HOUSE OF ASSEMBLY

Tuesday 21 March 1995

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

EDUCATION AND CHILDREN'S SERVICES

A petition signed by 38 residents of South Australia, requesting that the House urge the Government not to cut the Education and Children's Services budget was presented by the Hon. M.H. Armitage.

Petition received.

EDUCATION FUNDING

A petition signed by 122 residents of South Australia, requesting that the House urge the Government not to cut funding for early childhood education was presented by the Hon. M.H. Armitage.

Petition received.

KING GEORGE WHITING

A petition signed by 226 residents of South Australia, requesting that the House urge the Government to close specific King George whiting nursery areas and tourist beaches to net fishing was presented by Mrs Penfold.

Petition received.

QUESTIONS

The SPEAKER: I direct that written answers to the following questions on the Notice Paper, as detailed in the schedule that I now table, be distributed and printed in *Hansard*: Nos 119, 155, 175, 179, 180 and 186; and I direct that the following answers to questions without notice be distributed and printed in *Hansard*.

DICKY SEATS

In reply to **Mr EVANS (Davenport)** 21 February.

The Hon. J.W. OLSEN: The Minister for Transport has provided the following information:

The existing requirements of the Road Traffic Act and Regulations are silent on the fitting of seats after manufacture, including dicky seats and therefore such seats are not subject to legislative control. The manufacturers and installers of such seats are of course bound by common law requirements to supply a product which is safe and fit for purpose.

The lack of legislation does not require installers of seats after manufacture to seek approval or to present the vehicle for inspection. The Government cannot ensure compliance with the national guidelines as it is not required in legislation. The only action which could be considered is to defect the vehicles under section 160 of the Road Traffic Act, if the seat made the vehicle unsafe for use on public roads. As compulsory inspections are not required this action could only be undertaken on an *ad hoc* basis by the police as part of their road enforcement of vehicle standards.

The situation is clearly unsatisfactory and the Minister for Transport's officers in the Department of Transport are preparing a submission to include control of seats fitted after manufacture in the appropriate regulation under the Road Traffic Act. It is anticipated that this will be available for the Minister's consideration by July 1995.

TOW TRUCK INDUSTRY

In reply to **Mrs GERAGHTY (Torrens)** 16 February.

The Hon. J.W. OLSEN: The Minister for Transport has provided the following information.

It has been recognised that some over zealous tow truck drivers have at times attempted to coerce motorists into having their accident damaged vehicles removed to places other than their first choice of destination. As recognised by the honourable member such practices are illegal and leave the offenders open to penalties under the tow truck legislation within the Motor Vehicles Act.

All complaints of alleged offences under the tow truck legislation are investigated by tow truck inspectors on behalf of the Registrar of Motor Vehicles. Where warranted, action is instigated against tow truck drivers and indeed their employers, who are legally responsible for ensuring that the rights of motorists are not compromised in this way.

A comparison between the number of complaints received and the number of tows performed under the Accident Towing Roster Scheme would suggest that the legislation is largely effective in protecting the rights of motorists involved in accidents.

It is recognised, however, that incidents may not be reported and as a further measure to protect motorists against such coercion, the Minister for Transport recently approved a redesigned 'Authority to Tow' form required to be signed by the motorist before a vehicle can be removed from an accident scene. The revised form, which was introduced on 1 March 1995, highlights the rights and obligations of motorists to nominate the place where a vehicle is to be towed and delivered. A bold advice of the appropriate steps to take in reporting offences against legislation is also provided.

The Minister for Transport has been advised that the vehicle in question was removed to the owner's home address and that the tow truck driver is no longer employed by the towing service concerned.

Although neither the Registrar of Motor Vehicles nor the tow truck inspectorate had previously been made aware of this complaint, an investigation has now been initiated and the honourable member's constituent has been contacted for further details.

ASBESTOS

In reply to **Mr De LAINE (Price)** 1 December 1994.

The Hon. D.C. WOTTON: Asbestos is ubiquitous in our environment because it is a naturally occurring substance. Asbestos fibres are present in air from 0.03-3 fibres/m^3 (rural) to 3-300 fibres/m^3 (city) to 2 000 fibres/m^3 (asbestos mine or factory). People working with asbestos (e.g. automobile brake mechanics) are likely to be exposed to even higher levels over short periods.

Information on health effects comes mostly from studies of people exposed to high levels in the workplace. These workers have an increased chance of getting two types of lung cancer, and developing scar like tissue in the lung.

Research evidence suggests that 20 year plus exposure of greater than 1 million fibres/m^3 is required for lung scarring and higher exposures are needed for lung cancer. Clearly these exposures are substantially higher than that experienced by the general public.

Asbestos has properties which have proven to be invaluable in the automotive industry as a component of friction materials such as brake and clutch pads. Given the health concerns, progressive bans on the use of asbestos in consumer products have been introduced. The US EPA plans to have a full ban on asbestos brake/clutch pads by 1997.

While the available substitutes to asbestos can be used in differently engineered braking systems, they are not yet suitable for existing systems in older vehicles. I am advised that most countries have not prohibited the use of asbestos in friction pads. South Australia and the other states of Australia have followed the footsteps of the USA, the UK and most of the European countries by encouraging substitution of asbestos where feasible without compromising safety. It is understood that Sweden is a notable exception, but even their legislation is not enforced.

In view of the small risks to the general population from asbestos exposure, any move to non-asbestos brake products must not be made at the expense of braking effectiveness, otherwise the risk of accidental injury could readily exceed the risks of asbestos induced disease. Furthermore, in keeping with the potential health effects, adequate control measures have been devised to prevent exposure of people servicing brake systems.

Mr LEWIS: Mr Speaker, may I draw to your attention to the failure of the microphones, since it was not possible for me to hear what the Clerk was saying. I presume it was petitions that he was reading, though that was not something I was able to determine.

The SPEAKER: I can confirm for the honourable member that the Clerk was indeed reading petitions. The microphones may not have been operating perfectly, but members were talking and making a considerable amount of noise, which is strictly contrary to Standing Orders.

RADIOACTIVE WASTE

The Hon. DEAN BROWN (Premier): I wish to make a ministerial statement. I refer to the Federal Government's intention to transfer radioactive waste from St Marys in Sydney to Rangehead at Woomera. I wrote to the Prime Minister on 28 February about this matter. A brief acknowledgment of this letter has been received from the Acting Prime Minister. I have yet to receive a detailed response to the issues I raised with the Prime Minister. In my letter to Mr Keating I made it clear that the South Australian Government will not accept the decision to store this waste at Woomera Rangehead until certain assurances are given and uncertainties clarified. At the weekend, media reports surfaced in Melbourne that this waste contained traces of plutonium. This was the first time I had any awareness of the presence of plutonium traces in this consignment of waste.

As I indicated at my press conference yesterday, I have since established that in January the Commonwealth Environment Protection Authority sent a facsimile to the South Australian Department of Housing and Urban Development about this matter. Several aspects of that communication seriously concern me. The Department of Housing and Urban Development has not been the central South Australian agency handling this matter. The facsimile was not even sent to the Chief Executive Officer of that department. Its covering note stated:

> Defence were unable give me the name of who in the South Australian Government they have been liaising with. I have not given up and will try again.

This is despite the fact that South Australia has clearly established lines of communication involving the Department of the Premier and Cabinet and the Health Commission for dealing with this matter.

With the covering page of this facsimile was a Department of Defence document with the title 'Removal of Radioactive Waste from St Marys in Sydney to Safe Interim Storage at the Woomera Rangehead Site'. This is a 22 page document about a proposal to deal with waste storage by the Defence Department at St Marys since 1979. There is one reference only in this document to the waste containing traces of plutonium. There is no further information about the source of these traces or their activity level.

In seeking further classification yesterday, I have been given a copy of a letter from the Australian Radiation Laboratory in Victoria from where this waste was transferred to St Marys more than 15 years ago. This letter is not precise about the source of the plutonium traces. The laboratory can only say that the most likely source is 'a low level alpha calibration source used for calibrating alpha counters'. The Radiation Protection Branch of the South Australian Health Commission has been advised that the radionuclide activity of the traces is .002 millicuries. The traces are in the form of a small solid disc sealed in perspex to enable safe handling.

However, there is a wider issue of principle. We are dealing with a matter of demonstrated public sensitivity and controversy. Yet no Federal Government Minister has been prepared to be up front in taking responsibility and ensuring full and proper communication with the South Australian Government. It is completely unacceptable for the fact of plutonium traces being present in this waste to be brought in through the back door in the way it has. I am writing to the Prime Minister again, raising the serious concerns of the South Australian Government about the way in which this matter has been handled. It is simply not acceptable for the Federal Government to want to pass this waste around the country without taking responsibility and ensuring that the public, and particularly South Australia as the intended destination, are fully informed about the proposals.

In relation to South Australia's specific responsibilities in this matter, I point out to the House that South Australian authorities have examined the technical details of the packaging and transport arrangements for this waste. However, South Australia has yet to approve a detailed transport plan, including emergency response arrangements. That plan is still being prepared by the Department of Defence and cannot be forwarded for approval until a competent carrier has been identified and contracted for the task.

PAPERS TABLED

The following papers were laid on the table:

By the Treasurer, for the Minister for Industry, Manufacturing, Small Business and Regional Development (Hon. J.W. Olsen)—

Public Corporations Act—Regulations—EDA—Shanghai Office.

By the Minister for Housing, Urban Development and Local Government Relations (Hon. J.K.G. Oswald)—

Urban Land Trust Act—Regulations—Para Hills/Salisbury East Joint Venture.

Town of Gawler—By-Laws—
- No. 1—Permits and Penalties.
- No. 2—Moveable Signs.
- No. 3—Streets and Public Places.
- No. 4—Inflammable Undergrowth.
- No. 5—Bees.

By the Minister for Recreation, Sport and Racing (Hon. J.K.G. Oswald)—

Racing Act—Regulations—Sports Betting Venues—Football Park—Hindmarsh Stadium.

SOUTHERN CROSS HOMES

The Hon. S.J. BAKER (Deputy Premier): I wish to make a ministerial statement. I inform the House that the Government through the South Australian Asset Management Corporation (SAAMC) has taken control of the investment held by Southern Cross Homes in the Adelaide Casino. By way of background, Southern Cross Homes purchased its one third shareholding in the ASER Investment Unit Trust (AIUT) from interests associated with Mr Doug Kneebone and the late Patrick Pak-Poy in August 1988. The other equal shareholders are the key stakeholders in the ASER complex—the South Australian Superannuation Fund Investment Trust (SASFIT) and Kumagai Australia.

The ASER Investment Unit Trust is but one of a number of entities in the ASER corporate structure. I table a copy of the structure from the Casino Supervisory Authority annual

report which includes the Southern Cross interest which was held by Mr Pak-Poy and Kneebone Investments Pty Ltd in a trust. AIUT technically derives income from the operations of the Adelaide Casino and the Hyatt Hotel by way of a lease. The revenue streams are available to it only after costs and outgoings of other entities in the ASER group are paid through a complex series of contractual agreements and indentures. In essence, AIUT is entitled to what is best termed the 'super' profits of the Casino/Hotel complex.

To date, shareholders in the ASER Investment Unit Trust have not received any 'super' profits or dividend during the time Southern Cross held this investment. It is this result—or should I say lack of result—which forced Southern Cross, and indeed the Government, into an intolerable situation. In 1988, Southern Cross Homes financed the purchase of the ASER investment through an extension of loan facilities by the former State Bank. Interest on the loan was to be capitalised. I make it clear that this loan was given with the full knowledge of the previous Government.

I refer to the original submission to the bank's lending committee, as follows:

> The South Australian Government and the Premier are comfortable with the arrangements between Southern Cross Homes and the Pak-Poy family, having been particularly keen for the casino ownership to stay in South Australian hands.

