road, any question concerning the road should be directed to that council.

SUPERANNUATION

130. **Mr S.J. BAKER (Mitcham)**, on notice, asked the Minister of Finance: Why have public sector employees not yet received the advice due during 1989 as to their superannuation and when will that advice be provided?

The Hon. FRANK BLEVINS: The Superannuation Act 1988 commenced a voluntary lump sum scheme for public servants. The Act also subsumed the previous Superannuation Act 1974 which was a voluntary pension scheme. Members received their first annual statement for the year ended 30 June 1988 in March 1989.

The Superannuation Office is still in the process of installing a new in-house computer system. As you will appreciate, the increased and increasing complexity of superannuation as well as the number of agencies and members involved makes this a mammoth exercise. While the programming required to achieve a fully operational system is complicated and time-consuming, the outcome for the office and for members will be a vastly improved, effective and efficient system.

The Superannuation Office is aiming at having the greater part of the system operational by the beginning of the next financial year. The annual statements for the financial year 1988-89 are obviously a high priority and, as well as including the member's account balance, will for the first time include an attribution of interest. I reiterate that the commitment of both the Superannuation Board and the South Australian Superannuation Fund Investment Trust to providing their members with regular and informative material on the fund, general membership and on individual status, remains. Individual annual statements will be issued, as will annual information brochures, and annual reports are always available on request.

CENTRAL LINEN SERVICE

131. **Mr S.J. BAKER (Mitcham)**, on notice, asked the Minister of Health: Does the Manager of the Central Linen Service own, operate or have an interest in any private businesses and, if so, what are their names and have any such enterprises undertaken work on contract or otherwise for the Central Linen Service?

The Hon. D.J. HOPGOOD: No.

ADELAIDE MEDICAL CENTRE FOR WOMEN AND CHILDREN

132. **Mr S.J. BAKER (Mitcham)**, on notice, asked the Minister of Health: Has the Minister received objections to the naming of the Adelaide Medical Centre for Women and Children and, if so, is there an alternative which enjoys support from staff and friends of the hospital?

The Hon. D.J. HOPGOOD: A number of people have expressed a view that the present name is cumbersome. Alternatives are under consideration.

HYPNOSIS

135. **Mr S.J. BAKER (Mitcham)**, on notice, asked the Minister of Health: How many trainee psychologists were found to have been illegally practising hypnosis in 1987-88 and 1988-89 and what action was taken against them?

The Hon. D.J. HOPGOOD: In the annual report for the year ending 30 June 1989 the South Australian Psychological Board reported that the board was concerned that trainee psychologists may be practising hypnosis in contravention of the Psychological Practices Act.

This was mentioned in the annual report as a means of informing those registered psychologists who are supervisors of trainee psychologists of the relevant sections of the Act. One of the functions of the board is to approve the pre-registration training of psychologists and it has been noticed when considering pre-lodged programs of supervision that some trainees propose to engage in the practice of hypnosis as part of their practical psychological training which is in breach of section 39 of the existing legislation.

On those occasions where this has occurred the board has reminded the supervisor and trainee of the provisions of the Act and corresponding offence. Possible breaches are consequently 'nipped in the bud' and no disciplinary proceedings or court action have been taken.