Despite all the optimism expressed in the original State Bank loan application, the dividends expected from the casino and the hotel did not flow. So, while there was no income, the interest bill for Southern Cross was growing to enormous and unsustainable levels. In June 1992 the capitalised loan was extended, and by June 1993 Southern Cross Homes had total loans to the State Bank of $30.2 million outstanding, approximately $25.5 million of which related to the principal and interest on the ASER investment.

In mid 1992, Southern Cross Homes recognised the extent of the problem confronting it. Although it had sufficient assets to cover its liability it commenced action to divest itself of its interest in ASER. This included negotiations with the previous Government. When this Government took office, the Southern Cross problem was just one of many mistakes of the past that had to be dealt with. Southern Cross Homes, a benevolent organisation which provides accommodation for the elderly, was in an impossible situation. It had reached the point of no return. It would not be able to repay its debt when it fell due and there was little hope of any revenue from the ASER interest in the short to medium term.

The options left to the Government were stark. The SAAMC's predecessor, the Group Asset Management Division, could have forced Southern Cross Homes to sell assets to recover the outstanding amounts. The second option was to negotiate a settlement which left Southern Cross Homes with a debt it could service, while GAMD took control of the ASER holding. Clearly to force Southern Cross Homes into a situation where it had to sell some key assets would have caused great distress to those in the care of Southern Cross. Therefore, for the past 15 months, the Group Asset Management Division, later incorporated into SAAMC, and Southern Cross have been working on a compromise which allows Southern Cross to exit this disastrous arrangement. This included obtaining an independent valuation of the Southern Cross Homes holding by Macquarie Bank.

I am pleased to say that SAAMC and Southern Cross Homes have now completed the various transactions. Southern Cross Homes is now able to concentrate on what it has been doing very well for the past 28 years—the provision of care and services to retired and aged South Australians. However, due to the incompetence of the previous Government and an unsuccessful investment by the directors of Southern Cross Homes, this is just the start of a long road to recover a substantial amount of money for the people of South Australia.

As many members will be aware, the Adelaide Casino complex has not lived up to revenue expectations. In particular, there has been a downturn, largely since the introduction of gaming poker machines into hotels and clubs in South Australia last year. There are indications from interstate that this is consistent with previous patterns and that revenues will recover. However, we cannot afford to take any risks, and it is for this reason that the key partners, SASFIT and Kumagai, are now working with the SAAMC to review the complex corporate structure of the ASER group of companies. The boards are being strengthened and the management structure is also under review, following the retirement of the Executive Chairman of the ASER companies, Mr Ian Weiss, last month.

The ASER partners and SAAMC are now working on securing special expertise to boost the casino and refinance loans of $200 million which will become due to Westpac in October of this year. The ultimate goal is to provide a structure that will allow for the sale of the ASER complex and provide a return on capital to the current shareholders, namely, SASFIT, Kumagai and SAAMC. The Government will make every effort to ensure that the interests of all South Australians are taken into account in the restructuring arrangements. I will keep the House informed of significant developments in this area.

QUESTION TIME

The SPEAKER: Questions that would normally be taken by the Minister for Industry, Manufacturing, Small Business and Regional Development should be directed to the Deputy Premier.

EMPLOYMENT, TRAINING AND FURTHER EDUCATION DEPARTMENT

Mr CLARKE (Deputy Leader of the Opposition): Does the Minister for Employment, Training and Further Education believe that without a major injection of additional State funding there is absolutely no prospect that the Department for Employment, Training and Further Education can meet known growth targets in 1995?

The Hon. R.B. SUCH: I thank the Deputy Leader for his interest in matters relating to training. Budget matters are being finalised, and in due course he will know the detail, but I am very optimistic. We inherited a mess, we inherited a disaster—

Members interjecting:

The Hon. R.B. SUCH: Your mob played around with creating a super department, and took away the name 'TAFE.' People have asked, 'Where has TAFE gone?' We have brought it back, we are back in business, and we are going from strength to strength. Just watch this space.

SOUTHERN EXPRESSWAY

Mrs ROSENBERG (Kaurna): It gives me a great deal of pleasure to ask this question. Will the Premier give details of the Government's plan to go ahead with the third arterial

road—a project often promised to the residents of the south by the former Government?

The Hon. DEAN BROWN: This morning I was delighted to attend, with a number of my colleagues from the southern suburbs, the launch of the Southern Expressway. A commitment has been given by this Government to go ahead with the construction of the third arterial road—now to be called the Southern Expressway—from the Adelaide side of Darlington right through to Old Noarlunga. The southern suburbs endured 11 years of all sorts of promises by the Labor Party, without $1 being spent on construction: it even promised to start construction of this road in 1985, but nothing occurred.

An honourable member interjecting:

The Hon. DEAN BROWN: When I was in Parliament. The ALP promised to finish it by 1990, yet by 1993 construction had not even started. During the election campaign, this Liberal Government gave a commitment to construct the roadway. We said that we would put $88 million into it and that we would take the roadway down to Morphett Vale. We have gone beyond that: the roadway will be constructed from the Adelaide side of Darlington right through to the Old Noarlunga area, and that means that right through to Seaford all the people of the southern suburbs will get an enormous boost out of this project. This is the single most important project for the people of the south.

It will start to create job opportunities in that area for the first time—a task which has been very difficult due to an inadequate road system. As a Government, we have committed to spend $112 million over the next five years from Department of Transport funds, the Highways Fund, fuel tax and any Federal grants money for roads so that, before we reach the year 2000, there will be two lanes right through to Noarlunga. For those who live in the southern suburbs and work near Adelaide, it will cut something like 20 minutes off their daily trip to Adelaide and back. It will cut more than $20 off the cost of taking a truck from Adelaide to the southern suburbs.

This project will have enormous impact on the southern area. I am delighted to be part of a Government and a team of people who, through the Minister for Transport and the local members, have worked so closely with the Minister and to proudly stand in the House today and announce that $112 million has been committed to the project and that work will start by the end of this year.

COMMONWEALTH GROWTH FUNDS

The Hon. M.D. RANN (Leader of the Opposition): My question is directed to the Minister for Employment, Training and Further Education. Given the Minister's reply to the previous question, will he explain to the House how he will prevent South Australia's losing $58 million in Commonwealth growth funds? The Opposition has been given a minute from the State Under Treasurer to the Treasurer, dated 22 February 1995, regarding the cancellation of growth funds to South Australia from the Australian National Training Authority, the national funding agency. The minute states:

> The requirement to reduce expenditure as part of the Government's budget and debt management strategies while concurrently maintaining effort has the potential to put at risk the loss of $58 million in Commonwealth growth funds over the period 1994 to 1997. Failure to secure the 1995 growth funds will cause significant disruption to DETAFE's programmed activities given that these funds are integral to the department's budget strategy.

The minute further states:

> The Minister firmly believes that 'without a major injection of additional State funding, there is absolutely no prospect that DETAFE can meet known growth targets in 1995'.

We are watching your space.

The Hon. R.B. SUCH: I thank the Leader for his interest in local issues at long last—important issues. He has come back from Hong Kong and Singapore. We have a very challenging situation but, in relation to maintenance of effort, we have met the target in terms of dollar expenditure, and we have now met the target in terms of student hours. That information has been transmitted to ANTA, the national training authority, and to Minister Ross Free. There is no justification for ANTA or the Federal Government's seeking to penalise us by way of funding. We have met the targets, both in dollar terms and in student contact hours and, contrary to when the Leader of the Opposition was the Minister for achieving nothing, productivity in TAFE in the past 12 months has increased by 16 per cent. That is something that the Leader ought to put in his space.

SOUTHERN EXPRESSWAY

Ms GREIG (Reynell): My question is directed to the Premier. What initiatives will the Government take to ensure that a continuing program of public information is provided to the residents of the south about the new Southern Expressway?

The Hon. DEAN BROWN: As part of the launch of the new Southern Expressway, this morning we also launched a very complex and comprehensive program to ensure that the local residents of the southern suburbs are fully informed about the matter. Some of those initiatives include a community newspaper, which outlines the details of where the road will go—and I highlight the fact that most of the corridor has existed throughout the past 20 years, because this road has been anticipated and planned for 20 years, even though Labor decided not to put $1 towards its construction. I draw to the attention of the House the absolute hypocrisy of the member for Spence who this morning put out a press release asking, 'Why have the Liberals been so slow?'

Members interjecting:

The SPEAKER: Order!

The Hon. DEAN BROWN: I have known for a long time that you cannot give any credibility to the member for Spence, but here is living proof to the public of South Australia that he is not worth even a second thought. I also point out that we have taken the very innovative step of launching Roadside 88 FM so that all the people travelling down Main South Road can tune into 88 on their FM dial and listen to a message which talks about what the Southern Expressway is all about. It highlights the construction program and some of the other very important initiatives; it talks about the fact that there will be cycleways, walkways and a greening of the entire corridor, which is 22 kilometres long. It talks about the—

An honourable member interjecting:

The Hon. DEAN BROWN: No, it is not my voice. This is not a political message: it is a factual message about what this Liberal Government is doing for the people of the south. This is the most important and significant project that the people of the southern suburbs have had after 11 long forgotten years under Labor. Even though I realise that the Leader of the Opposition very seldom, if ever, goes to the southern suburbs, I invite him to make a trip there and, in fact, to tune into channel 88 FM and listen to the messages.

The good point is that, as work on the road proceeds, the message will change. We have a commitment that by 1997 the road right down to Reynella will have been completed, including the overpasses at Darlington, and the people on the eastern side of Morphett Vale will be able to get access directly onto the Southern Expressway through Panalatinga Road.

Another key initiative is that there is a free call telephone number for people to telephone to get information about the road. If they have any concerns at all they should telephone that number and ask for more detailed information as to the potential impact between the expressway and their own home. Finally, we have brought our information technology to this public communication; this morning, on a television screen with a computer attached to it, you could literally drive down the road at up to about 150 km/h. Using the latest silicon graphic equipment, you can actually drive down the proposed roadway, you can see the embankments, you can see how close you are to the homes, you can see the change in gradient and so on, as though you are actually on the roadway.

The Hon. FRANK BLEVINS: Mr Speaker, I rise on a point of order. This is enthralling, but would the Premier occasionally address the Chair?

Members interjecting:

The SPEAKER: Order! Has the Premier completed his answer?

The Hon. DEAN BROWN: Mr Speaker, to conclude, I invite the member for Giles to have a look at this machine, because here he will see the road which, for 11 years as a member of Cabinet, he ignored. Particularly as Treasurer, he refused to provide the money to allow construction on this road to start. Finally, I point out that during the construction phase alone something like up to 1000 jobs will be created as well as the additional jobs that will result in the southern suburbs, because at long last they will have a decent road network to get industry there.

Members interjecting:

The SPEAKER: Order! I suggest members start off the week in good fashion without causing disruption.

BETTER CITIES FUNDING

Mr CLARKE (Deputy Leader of the Opposition): My question is directed to the Minister for Employment, Training and Further Education. Has the State Government made the Commonwealth aware that the State is attempting to direct Commonwealth Better Cities money through DETAFE's accounts in order to enhance the claim for additional Commonwealth funding? A Treasury minute which has been given to the Opposition states:

> Treasury and Finance are also seeking to direct payments relating to the construction of the International College of Hotel Management (ICHM) at the Regency Institute of TAFE 'funded' from Commonwealth general purpose capital assistance grants under the Building Better Cities program through the department's accounting records in order to further enhance ANTA's qualifying expenditures.

The Hon. R.B. SUCH: I do not know where the Deputy Leader has been; I think he has lost his marbles.

Members interjecting:

The SPEAKER: Order!

The Hon. R.B. SUCH: The honourable member has fallen off the same push bike as the member for Spence. The International College of Hotel Management (residential facility) is funded out of Better Cities money, and that is where the money has gone. It will open in the next few months and we invite the honourable member to come down and witness a bit of progress under this Government. I am puzzled as to what the honourable member is on about, because that is where the money is going. It pays the builders who are building the project.

SALES TAX

Mr ASHENDEN (Wright): Will the Treasurer advise what action he is taking to prevent private schools from losing sales tax exemptions on computers as a result of the latest draft ruling from the Australian Taxation Office entitled 'Sales Tax in Universities and Schools'? I have been approached by representatives of some of the nine private schools within my electorate who have expressed concern that the Federal Government is to remove sales tax exemptions on their schools' computer purchases as this will seriously affect their budgets and educational programs if it proceeds.

The Hon. S.J. BAKER: I thank the member for Wright for his question because it is a matter that affects all private schools. There appears again to be some overkill by the Australian Taxation Office with little understanding of its impacts. It has issued a draft bulletin No. 8, entitled 'Sales Tax in Universities and Schools', which seeks among other things to curtail individuals' obtaining a personal benefit through the improper use of schools' sales tax exemption status. In other words, people have been found to be buying these computers, not paying sales tax but using them for their own purposes. From the way in which the bulletin is structured in terms of the instruction it contains, it appears to catch all the universities and private schools in the net and assume *per se* that these computers are being used for other than school purposes.

As everyone in this Parliament would be well aware, the vast majority of computers are for use by students and teachers within the school system. The Government has some concerns about the way the Australian Taxation Office has drawn a particular conclusion and then implemented the bulletin, with the result that everyone is affected. Clearly, the loss of the sales tax exemption under such circumstances will hit all those schools particularly hard. It will make it uneconomic for many of the schools. We know that some schools have very low fees: they virtually live off the smell of an oily rag. Many schools are low cost schools and service particular clientele often from a religious background. They are not people who have a large amount of money and they cannot afford to pay the sales tax required by the Australian Taxation Office.

I have written to the Federal Treasurer, Mr Willis, and asked him to review this decision as a matter of urgency and clarify the situation. Clearly, everyone understands that school equipment is sales tax exempt: that is the way it has been and that is the way it should remain, and I have asked the Federal Treasurer to intervene and talk to the Australian Taxation Office about its bulletin and the way in which it can be modified to encompass only those areas where there are abuses of the sales tax exemption and not encompass all the private schools in the process.

ABORIGINAL YOUTH

Mr CLARKE (Deputy Leader of the Opposition): What action is the Minister for Youth Affairs taking to ensure

that staffing of youth programs to assist highly disadvantaged Aboriginal young people is not cut in direct contradiction with recommendations 236 to 238 of the Commission of Inquiry into Aboriginal Deaths in Custody? The Opposition has been advised that the six staff positions in youth affairs providing assistance to Aboriginal youth will be cut and that KickStart has only one staff member whose entire duties are dedicated to assisting Aboriginal people. On Friday 3 March the Minister announced the abolition of the youth strategy, and six days later the member for Kaurna went on record with glowing praise of the work of the strategy.

The Hon. R.B. SUCH: It looks like it is my day. The youth strategy did achieve some good things but we are refocussing it in a good new program, KickStart for Youth, which will cover 14 regions of the State instead of eight under the old strategy, and it will specifically target disadvantaged people, including Aboriginal young people.

Mr Clarke: What about—

The SPEAKER: Order! The Deputy Leader has been away and I was hoping that he would not continue interjecting.

The Hon. R.B. SUCH: The new focus will be hard nosed in terms of outcomes relating to employment and training. As I have said, the youth strategy has been operating for a while and did achieve some good outcomes, but we will be more hard nosed and get better outcomes. We are not abolishing all the youth programs. In fact, it is our commitment as a Government to do more for youth, and we are spending much more on youth programs now than ever before.

Members interjecting:

The SPEAKER: The member for Ridley is out of order.

Mr Lewis: What about him?

The SPEAKER: Order! I suggest to the member for Ridley that he not answer the Chair back or he might get an early minute.

The Hon. R.B. SUCH: I announced about a week ago Greening Urban SA, which is a $700 000 new program. We have taken on over 700 trainees in the Public Service, most of them young people. We have a revamping of rural youth, we have incentives for apprentices who are taken on, we have a WorkCover levy subsidy scheme—we have many new programs operating, and the net result is much greater expenditure on youth programs and much greater outcomes in terms of youth employment and training.

HOSPITAL SERVICES

Mr VENNING (Custance): Will the Minister for Health inform the House whether recent developments in South Australia affect the provision of public hospital services?

The Hon. M.H. ARMITAGE: I am delighted to address this question, and in doing so I acknowledge the member for Custance's frequent discussions with me on the matter of health care in South Australia, particularly in relation to his constituents. There are a number of combinations applying in relation to hospital services in South Australia: private patients in private hospitals; private patients in public hospitals; public patients in public hospitals; and, as some Labor Administrations would try to have, public patients in private hospitals.

It seems to me that ideologically the Labor Party is unable to comprehend that the public hospital system simply would not function without the contribution made by means of private health insurance from privately insured persons. This fact can be starkly demonstrated by looking at the impact on public hospitals of the decline in private health insurance levels. The problem is that when people drop out of private health insurance they move from being either a private patient in a private hospital or a private patient in a public hospital and, unfortunately, they become a burden, if you like, on the State taxpayer as a public patient in a public hospital.

It is the same person having the same services, but the State, because the person is no longer privately insured, does not benefit from the income from the private health insurance fund. The taxpayers of South Australia simply cannot afford this type of cost shifting. I say 'cost shifting' advisedly, because that is one thing that the Federal Minister for Health continually accuses the States of doing. A working party of Commonwealth and State health officials has been examining this matter and it reported in the past fortnight. The figures will put an end forever to the blatant misrepresentation of the facts from the Federal Minister for Health, because the Federal Minister routinely parrots that people dropping out of private health insurance do not use the public hospital system and are not a burden on it because they are the young and healthy people.

I want to bring some facts into this argument. The key points coming out of the report of the Commonwealth and State health officials are that for South Australia, since June 1993, 60 000 South Australians have dropped out of private health insurance. Importantly, another study indicated that 7 685 public hospital users had dropped private health insurance in the previous year.

We, the taxpayers in South Australia, are paying the bills for these people, because the private health insurance industry is not supported federally. The cost implication of this for South Australia is somewhere between $17 million and $27 million. That is a huge cost shift onto the State which the Federal Minister for Health is simply not addressing. I repeat to her that 7 685 public hospital users dropped their private health insurance in the past year. The situation with private health insurance is a major dilemma, and the Federal Government must either compensate the States for the change in revenue that we no longer get because of the drop in private health insurance utilisation or, as the vast majority of people in Australia are asking it to do, act to encourage private health insurance participation.

SOUTHERN DISTRICTS WAR MEMORIAL HOSPITAL

Ms STEVENS (Elizabeth): My question is directed to the Minister for Health. Why was the Chief Executive Officer of the southern districts community hospital sacked last week; why was the Health Commission involved in this action; and will any other staff from the hospital lose their jobs?

The Hon. M.H. ARMITAGE: The Southern Districts War Memorial Hospital is a private hospital, and that was a decision of the board.

BRITANNIA AIR

Mr LEGGETT (Hanson): My question is directed to the Minister for Tourism. What changes has Britannia Air, the major charter operation to Adelaide from the United Kingdom, made to its schedule for the 1995-96 season?

The Hon. G.A. INGERSON: I thank the member for Hanson for his question.

Mr Foley interjecting:

The Hon. G.A. INGERSON: Welcome back: it is nice to see you back. It is very important that, with the closing down this week of the British Airways direct flight into Adelaide, we have some exciting news coming out of the major charter business. Britannia Air, which has flown into Adelaide with low levels of charter, will increase those runs by 23 per cent this year, making 10 trips from Gatwick to Adelaide and nine from Manchester to Adelaide, which is a 23 per cent increase in charter travel. It is very important that Adelaide remain part of the major incentive travel market, and one of the major ways in which that occurs is through charter transport out of the original destinations; in this case, London. I would also point out that it is a tragedy that British Airways has pulled out of Adelaide. This Government went to the Trade Practices Commission, because we questioned the connection between British Airways and Qantas in carrying out this deal. However, this type of travel and improvement with Britannia Air out of Britain will help to replace that unfortunate decision of British Airways.

SOUTHERN DISTRICTS WAR MEMORIAL HOSPITAL

Ms STEVENS (Elizabeth): My question is directed to the Minister for Health. Has he agreed to any taxpayer funded bail-out for the southern districts private hospital at McLaren Vale? Was this bail-out made against the advice of the Health Commission, and will he grant similar financial assistance to the many public hospitals which are also facing severe budgetary problems?

The SPEAKER: I point out to the member for Elizabeth that she has asked about three questions in one.

The Hon. M.H. ARMITAGE: The public services that are provided at the Southern Districts War Memorial Hospital on a contract basis have been a matter of concern to the Health Commission, because we wish to ensure that those services are provided in that area and, to ensure that that is the case, we are providing financial assistance to assess the financial status of the hospital *in toto*, because we will not waste taxpayers' money if those services cannot be provided by the hospital.

COFFIN BAY

Mrs PENFOLD (Flinders): Will the Minister for Primary Industries please explain whether the results are yet available of tests on water samples taken from the algal bloom area in the outer part of Coffin Bay?

The Hon. D.S. BAKER: I thank the honourable member for her question and interest in this matter, which is most important to the West Coast of South Australia. As I reported to Parliament last week, there was a discolouration of water in Coffin Bay. Water samples were taken and sent to the State Water Laboratory and to the University of Tasmania. We also took samples of the oysters in that area, and I have reported to Parliament that they were confirmed to be fit for human consumption and not affected whatsoever. Since last Wednesday, the weather conditions have been very favourable and have cooled down considerably, and the algal bloom and the associated discolouration are dispersing.

Today we received the results of water tests from Tasmania, and these indicate the presence of several species of algae, two of which are known to contain toxins. The highest densities in these toxins are at Morgan's Landing, which is quite a way from any oyster leases and, even at the time the samples were taken, the toxins would have had no effect on those oyster leases. I am informed that the weather conditions are now very favourable to disperse the problem. We will keep it monitored, further tests will be undertaken and I will report the matter to the House as the results come forward.

MODBURY HOSPITAL

Ms STEVENS (Elizabeth): My question is directed to the Minister for Health. Will the Health Commission meet the costs of terminal long service leave payments for staff at public hospitals, and will he confirm that this benefit has already been given to the staff at the privatised Modbury Hospital? The Opposition has received a copy of a letter from the Chairperson of the board of Port Augusta Hospital to the CEO of the Health Commission dated 23 January 1995, which states:

> I am advised that this commitment [that is, terminal long service leave payments associated with TSPs] was made at a meeting with CEOs at Modbury Hospital on or about 7 October 1994. I am advised that both Pirie and Whyalla Hospitals, like ourselves, have taken that into account when decisions about TSPs have been taken by boards and management. CHSD [Country Health Services Division] is now denying that this commitment was ever given, despite large country hospital CEOs' recollection of the meeting, and this reversal does little to enhance the credibility of the SA Health Commission.

The SPEAKER: Order! The honourable member is now commenting.

Members interjecting:

The SPEAKER: Order! The member for Spence seems to have a problem.

The Hon. M.H. ARMITAGE: Long service leave is guaranteed under the Long Service Leave Act, I am informed. If the honourable member wishes to give me the details of this specific meeting, I will certainly look at it. I repeat: long service leave is guaranteed.

WINE TAX

Mr BROKENSHIRE (Mawson): Will the Premier report to the House on the outcome of his discussions with South Australian members of the Federal Parliament about the proposed additional Federal wine tax?

The Hon. DEAN BROWN: On Friday afternoon I had a meeting at which a large number of Federal members of Parliament from South Australia, both Liberal and Labor, attended. They were briefed by the South Australian Development Council on the effects of the proposed increase in tax on the wine industry of this State. They were also briefed by the Wine Grapegrowers Association of South Australia and the Winemakers Federation of Australia. I can outline to the House the general details of those briefings, because I think all of us would be very concerned indeed if a minority report of the Industries Commission, as released in draft form just over a week ago, was adopted by the Federal Government.

Under that minority report, the level of taxation would lift from where it was in 1993 at 20 per cent to about 50 per cent average, and in the case of premium bottled wine to about 62 per cent. That would add about $1.20 to a bottle of wine, or at least $1 to a cask of wine. The Federal members of Parliament were told that the impact would be the loss of at least 1 000 jobs in the wine industry directly here in South Australia. It would mean almost immediately interrupting the $400 million of new investment taking place in about 15 000

new hectares of vineyards in South Australia, and it would lead substantially to further losses of jobs in industries associated with the wine industry.

Quite clearly, that proposal of the minority report by Mr Scales would hit South Australia more than any other State of Australia. I was delighted to hear that the Federal members of Parliament from South Australia are committed to making sure that they fight this effectively in Canberra. We have offered them any further assistance. I will also arrange a briefing from those three bodies for State members of Parliament, because I think it is important that all members of this House understand the threat that is now being imposed on what must be Australia's most successful export industry in terms of recent growth—a growth rate of 45 per cent per year compounded since 1987—in the value of wine exported out of this country.

It is a staggering growth rate, and here we have the Federal Government in Canberra, through its Industries Commission, wanting to chop it down as another tall poppy within Australia. In doing so, it will have a very significant adverse effect on this State. We account for 65 per cent of all wine exports out of Australia. Wine exports out of this State account for about 7 per cent of the State's exports. Along with other members of the Liberal Government, I will stand up and defend the wine industry of South Australia, even with the threat out of Canberra.

MENTAL HEALTH

Mrs GERAGHTY (Torrens): Will the Minister for Health inform the House whether there are any plans or proposals to reduce staffing levels in the mental health system to offset wage increases or as a response to the Government's plans to further slash the health budget?

The SPEAKER: Order! The honourable member is commenting.

The Hon. M.H. ARMITAGE: We do not have any specific plans to decrease staff. All those budgetary matters will be addressed. I would emphasise that the whole question of staffing is foremost in the minds of many South Australian taxpayers. The various union shenanigans of the past two or three weeks quite clearly put at risk patient care in South Australia. That was by their admission, not only mine. That was the reason they took the case to the Industrial Commission—they were hurting patient care, by their union's admission.

The whole question revolves around the fact that, whilst 100 per cent of staff members were not there, the hospitals were coping. They were not coping as well as they could have, because they did not have fully trained staff, but they were coping with vastly decreased numbers of staff and volunteers. A number of people have contacted me and said, 'Given that the hospitals were able to run with skeleton staff and volunteers, and as the Minister responsible for spending one quarter of taxpayers' money, why are you paying all these people 100 per cent of the time?' I am obliged to look at that, and I shall.

EMERGENCY SERVICES

Mr CUMMINS (Norwood): Will the Minister for Emergency Services advise the House of the status of a pilot collocation project which took place for 16 weeks at Wakefield Street MFS headquarters and involved the ambulance and fire services?

The Hon. W.A. MATTHEW: As some members may be aware, the pilot project commenced on 11 July last year with a single ambulance being stationed on a full time 24 hours basis seven days per week at the Wakefield Street MFS headquarters for a 16 week period. The project commenced with full agreement having been reached between the Ambulance Employees Association, the United Firefighters Union, the Metropolitan Fire Service and ambulance management. My office received a weekly summary of statistics taken by the officers at that station and a report on the progress of the trial project.

Early feedback was encouraging and, at the end of the 16 week trial, it was demonstrated that the two services worked together in a very harmonious way. A good example of this occurred on 25 July when unfortunately there was a tragic accident on the corner of Pulteney Street and North Terrace, when a car collided with pedestrians crossing the roadway. The Chief Officer of the MFS advised me on that occasion that firefighters went to the scene and assisted ambulance officers by driving ambulances to the Royal Adelaide Hospital while ambulance officers attended to victims on site. This professionalism and cooperation assisted in ensuring patients were conveyed to hospital as quickly as possible.

At the completion of the pilot program, an objective assessment of the trial was made by management. In the 16 week period, the ambulance responded to a total of 1 650 calls, which resulted in the transport of 1 137 emergency patients and 394 elective patients. An analysis of the statistics indicated that the trial had brought about a significant improvement to ambulance response times in the inner city district. Ambulance and MFS management and union officials met to discuss the trial results and consider recommendations for the future operation of the two services. It was agreed that the trial was a success and that an ambulance should be permanently located at Wakefield Street Metropolitan Fire Service headquarters.

I am therefore pleased to advise the House that, from Wednesday 15 March, a single ambulance has been permanently based at Wakefield Street MFS headquarters on a 24 hour per day basis. It responded to 77 calls in the first few days of operation. Of these, 57 were life threatening or serious emergencies; the remaining 20 were routine taskings. The average response time for priority one cases during the trial period has been assessed at 6.6 minutes compared with the previous metropolitan average of 7.7 minutes. A one minute saving in response times to some people may not seem like a significant issue but, when we have a life or death situation, that one minute can mean the difference between life or death. Through a sensible use of resources, this Government has delivered a permanent ambulance presence in the Adelaide Central Business District, and this will be the first of many collocations that I look forward to announcing in this Parliament.

WINDSOR GARDENS HIGH SCHOOL

Mrs GERAGHTY (Torrens): My question is directed to the Minister for Employment, Training and Further Education representing the Minister for Education. Is the Minister aware that staff, students and parents are suffering great hardship as a direct result of the new staffing formula at Windsor Gardens High School, and will the Minister give a guarantee that this situation will be reassessed taking into account these problems? I have been informed by parents, staff and students that there are serious problems at Windsor

Gardens as a result of this new formula and that it is affecting staffing.

Members interjecting:

Mrs GERAGHTY: Well, it is my school—

The SPEAKER: Order! The Minister for Employment, Training and Further Education.

The Hon. R.B. SUCH: I thank the honourable member for her interest in education. This Government, and the Minister for Education in particular, is committed not only to the welfare but to the best possible education of our children. The honourable member should remember that, because all our intentions are directed to that end. I will obtain from the Minister a specific answer in relation to that school, but the honourable member can rest assured that, despite tough times, we are committed to doing our best for our children in terms of their education.

TERTIARY STUDENTS, COUNTRY

Mr ANDREW (Chaffey): Will the Minister for Employment, Training and Further Education outline his proposals that will see country students undertake their first year of tertiary study without having to leave their home towns?

The Hon. R.B. SUCH: I thank the member for Chaffey for his interest in matters relating to country students. One of the initiatives that I am promoting, in conjunction with the universities, is to ensure that country people, whether in country towns or on farms, have access to first year university programs in their local area. It is long overdue in South Australia and it has been done in other States. It will avoid, particularly for first year students, the trauma of starting tertiary study and moving away from home often with the consequent loss of the families going to the city to support their child or young person in study.

TAFE is offering facilities in country areas to the universities. We have 80 sites, 18 video conferencing facilities, computer assisted learning links and satellite linkages increasingly being developed. I am encouraging the universities to move down that path and to use a locally based tutor, a mentor, to assist the students in their study programs so that they can access first year university programs without having to leave their area. The technology is there and the commitment should be there to make sure that country people get access to programs which have been readily available in the city for many years.

We know that country people have been missing out on opportunities for university education, and it is time the situation was addressed. I am pleased that the universities are looking positively at doing something more in country areas for our young people. The University of South Australia has had a long established program in the South-East, but we find that Victorian universities have been very active in that area as well. It is time that the three universities here, in conjunction with TAFE, delivered for all country people in South Australia.

PETROL SNIFFING

Mr De LAINE (Price): Will the Minister for Aboriginal Affairs investigate the possibility of banning the supply of leaded petrol to Aboriginal tribal land areas of South Australia? It has been put to me that the problem of petrol sniffing among young Aboriginal people in these remote areas would be virtually eliminated if only unleaded petrol were available.

The Hon. M.H. ARMITAGE: I thank the honourable member for this very important question, on a completely bipartisan basis, in relation to Aboriginal affairs. Last week I was speaking with people from Nganampa Health, who represent the over arching body for health in the Anangu Pitjantjatjara lands, and this matter was raised. One of the reasons why I am pleased about this question is that it gives me an opportunity to talk about a good news story in relation to petrol sniffing.

Whilst it is clearly a tragedy, all the figures show that the number of petrol sniffers is basically static or decreasing slightly as unfortunately people die from the long-term toxic effects of petrol sniffing, but that cohort is just increasing in age. In other words, the number of young Aboriginal people, particularly in the tribal lands, who are now starting petrol sniffing is absolutely minuscule. That is a very positive story, and I know that people in the lands are very keen for that to occur.

There could be a number of reasons for it. One is that there has been an Australia-wide concentration on a variety of programs to stop petrol sniffing. Indeed, it was one of the first things which, as Minister for Aboriginal Affairs, I undertook in December 1993. It may also be that just as other drugs, such as speed, ecstasy and so on, come in and out of fashion, petrol sniffing has lost a bit of its appeal. There are a number of reasons, not the least of which is that maybe the role models, whom young Aboriginal people were seeing 10 years ago—people who were supposedly having a good time, having sniffed this ghastly stuff—have lead encephalopathy and are dying. Therefore, the role model now is, 'Don't do this or you will die.'

As I said, this is a positive story. We will have the problem for many years whilst those original petrol sniffers, who now have the difficulties of lead encephalopathy and other sorts of things, age and probably die, but the number of young people taking it up is decreasing. As I said, it is a good rather than a bad news story.

The question of Avgas was raised with me, because that has been put onto the lands as well. Again, it seems that young people are not sniffing Avgas with the same frequency as they did before. However, the dilemma is that that has approximately four times the amount of lead in it as leaded petrol, so that is another problem. I will get from the department a further briefing on unleaded petrol and share it with the member for Price, because it is very important; but I would again emphasise that the whole matter of petrol sniffing seems to be confined to people who took it on a number of years ago and unfortunately continue with it. However, it seems as if it is no longer a growing problem.

STATE SUPPLY

Mr CONDOUS (Colton): As the Minister responsible for State Supply, will the Treasurer inform the House of initiatives taken by the State Supply Board to encourage the development of local industry?

The Hon. S.J. BAKER: We are all keen to ensure that we boost our own prospects through our own purchasing policies. There is a State Supply Board policy document which addresses Australian industry, and there are three important statements in that document which I hope the House will note. One is that in South Australia a 20 per cent preference margin is applied to Australian-made goods. We do not differentiate between the States: we simply say

'Australian-made goods'. That is policy statement 6.1 'National preference agreement'.

Secondly, Australian-made goods and services must receive consideration at all stages of the procurement process by all Government agencies. That is policy statement 6.2 'Buy Australian-made procurement policy'. I know that the Leader of the Opposition has mentioned on a number of occasions the importance of buying Australian to ensure that jobs stay in Australia. It has particular relevance for every State, not least South Australia.

The third item in the policy booklet is that all officers involved in the procurement of goods for public authorities shall, to the maximum economic extent, use the procurement process to assist Australian industry. That is the responsibility of supply personnel in supporting Australian industry. That is the clear policy of this Government, and it is recognised in the policies laid down by the State Supply Board.

In addition to those statements, there are a number of initiatives which I should like to draw to the attention of the House. We are now involving ourselves in the publication of a three-year forward procurement plan to indicate to industry the Government's future requirements. That will enable companies to plan for the future and understand what demands will be arising as far as it is humanly possible to predict so that, if they are not complying now or are incapable of meeting the required quality standards, they can gear themselves up accordingly.

The second initiative is participation in the Meet the Buyers exhibition, which is organised by the Federal Government. I understand that last year's exhibition was an exceptional success in South Australia. Indeed, the Federal Government was quite laudatory in terms of the involvement of a number of suppliers in that process. The exhibition was very well attended.

The third area involves the board providing assistance to agencies to develop and implement procurement plans. So, the policies dovetail into our requirement that, wherever humanly possible, we buy Australian thereby keeping jobs in Australia, particularly in South Australia. Other initiatives are in place in terms of warehousing and procurement which will also dovetail into the three policy guidelines I have outlined to the House. We are about getting as much employment as possible from the purchasing power of Government, as well as taking a whole of Government stance, to get the best price possible for the taxpayers.

BANK OF SOUTH AUSTRALIA

The Hon. FRANK BLEVINS (Giles): Will the Treasurer request BankSA to stop offering financial products to their customers who are minors and unable to accept them? The child of constituents of mine recently opened a bank account through the child's school. The child's parents have complained to me that, since opening the account, their child has been subjected to unsolicited advertising material from the bank that was totally inappropriate, for example, material on death insurance.

The Hon. S.J. BAKER: Obviously, account holders receive a range of material. It would appear that, somehow, the age of this account holder escaped the attention of the management team. If the honourable member will provide the details of the case, I am more than happy to take it up with the bank.

DROUGHT DECLARATION

Mrs PENFOLD (Flinders): Will the Minister for Primary Industries please advise the House of progress in the implementation of the exceptional circumstances drought declaration on Eyre Peninsula?

The Hon. D.S. BAKER: I thank the honourable member for her question and concern about what is happening on Eyre Peninsula. As I reported to members of this House, we were successful in getting exceptional circumstances drought declared on quite a large area of the West Coast. The package of about $11.3 million comprised drought relief payments, health care cards, relief on assets test and, where children were away at school, Austudy allowances. Drought relief payments were made through the Department of Social Security and special arrangements had to be made. The department informs all families that they can apply for a licence if their property is within the prescribed area.

We issued a booklet to 900 farms in that area outlining the availability of assistance. I visited the West Coast and publicised the matter and already we have issued, on application from farmers and farming families, 111 certificates declaring that they are in the drought area. Those families are able now to access the Department of Social Security for drought relief payments. The up-take has been very good. Through the booklet, families have been informed of the availability of extra assistance and we hope that is taken up as soon as possible.

PORT AUGUSTA HOSPITAL

Ms STEVENS (Elizabeth): How does the Minister for Health propose to address the financial problems of the Port Augusta Hospital, and does he accept that his decision shortly after the election to cancel upgrading of the hospital has contributed to the hospital's difficulty in making required savings? In a letter to the Chief Executive Officer of the Health Commission, the Chair of the Port Augusta Hospital Board states:

> The staff of this hospital have consistently argued that the inefficient infrastructure inherent in the design of Port Augusta Hospital imposes a penalty of some $300 000 per year. This penalty cannot be managed and it is one of a number of similar unavoidable expenses. It is therefore difficult to understand the letter received by the hospital on 20 January 1995 . . . which indicates the board must manage the unmanageable and balance that which cannot be balanced.

The Hon. M.H. ARMITAGE: This question touches on one of the dilemmas of running health care in South Australia. The major dilemma is that, during the 11 or 12 year reign of the Labor Government, the infrastructure of country hospitals was allowed to run down: I make absolutely no bones about it. A number of hospitals around South Australia—and they are well known—are absolutely impossible to run in an efficient manner. The hospitals would certainly be well known to the member for Giles, a former Minister for Health. He would understand only too well that a number of hospitals in South Australia, because of their infrastructure, are difficult to run efficiently.

That, of course, was one reason why we looked at the Port Augusta Hospital. It is one reason why—and the member for Elizabeth knows and the member for Eyre would be very interested to know—we have gone down the path of seeking expressions of interest from the private sector in the provision of new facilities, because that will obviously allow us to capture the efficiencies that modern infrastructure can bring.

I expect to make an announcement about the end result of that in the near future.

I am very pleased to do so because, rather than have a $22 million drain on the South Australian taxpayer in the first instance and, in the second, a staged process where, over four years, the Port Augusta Hospital is subjected to noise, dust and irritation, we should be able to do it even on a greenfields site. That matter will be determined within a short time.

Whilst addressing the Port Augusta Hospital, I am delighted to inform the House that last Friday I attended, with the Member for Eyre, a meeting of the Spencer Gulf Cities Association, which meeting included mayors, chief executive officers and board members from Port Lincoln, Port Augusta, Whyalla, Port Pirie, Roxby Downs and a number of other areas. We discussed many issues in the area of health and the provision of health services, and I am delighted to say that all the people at the end of the meeting were only too happy to acknowledge that the plans for regionalisation of the health system in South Australia are supported.

In particular, the Chair of the Port Pirie board said that it was looking forward to being part of regionalisation, and I know that the member for Frome would be very interested in that. In particular, the people from Whyalla indicated that they were looking to have a region defined in the very near future, and that would enable them to capture the advantages of the regionalisation system. I also add, as a final point, that they understand that casemix is the best system of financing for them.

RETAIL SHOP LEASES BILL

The Hon. S.J. BAKER (Deputy Premier): I move:

That the sitting of the House be continued during the conference with the Legislative Council on the Bill.

Motion carried.

GRIEVANCE DEBATE

The SPEAKER: The question before the Chair is that the House note grievances.

Mrs ROSENBERG (Kaurna): I acknowledge the work of the Minister for Transport in the successful announcement today of the Southern Expressway. The Southern Expressway will, of course, aid all the southern electorates, namely, Reynell, Mawson, Kaurna and Finniss. The expressway will particularly enhance tourism and increase the number of visitors to the electorate of Finniss and the southern end of the electorate of Mawson. The member for Mawson has worked hard to develop the Interpretive Centre at McLaren Vale, and this road will aid tourism in that area. Areas such as Lonsdale, with its large level of industry, will benefit from this road, and the member for Reynell will be looking forward to increased manufacturing in her area.

It is very well acknowledged that the areas of Noarlunga and Seaford have for some time been the most transport-disadvantaged areas in the south, and they will benefit greatly from today's announcement. It is proposed that the Southern Expressway will be a major boost in that it will lead people from my electorate into Adelaide with no disadvantage of stopping lights, of which currently there is an over-abundance on South Road in order to control the volume of traffic. It is proposed that it would be a high speed, high capacity facility and that all the intersections linking onto that road would facilitate that. There will be a posted speed limit of 100km/h on that particular roadway.

A metropolitan-wide assessment of both transport facility provision and the need for this has revealed that the areas I represent—Noarlunga and Seaford in particular—are the most access-disadvantaged in relation to the provision of transport into Adelaide, and this road network will provide greater transport facilities and much faster access to Adelaide from those particular areas. There may be some initial disappointment as this proposal obviously will mean that the Dyson Road extension will be put on hold. However, when people see the upgrade of major linkage roads they will see also that this road will offer not only excellent transport to Adelaide but also excellent rapid transport to the Noarlunga Centre. It is important to stress that the linkage on Beach Road is one of the major linkages and will allow two-way traffic along Beach Road, and that has been designed particularly to protect the viability of the Noarlunga Centre retail area and also the strip shopping area of Beach Road.

The transfers from the Beach Road area will also be a great boost for the transport facility leading quickly down to the Noarlunga interchange. The connections to the expressway will all be via properly designed ramps that require motorists to carry out merge and diverge movements, both to and from, in high speed and high traffic volume, and the very high speed involved makes the safety issue paramount here. Motorists will join and leave the existing road system at low speed and diverge into the expressway traffic of 100km/h. It is proposed that major connections be made at South Road at Darlington, Marion Road, in the Reynella area, Sheriffs Road and Beach Road, finally coming onto Main South Road at Old Noarlunga. I am particularly pleased to see that we have taken the initiative to build this road all the way to Old Noarlunga in the first instance, and I am surprised that the member for Spence, who is the shadow Minister for Transport, has said that it has taken the Government a long time to do this. I think he mentioned today by interjection that the Government has had 15 months. In that 15 months there has been a considerable amount of public consultation with the Minister.

The ACTING SPEAKER (Mr Bass): Order! The member's time has expired. The member for Giles.

The Hon. FRANK BLEVINS (Giles): In the debate on the Supply Bill I made some comments about the difficulties facing people in my electorate and other electorates that have a significant rural component. Eyre Peninsula is probably the hardest hit of all the non-metropolitan areas at this stage and it does not look as though it will get any better. The problems of my constituents on Eyre Peninsula and of the constituents of the member for Flinders are very significant indeed. I predict that the banks will start another round of selling up these properties and calling in their loans and in extreme cases will again start evicting farmers from their properties.

I have never been convinced that the procedure the banks go through has been at all times fair. I believe that in some cases the banks have been less than fair with those farmers. Indeed, in some cases the banks have in effect cut off their nose to spite their face, because had they worked with the farmer and worked through some of the problems in a little more detail I think that in a number of cases the shareholders of the bank probably would have received their money back and, quite properly, the interest on it. I believe that this State

lacks true farm debt mediation legislation. In New South Wales, the Labor Opposition introduced a Farm Debt Mediation Bill, which was subsequently passed by the Parliament, even though, strangely enough, it was opposed by the Liberal Government in that State. It is no surprise to me, but others may be surprised to hear that it was opposed also by the National Party. For those two Parties to oppose this measure really makes me cross.

I do not believe that that will be replicated in this Parliament because we are fortunate in not having a National Party and also because I know that many members opposite who hold rural electorates will be supporting me in this particular call. I will outline very briefly what I have in mind in relation to a debt mediation measure. The New South Wales Act, which I support, requires creditors not to take action to enforce repossession or sale of a property without giving 21 days notice in writing to the farmer, during which time the farmer has the right to mediation. During that particular period the bank cannot take any action until the New South Wales Rural Assistance Authority is satisfied that mediation has been completed. That seems to be eminently reasonable, and I do not think anyone ought to argue with it.

The sting in the tail of the Act—and what gives it some teeth—is the fact that if the New South Wales authority believes that the creditor is not participating in good faith it can, for a maximum of 12 months, refuse to certify that mediation has been done properly and effectively, and that puts forced sales and repossessions into limbo. In other words, if the banks do not negotiate and mediate in good faith, they will not be able to foreclose on these properties for 12 months, and I think that is a very reasonable position indeed. Its reasonableness is confirmed by the fact that it has been opposed vigorously by the banks. It seems to me that if the banks were mediating in good faith for that period of 21 days they would have nothing to fear; they then could go ahead and take care of their interests in the property. I would not have thought that 21 days of reasonable mediation would send the banks into a frenzy but it has, and that is a great pity.

I do not know whether this Government will take up the issue, but after the New South Wales Act has had a run of, say, six or 12 months I intend to introduce a private member's Bill into this House, as was done in New South Wales, to ensure that our farmers get justice from the banks.

Mr LEWIS (Ridley): I have received a letter which is addressed to the Hon. Robert Tickner, who all members of this place would know is the Federal Minister for Aboriginal and Torres Strait Islander Affairs. Copies of this letter came through my fax machine and on the bottom of it is a list of people to whom copies have been sent—Mr Paul Keating, the Prime Minister; Mr John Howard, the Leader of the Opposition; Mrs Chris Gallus, the shadow Minister for Aboriginal and Torres Strait Islander Affairs; Mr Ian McLachlan, the member for Barker; Lois O'Donohue, the ATSIC Chairperson; and various Aboriginal communities. The letter reads:

> Dear Mr Tickner,
>
> My name is Laura Kartinyeri, I am 89 years old, also the eldest woman of the Ngarrindjeri nation. I wish to express my feelings to you, the Minister for Aboriginal and Torres Strait Islanders and all Aboriginal women around Australia, that I don't know anything about the women business on Hindmarsh Island. My Grandmother was Queen Louisa Karpany—

from my knowledge, the great grandmother of Laura Kartinyeri was Mutinda—

and she didn't pass on any information to my mother or me.

That is the direct matriarchal line in the Ngarrindjeri tribe. It relates to the Hindmarsh Island matter, and the letter continues:

> Because of my health situation, I do not want to become involved in this matter, other than sending this letter. I support Allan Campbell and give him my full consent to [pursue] those women who claim there is women's business on Hindmarsh Island. I. . . as an elder of the Ngarrindjeri women to the best of my knowledge know nothing about these matters.

In the discussions I have had it distresses me that somebody else who does not have a direct matriarchal line in the Ngarrindjeri tribe and somebody else who did not spend much of their childhood in the lands occupied by the Ngarrindjeri people, but who by marriage took the name of Kartinyeri, presented themselves to the Federal Government and its agent, Professor Cheryl Saunders, and gave an opinion that there was women's business relevant to Hindmarsh Island when in fact there was none. Clearly, if there was women's business it was not known to the direct matriarchal line of leadership in that tribe or in any sept of the tribe. The information which I provide to the House comes from my 15 years of continuing contact, occurring more than once a year, with members of that community, whether it be with leaders of the existing Point Macleay Community Council now or previously and leaders of the various families or septs from the Ngarrindjeri people.

I was astonished when I learnt about these matters, because they had never been put to me. What has been put to me is that the expressions of concern relate to the fact that the abutments of a bridge would go on the G-spot if the mouth of the Murray and the estuarine lakes were to be regarded as the reproductive tract of a woman sitting—knees under chin and arms around shins as the map of Australia facing west—and that the construction of a bridge across the Murray River at that point would represent, in its effect on the so-called spiritual values, an IUD. To my mind, both those notions and anything associated with them have no connection whatever to Aboriginal understanding because they had no knowledge of map making, an essential aspect of the whole question, or of prophylactic medicine, as it would be known to them.

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

Mr BROKENSHIRE (Mawson): Deer farming is an industry that is growing in my electorate of Mawson and throughout the whole of South Australia. Venison is being used more widely in restaurants in our State and the whole of Australia, with the lean meat having wonderful export opportunities. The velvet of the deer also has export potential to some Asian countries. The dilemma we currently have was raised by constituents, who have used SAMCOR because it has an export licence, a quality assurance program and an EEC licence. However, SAMCOR has been charging these constituents $55 a head to slaughter the animals and, in fact, only three weeks ago that was increased to $57.

Mr Lewis: That's a bit rich.

Mr BROKENSHIRE: It is a bit rich, to say the least. This $55 (now $57 as from three weeks ago) is made up of $45 a head for the slaughter and $10 for the tail and penis sets, which the constituents were initially forced to buy back. Since then they have been advised that the tail and penis sets were deemed to be offal and so became the property of SAMCOR. Of course, we all know what value there is in the tail and penis sets on the export market as well. The constituents were asked whether the price structure could be lowered, and a very flat 'No' was the answer. Details of volumes were

forwarded by the constituents' company and the offer of funds to upgrade the sheep lines were put forward. The constituents' company was prepared to outlay $30 000 to assist with this so that this venison industry could be on a level playing field with New Zealand.

In Victoria deer is being slaughtered for $37 and a maximum of $42 a head; in New Zealand it is $18 a head. The deer carcases average 45 to 55 kilograms and the actual charge now with the $3 increase from SAMCOR is $48 per head. A 250 kilogram steer killed by SAMCOR is also charged at $48 a head. At Strathalbyn, on the Fleurieu Peninsula, they can do the same job for $25. The one difference is that they do not have a specific licence.

My constituents have stated that they have tried in vain to have SAMCOR facilitate their needs. They have fulfilled all their obligations by providing the numbers required to alter the existing sheep chain. In fact, at the moment they are putting about 4 000 deer a year through SAMCOR, and that number is growing rapidly. They recently negotiated one contract for 2 000 head for export. The dilemma for me as a member of this State Government is that they have now been forced to go interstate, not only being forced to purchase interstate animals but leaving that money in New South Wales along with the moneys for the slaughter and the boning out of the animals that we are now taking interstate. My constituents believe that the existing price structure for their red deer is preventing South Australians from gaining on-farm profits, and this prevents the deer industry from attracting investment within South Australia.

SAMCOR has struggled in the past, and people have made attempts to help get SAMCOR going. I, for the life of me, cannot understand why, whilst SAMCOR's infrastructure is so large, it cannot look at some diversification, cannot look at expansion opportunities that this industry will allow into agriculture, cannot look at being more flexible and, most importantly, appears not to be prepared to assist regarding our agricultural opportunities in this State. I will be sending to SAMCOR the *Hansard* report of my remarks in this grievance debate and expecting some sort of detailed answers to these questions so that I can get back to my constituents. I hope that SAMCOR will start to redress the problem and help South Australian agriculture, particularly when we have a new, growing and vibrant industry with much potential for job creation in this State.

The ACTING SPEAKER: Before I call the Deputy Leader of the Opposition I would appreciate it if members would not hold conversations whilst a member is speaking: it is very difficult to hear. The Deputy Leader of the Opposition.

Mr CLARKE (Deputy Leader of the Opposition): Thank you, Mr Acting Speaker, I appreciate your concerns. I rise further to a number of questions that I asked of the Minister for Employment, Training and Further Education. I refer to his answers and, in particular, to the minute signed by the Under Treasurer on 22 February 1995. The whole issue surrounding TAFE and this State Government's (and all State Governments') commitment to the agreement with ANTA is that you have to maintain your effort if you seek matching Commonwealth growth funds. This State is at serious risk of losing $58 million in Commonwealth funding over the next three years if it does not maintain its effort. This is happening at the very time when the Minister over the past few weeks has waxed lyrical—and to a certain extent I agree with him—about the need for additional training.

I agree with him on that 100 per cent; I agree with him 100 per cent that it is appalling that some industries have to go overseas to hire skilled workers because they cannot find skilled workers amongst the Australian work force. He knows, as I know, that the only way around that is the provision of improved and increased training. It has to be provided through TAFE: there can be private providers, and there are private providers, but they will always be much smaller than the TAFE system. TAFE is the most effective system to reach the most people, and it is the most cost-effective system.

Basically, the Treasury minute shows that, in effect, the State Government wants to cook the books with respect to the Federal Better Cities money, trying to use that Better Cities money to enhance, in its view, the State effort at funding, thereby allowing the Government to try to pull the wool over the eyes of the Commonwealth Government by suggesting to it that the State is maintaining effort. Part of the last paragraph on page 1 of the Minister's statement was repeated in my earlier question, and it states:

> Treasury and Finance are also seeking to direct payments relating to the construction of the International College of Hotel Management at the Regency Institute of TAFE, 'funded' from Commonwealth general purpose capital assistance grants under the Building Better Cities program, through the department's accounting records in order to further enhance ANTA qualifying expenditures.
>
> Payments and receipts associated with this initiative are currently shown against Housing and Urban Development's budget and are on-passed to the South Australian Housing Trust, who are the project managers. From the State's perspective, although the ICHM project is ostensibly funded from Commonwealth grant moneys, the utilisation of general purpose grants is at the discretion of the State. It is therefore reasonable to conclude that the expenditure would qualify as State funded payments for the purposes of determining maintenance of effort.

In his response to my question the Minister said, 'What are you worried about? It is all approved and agreed to by the Commonwealth Government.' What the minute from Mr Boxall says is that it is a pea and thimble trick: it is a question of routing Federal money through a series of accounts whereby, because it is untied capital grants—general purpose grants—it can be looked upon as if it is maintaining the State's effort towards TAFE funding. Clearly, that is a pea and thimble trick. It is purely an attempt at subterfuge and trying to deceive the Commonwealth Government and the general public by saying, 'Yes, we are maintaining our effort at training.'

If we are to have any future in this State—and I said this recently during debate on the Supply Bill—we must rely on the skill and training of our work force and of our children in schools. We cannot afford to gut the TAFE system. We already know that TAFE is undergoing enormous strains as it contemplates the budget cuts that this Government wants to inflict on it. If Treasury bureaucrats get their way, we will not have a TAFE system worth mentioning in South Australia.

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

Mr ASHENDEN (Wright): It is no wonder the Deputy Leader has been booted out of New South Wales by his colleagues over there and returned to South Australia when we hear nonsense like that. During Question Time the Minister addressed the points that the Deputy Leader raised, but obviously the Deputy Leader is rather thick and has not picked up the answers to the questions. The Deputy Leader is waving things around. The Deputy Leader says that he

went to New South Wales because the Labor Party there wanted him to help with the coming election. If we ask New South Wales Labor, it says that he was there to observe. Either way, it sent him back a week before the election, the main reason being that it wanted him out of the way. With performances like that we can see why.

I would like to take to task the City Council of Tea Tree Gully. As a State member of Parliament and a member of the Liberal Government I am becoming sick and tired of the continual carping and negative criticism of the State Government by senior executives of the council. Last week I received in my letterbox a pamphlet headed 'City of Tea Tree Gully leader in dog control'. I thought, 'That is interesting. I have a couple of dogs and I will read it.' Immediately under that is the main heading in big print 'State Government increases dog registration fees statewide', and under that it states:

> Unfortunately, State Government changes to legislation have meant increases in the registration fees for your dog which expires on 30 June 1995.

That sort of comment really makes me see red. The only reason the State Government increased dog registration fees was the pressure that the Local Government Association put on the Government to increase those fees. The City Council of Tea Tree Gully is a member of the Local Government Association. On checking I found that there was not one dissenting voice within the LGA when it was asked to come to the State Government to seek an increase in dog registration fees.

Also, I have been advised by the Minister that, before the Government took the decision to increase dog registration fees, he and his officers had full consultations with local government. The loud and clear message that he and his officers received was: we need to have these fees increased because we need to get the extra income to be able to do the job we want to do in relation to dog control and other areas. In other words, local government—the City Council of Tea Tree Gully—applied pressure through the LGA on the State Government to increase dog registration fees. Then, when the Government did as Tea Tree Gully council asked, it put out a pamphlet with big headlines claiming that the State Government increased dog registration fees and how sorry it was.

That sort of hypocrisy just does not go down with me, particularly when one remembers the overt criticism that the mayor and the city manager of Tea Tree Gully council heaped on the Government totally unjustifiably last year about the way in which it was providing funds to the Tea Tree Gully council and other councils. That matter has gone on and on. This has to be the greatest piece of hypocrisy I have ever seen. Councils asked the State Government to do something, the Government did it and then the Tea Tree Gully council criticised the State Government. I have news for the Tea Tree Gully council: if it keeps this up, I will have no alternative but to be critical of its performance. I can assure the council that, based on the number of ratepayers coming to me with complaint after complaint about the council, if it thinks this smokescreen will take the heat off it and put it on the Government, it has another think coming.

Many people have said, 'We really regret that you are no longer on the council because, when you were there, at least someone was trying to keep the council in line.' The council has secret votes all the time, and I used to fight that time after time. We have seen the debacle of how the council issued a contract to itself when there were cheaper tenders for the collection of rubbish from private enterprise. The council is costing the city hundreds of thousands of dollars. The council is incompetent and is trying to blame the Government for its own ills.

BETTER CITIES FUNDING

The Hon. R.B. SUCH (Minister for Employment, Training and Further Education): I wish to make a ministerial statement. The Deputy Leader of the Opposition has raised several points about a suggestion that Better Cities funding be directed towards the maintenance of effort accounting arrangements. I can assure the Deputy Leader that at no stage did I ever countenance doing such a thing. The suggestion may have come from the Under Treasurer, but it is not something that I would agree to have included in those figures. I can assure the Deputy Leader that it has not gone into the figures submitted to ANTA or the Federal Minister. It would be inappropriate to do that. It is absolutely clear that the $5.8 million has not been put into the maintenance of effort arrangements for consideration by ANTA.

In general terms, TAFE is not about to be seriously affected in any way. This Government has a strong commitment to TAFE and training and, despite having inherited an appalling financial situation with regard to training, I am determined that the Government has training as a top priority, and that includes provision by TAFE.

CATCHMENT WATER MANAGEMENT BILL

Adjourned debate on second reading.

(Continued from 21 February. Page 1675.)

Mr CLARKE (Deputy Leader of the Opposition): I am the lead speaker for the Opposition on this matter.

The Hon. D.C. Wotton interjecting:

Mr CLARKE: I am very pleased that the Minister is very pleased. I did not know that I was to be brought up to these exalted heights much before about 11 o'clock this morning. Having thoroughly researched this Bill, I can say that the Opposition supports the principles behind it, but we have some reservations about the mechanisms employed to meet its objectives. The Opposition spokesperson on this issue is in another place, and he will be in a position to make a more detailed response on behalf of the Opposition when this Bill is debated there.

Concern about stormwater management has grown in recent years as water catchments, particularly the Patawalonga, Onkaparinga and Torrens, have become increasingly degraded. The former State Labor Government released a major report on stormwater management in 1992, and projects such as Hickinbotham's innovation village at Andrews Farm were supported to incorporate sustainable design features, including better stormwater management. The former member for Mawson and former Minister for the Environment, Susan Lenehan, was involved with the establishment of the Onkaparinga wetlands. It is also pleasing to note—and I am sure the Minister would want to give it credit for this—that the Commonwealth Labor Government recently provided major assistance of $10 million to assist in the improvement of the Patawalonga.

Many issues are still to be settled by the new Patawalonga authority, and I will refer briefly to a number of questions or issues which have been raised by concerned residents in the Henley and Grange Residents Association. They called a public meeting of residents on 16 March. Hopefully, we will also hear further from the Minister in this area. The issues the residents want addressed include: the protection of the West Beach sand-dunes; the protection of waterways and beaches or just having a clean Patawalonga basin; whether the residents are to be consulted or just told what is happening; whether the taxpayers' dollars are being spent for the good of the nation or a few developers; what has happened to promises by this Government with respect to clean waterways; whether toxic silt will be dumped near the houses of the residents in the Henley and West Beach areas; and whether a channel will be cut through West Beach sand-dunes. Many residents are vehemently opposed to option 2 of Kinhill's report on this matter.

The Hon. D.C. Wotton interjecting:

Mr CLARKE: I thank the Minister, and I am sure we will hear more from him during the course of the debates this afternoon. Australia's experience with the Murray Darling Basin Commission has taught us that rivers must be managed on an entire catchment basis and that authorities managing the catchment must be able to overcome vested interests, particularly upstream interests, if water problems are to be properly addressed. Being at the bottom of the Murray River system, we in South Australia know only too well the problems we have with irrigators in New South Wales, Victoria and Queensland who persist in polluting our river, and we end up with the final product in our backyard. Where 11 councils are involved, such as, for example, in the Patawalonga authority, or 18 councils, such as in Torrens, it is necessary that a catchment authority have overriding authority; otherwise, any one council may wreck any plans that are established. In so far as consultation is concerned, it is important that the community is involved in catchment management plans if they are to be effective.

Many of the problems with respect to stormwater pollution and the like are caused by household waste getting into catchments. It still intrigues me that, notwithstanding all the comments that have been made with respect to the problems of stormwater pollution, as I drive around the streets I still see people mowing their lawns or the verges on their footpath and dumping the clippings into the gutters, for them only to be washed away through the stormwater system. We also need effective liaison with the Environment Protection Authority to control industrial pollution entering our waterways.

The Opposition regards this Bill as still being in the consultation phase. Local government bodies have made detailed representations to members of Parliament, in particular our Opposition spokesperson, and their concerns deserve careful consideration. The Local Government Association has put forward a series of suggested amendments. Many of those proposed amendments are procedural matters and in our view they are reasonable and should be accepted by the Government. I note that just this afternoon the Minister tabled a whole swag of amendments that he intends to move, and no doubt many of them address the concerns of the Local Government Association.

We also believe that during this debate the Minister should make clear what sized levy will be passed onto ratepayers as envisaged by the Government, so that ratepayers are aware that there is a cost with respect to the establishment of this body. Obviously, it must be funded and, if it is to be funded by the ratepayers, they ought to have some idea in general terms as to how much it will cost them out of their pocket. Those few words conclude my comments on the Bill, and I look forward to elucidating further answers from the Minister during the Committee stage.

Mr BECKER (Peake): I suppose I should really start off my remarks by saying, 'Congratulations, Minister; well done. It's about time.' I have been waiting 25 years for something to be done to clean up the Patawalonga. I was sick and tired of the untruths told to me by former Labor Governments in this State. Time and again I used to ask questions, and time and again I raised the issue of the pollution of the Patawalonga and Sturt Creek, and all I would get from previous Labor Governments, particularly Des Corcoran, was that it was not true, that I did not know what I was talking about, and that I had probably planted the dead dogs, cats, birds and everything else down there; and I was just laughed off. Well, 25 years later, after a lot of hard work and deep thinking by the local councils alongside Sturt Creek, everybody now admits that they have been polluting this waterway for a long time. We have known for years that some of the worst areas have been in the Edwardstown industrial complex. We know that people in the Hills have dumped just about everything they can—

Mr Evans interjecting:

Mr BECKER: The member for Davenport's father used to tell me, 'Come up my way and have a look at what they chuck over the backyard into the Sturt Creek.' It was the former member for Davenport, Stan Evans, who alerted me to some of the problems that were being created further upstream. He was quite right in some respects. He also alerted me to what local councils were not doing: they were not cleaning their footpaths and kerbs in a very effective and efficient manner. In other words, the street sweepers would come along and whoosh everything into the gutters. That would end up in the drains, then in the Sturt Creek and eventually in the Patawalonga. Of course, the same thing has happened along the Torrens River. I have gone from an electorate that had the Sturt Creek, the Patawalonga Basin and the Patawalonga itself to another electorate that has the Torrens River, so I have all the same problems over again with the Torrens River.

For years, the Minister for the Environment and the Minister responsible for the EWS Department have denied that the Torrens River is silting up at Lockleys and Fulham. For years my constituents have taken photographs and measurements, and for the first time, because of the very dry conditions, the river has just about stopped flowing in the Lockleys-Fulham area, particularly near Outbreak Creek, and we can see just how much silt has built up in that area.

This legislation authorises and sets in train the cleaning up of the Patawalonga. I have asked officers in the Department of Environment since it was first formed, 'For God's sake, why don't you dredge the Patawalonga and solve a lot of problems?' They said, 'No, that would not solve all the problems.' It was too easy. Some years ago I wrote to all the councils along the Sturt Creek and asked what they were doing in relation to the continual cleaning up of gutters and streets in their area. I think one council replied; that is how much notice they took.

It took a Government with a bit of courage, ability and genuineness to start the ball rolling. The Sturt River Catchment Authority was formed. Of course, the South-western Drainage Authority has been in operation for many years. I

think I went to one meeting in all that time. I could not be bothered going to the current set of meetings, simply because I got so fed up and disgusted with the lack of action of previous Governments. I had enough faith in the current Minister to know that something would be done: it was the policy of our Party to spend approximately $4 million to clean up the Sturt Creek and the Patawalonga Basin, as well as the Torrens River.

There is nothing new in putting a trash rack in the Sturt Creek. That was done in about 1974 or 1975 by the then Government to try to collect the rubbish. The rack was established at Glenelg North and was very successful, but a councillor on the West Torrens council had his nose put out of joint by its success and said it had to be ripped out as it was creating too much smell. That involved a bit of local politics. However, it did prove the point that a series of trash racks would have worked extremely well. They would have stopped all the large rubbish that was coming down the Sturt Creek at that stage. It was a tragedy that that trash rack was pulled out. An area of the embankment of the Sturt Creek was cut away so the trucks could cart the rubbish away, but that was all lost.

A lot of people from local government, as well as the EWS Department, have a lot to answer for in terms of what is described as the most polluted waterway in Australia. I will not accept that. It is not the most polluted waterway in Australia. You would have to go a long way to beat the Yarra River in Melbourne. I was there in January, and I still claim that the Yarra River is a hell of a lot worse than the Patawalonga, because of its size, distance and volume of water. At least we have the opportunity to clean up this area and return it to what it was some 30 years ago when I went to live in that area. It can be transformed into a lovely, clean waterway.

We will again hold the Australian water ski championships there. We held the South Pacific water ski championships there, coordinated by Max Moore, one of our neighbours. That was described at the time as one of the most outstanding and successful water ski championships in the South Pacific. The people wanted to come back, but it was too late because all sorts of stupid regattas, such as the milk can regatta, were held there. After that event, the place was never cleaned up properly, and the water ski club from the university took over and made an absolute mess of the whole area, blowing all chances of neighbours wanting to cooperate with outside clubs using that waterway.

We, the local residents, welcome the clean-up of the Sturt Creek and the Patawalonga. I will not support in any way the nonsense that is going on in the Henley and Grange council area by a couple of hard nosed members of the Labor Party to try to stir up mischief, just before the council election. We know exactly what is going on. I have a list of the paid up members of the Labor Party down that way. We know what the coordinator of this little ratepayers association is up to. They only have to be a little patient and see what is happening in the wetlands area under the control of the MFP Corporation.

But this is a record day. This is the second time in 10 minutes that I have to congratulate the Minister. He announced sometime ago that he would flush the Patawalonga of an evening. I thought, 'This will be nice. We will wake up in the morning with a rotten smell down there.' We did wake up with a rough sort of a smell this morning. But I went out and had a look at the beach. The smell we get from the Patawalonga is nothing like the smell we get from the sewage treatment works. I have been on to the Minister for Infrastructure since we have been in government to try to clean that up. They have blown something down there and cannot seem to get the right part from France. Before that goes into privatisation, I want that sewage treatment works cleaned up or the neighbours will take it over.

The Patawalonga was flushed last night and, patrolling the beach this morning, I could not tell from the water on the beach that there had been any drainage out of the Patawalonga. So, it proves the point that, if you flush a waterway at low tide—the right time—when the high tide comes in (and we seemed to get quite a high tide this morning), the waters will dissipate. I will concede that the water is not the cleanest or the clearest at the moment because we have not had much rain. The Patawalonga is absolutely foul: that is the only way to describe it. If it is dredged and if the water is continuously flushed, we will get the good, clean, green water.

There is one question I want to ask the Minister publicly: why is copper sulphate not being used to kill the algae in the upper reaches of the Patawalonga? Years ago, whenever algae formed in hot weather, officers of the Glenelg council would go around in the *Archie Badenoch*, which they specifically bought to travel the Patawalonga and the upper reaches, and put copper sulphate all over the algae. It would turn the water green—not a bad sort of colour—but it killed all the algae. I do not know whether it was toxic in its own right or whether it was dangerous, but at least it did not leave a smell as we have to put up with at the moment.

At long last we have a Government that is coordinating efforts and doing something. The councils have met and done a lot of work over the past 15 months under Mayor Colin Hayes and all the people associated with the catchment area. We are starting to get somewhere. It will be a long, slow haul back to reality as controls are implemented in terms of pollution, water and rubbish going into the Sturt Creek system and through the industrial complex at Edwardstown and other areas. Of course, the back flushing of swimming pools at Unley and other places introduces a lot of trash and filthy, foul water into that system. Unless we get a large volume of water coming back on the back flushing at high tide, as we are doing at the moment, we will not have a problem. However, if we keep it up I do not think we will have any problems.

The group at Henley Beach which wants to stop any project or development at Glenelg ought to come and live with me for a few weeks and find out what real life is about. It is not as bad as they make out, and it is high time that they were exposed as nothing but troublemakers and stirrers, causing problems for the poor member for Colton. It is a lot of nonsense, because these same people years ago complained about horses piddling in the bottom reaches of the Torrens River. A few horses agisted on the banks of the Torrens River cannot do much harm. Those people will try to stop anything. I am surprised that they even allow the seagulls to fly around, the way that they carry on. I do not see much credence in their argument.

I have lived there for 30 years. I have been there as long as, if not longer than, they have, and I have been able to observe the activities and developments of the whole area. The only way to gain general knowledge is by personal experience. It is a pity that we have not had time to take photographs. I believe they would have been of great assistance to the Department of the Environment and Natural Resources. That is probably something that I can do in my

retirement—keep an eye on the beach in that respect and particularly the coast. I congratulate the Minister on the work that has been done in that regard.

It was the Liberal Government in 1981 that beautified and cleaned up the Torrens River. Thousands of trees were planted and it was made into a wonderful residential environment. The water coming down from the city of Adelaide is not the best, but it is what we would expect from the eastern suburbs to the western suburbs: they pour all their muck down on us. We will live with it, because we know that this Liberal Government will clean that up as well. If it follows the beautification plan and puts in the same amount of energy and resources, we will have a couple of beautiful waterways. The residents of Henley and Grange have nothing to fear from the waters in the future once the work is done.

An honourable member interjecting:

Mr BECKER: I could stand here like Des Corcoran and say, 'I don't see anything.' That is how blind and stupid Des was. Every time I raised the issue of the polluted waters there, he denied that the seaweed was dying. One can go through and confirm that from *Hansard*. It was certainly dying; it was dying under our noses.

If the Government follows the proposals that have been put forward through the Minister for Housing, Urban Development and Local Government Relations of cutting off the Patawalonga as we know it and turning it into a beautiful waterway, a safe boat haven, beach or recreation resort area and with the Sturt Creek going out through a new channel at West Beach by the sewage treatment works, it will be a different type of water. The water will be clean, because it will not be carrying the rubbish: there will be trash racks in the Sturt River system, which are not there at the moment. Eleven councils will be taking action to prevent as much rubbish as possible, if not any rubbish, going into the system. We will have a small wetlands system near the end of the runway and that will act as another filter. With the flushing backwards and forwards of the system, it will be an entirely different flow and discharge of water.

It is a shame that we have to waste run-off water from the rains and allow it to go out to sea. It is a pity that we cannot trap and use it. However, I believe that system will eventually be altered as well. That was envisaged by Susan Lenehan when she was Minister for the Environment on the last occasion when we debated this issue. It is only a couple of years since we debated other issues which are complementary and supplementary to this legislation. The only beef, if we are to have a beef, will be the levy. Nobody likes having to pay for anything; nobody likes a new tax, charge or levy. If it has to be, we have to pay it. We have to pay something.

Mr Clarke: It is a new tax.

Mr BECKER: You can call it whatever you like, but we must pay something. As proposed in the legislation, we will be called upon to make some sort of payment.

Mr Clarke: It is a tax.

Mr BECKER: I don't care what it is. Personally, it does not worry me if I have to pay it. It will cost us about $20. I do not like it any more than anybody else, but I think that $20 is fair and reasonable compensation if it means improving the environment. If it means that the local councils will take more care about what goes into the drains, if it means that local councils will not poison the edges of the median strips but will cut them and sweep up the lawn cuttings afterwards, it is worth it. If it means that the waters will not be polluted as they have been until now, it will be worth it. Anything that contributes to care, control and concern for the environment must be worth it.

As a property owner who lives near the Patawalonga, I do and will continue to take great care. As soon as I cut the lawn, the first thing I do is to sweep the gutter in the street and make sure that I do not leave any rubbish that may end up in the drain and then in the Patawalonga. If everybody takes such care—and I know they do in most cases—it will be worth it. The councils should support the residents by keeping residential areas neat, clean and tidy and not allowing people to poison the nature strips with the poison consequently being washed into the creek, as it did many years ago and killed thousands of mullet in the Patawalonga estuary system. That was caused by one of the councils spraying the nature strips and trees and, as it rained within 24 hours, it was washed into the drainage system and killed the fish. The Department of Fisheries undertook tests which proved that it killed the fish.

As I said, Minister, this is a great day. We congratulate and thank you for what you are doing for the environment. We hope that you will be given support by all the seaside councils and cut out all the nonsense that is going on at Henley Beach. Let us get on with the job. I support the Bill.

Mrs HALL (Coles): I am very pleased to support the Bill and I congratulate the Minister on introducing it so early this year. The Government has a strong commitment to clean up the waterways of South Australia, and this Bill will provide the formal control mechanisms to enable our State's water resources to be managed on a catchment-wide basis.

As is well documented in statements by the Premier and the Minister, the immediate focus is rightly on the Torrens and the Patawalonga. There has been a long consultative process in the lead-up to this Bill with local government, the EWS, the Department of Housing and Urban Development, the LGA stormwater focus group and the Patawalonga steering committees, to name just a few of the bodies which have been extensively consulted. Recent surveys conducted in South Australia show very clearly that there is strong public support for cleaning up our waterways, and it is believed that we should give this project the high priority being given to it by this Government.

I have a particular interest in the Torrens River and its catchment area as the river forms the northern boundary of my electorate, and the East Torrens and Campbelltown councils have clearly shown a commitment to the priority of cleaning up the Torrens over many years. As a matter of interest, the longest stretch of the Torrens runs through the electorate of Coles so, of the 18 councils in the Torrens catchment, we in Campbelltown and East Torrens have a very real interest and involvement in the issue.

Over the past couple of years it has not given me any great feelings of pride to read media reports such as appeared in the *Advertiser* in January this year when the Torrens was described in the following terms:

> This is the filthy reality of the Torrens River—a squalid home for beautiful birds. Behind the facade of attractive reserves and reed beds boasting a wide variety of wildlife lies a grossly polluted river laden with chemicals, oil, garbage and bacteria. . . Milk cartons, two-litre plastic soft drink bottles, spray cans, oil cans, polystyrene boxes and a basketball yesterday were among the huge pile of litter clogging the waterway, ignored by authorities.

An editorial in the *Sunday Mail* in 1993, referring to the need to give top priority to cleaning up the Torrens states:

Instead, it is a filthy, disgraceful mess. What should present a dazzling reflection of South Australia's quality of life is dismal, dirty—and damaging to our image.

I am pleased now to be supporting this Bill, because it goes a long way to resolving some of the problems that most South Australians have been concerned about for more than a decade. The Minister has met with councils and steering committees and informed them about priorities to clean up the Patawalonga and the Torrens. It is well known and acknowledged that both the Patawalonga and Torrens steering committees have put considerable effort and resource into the clean-up process already, and for that they are to be congratulated.

Now, we need to provide the necessary legislative backing and support, and this Bill does that. It is widely recognised that this serious community problem of our polluted waterways needs to be a project based on shared responsibility between State and local government authorities and the community. Indeed, as I have said, this Bill achieves just that. The funding of this initiative has obviously generated some debate and I am sure will continue to do so. The Government has looked at the various options. It considered a flat levy of all residents in the metropolitan area, but this option was rejected for a number of reasons including, in particular, the fact that residents at, say, Noarlunga do not necessarily have an interest in and a commitment to financially supporting the clean-up of the Torrens, and, equally, the residents of Athelstone probably do not have a burning desire to support the clean-up of the Patawalonga, despite the commitment by the member for Peake.

The concept and benefits of ownership of a particular catchment area are most important. Therefore, I believe that the solution—and that is the rate calculated as a percentage of rateable capital—as proposed will enable the Bill to achieve the goals we all support. All moneys raised by individual catchment boards will go directly to the clean-up of that particular catchment area. The basis and framework of this legislation are to provide ownership and pride in the catchment. Another important aspect of this Bill is the provision for joint management by the catchment boards. They will have equal representation of local and State Government nominees; there will be an independent Chair of each board, appointed on the joint nomination of the Minister and the Local Government Association.

The numeric membership of each board depends on the numbers of councils within the catchment boundaries. For example, as I understand it, four councils or fewer will give us a board of five; between five and nine councils will give us a board of seven; and more than 10 councils will give us a board of nine. As the Minister has already said, the early priority is the Patawalonga and the Torrens because of the urgency and vast extent of their problem. I am pleased to say that the Minister has the overall responsibility for the operation of this legislation. One responsibility of these new energetic boards, we hope, will be to set the levy. Then, that recommendation will need to go to Cabinet for final approval. There is much discussion and debate about how that levy should be struck. As the Minister said:

Funding arrangements were originally left out of the Bill to enable local government to put forward its view on this most controversial of issues. It has unfortunately not proved possible to obtain a firm view from local government and there has been a great deal of disagreement among councils, and among council groups. The manner of collecting the levy needs to be:

- consistent across councils;
- simple to understand;
- easily administered; and
- ideally, related to the quantity and quality of stormwater produced from the ratepayers' properties.

No single method of levying satisfies these four criteria, particularly the last. Sophisticated formulae which compute a levy from land use and land area data are invariably difficult to understand and complex to administer. Given the very limited time available for councils to prepare to raise the levy for 1995-96, a method which is quick and easy to apply to existing ratepayers is essential. It has been decided that the levy will be raised from a uniform percentage of the capital value of each ratepayer's property. This will be easily understood, easily administered, and will be consistent across councils.

I recognise that the board will be putting forward the recommendation on the percentage, but it is anticipated that it will be somewhere between .01 and .02 per cent, which means that, at .01 per cent, a house valued at $100 000 will pay just $10 per year, while a house valued at $1 million—of which we know there are not that many—will be paying $100 per year.

For the record, it is estimated that the percentage levy based on .01 per cent will raise $2 million annually. I understand there is some confusion about which residents will pay which levy. I am advised that the catchment boundary will be gazetted so that residents will know quite clearly which catchment area they are in and where their levy is going. The Government has clearly shown that this levy is totally transparent and needs to be so. It will not be able to be just swallowed up in council rates. It is important that it be called what it is, and that is an environment catchment levy. I am pleased to see that the Bill has been amended to provide remissions, rebates and exemptions wherever local councils provide such on their own rates. That is an important amendment that the Government has accepted.

I support the Bill and believe it will receive wide and enthusiastic support from the community. I look forward to the day, in the not too distant future, when large quantities of frogs and fish can once again signal a healthy river system in South Australia. I conclude my remarks by quoting part of a report prepared by the CSIRO, entitled 'Towards Healthy Rivers'. Under the heading 'The nature of healthy rivers', the article states:

We are advised to eat a balanced diet, get regular exercise, avoid toxins and narcotics and have a regular check-up. This prescription for health also applies to our rivers. Too many nutrients produce nuisance weeds and dangerous phytoplankton, stagnant water and dead fish. Too little water impoverishes aquatic life and toxins threaten, degrade and sometimes destroy life. Check-ups for our rivers are presently based mostly on chemistry, but a broader view, which includes biological indicators, is now needed. At the outset we have to realise that most of our rivers are dominated by humans and we cannot alter this. The environment therefore has to be managed to comfortably include the human cultural landscape as well as accommodating native fauna and flora.

I support the Bill, and I believe that this is a great start for South Australia.

Mr WADE (Elder): I support this Bill. It is probably typical of human nature that for years we and our Governments have looked into our neighbours' backyards, from Tasmania through to the Amazon, and have sought to influence those environments, yet we have neglected our own backyard, in particular the Patawalonga and the Torrens catchment areas. However, not every person was blind to the environmental issues needing to be examined. Concerned citizens approached successive Labor Governments throughout the 1970s and 1980s to get these Governments to do something to arrest the pollutants issuing daily into the Patawalonga and other waterways. However, all of those

entreaties fell upon the deaf ears of the Labor Party. Now, we have a Liberal Government which is courageous, determined and committed to restoring our waterways and preventing further ecological disasters.

A major step towards this 'clean environment' objective is the Bill currently before this House. The Bill is the culmination of discussions and consultation between the EWS, the Department of Housing and Urban Development, parliamentarians, the Local Government Association, the Patawalonga Steering Committee, the Dry Creek and Little Para Drainage Authorities, the Local Government Association's Stormwater Focus Group, the Crown Solicitor and the Ministers concerned, in particular the Minister for the Environment and Natural Resources, whose energy and guidance have significantly contributed to the introduction of this Bill and whose efforts I commend.

It is through this consultative process—a process which should have been started in 1975 by Labor but which has been left to our progressive Liberal Government in 1995, 20 years on—that the Bill has come into this House. My electorate of Elder is a contributor to the Patawalonga's demise, not through grass cuttings or old fridges but through industrial pollution and chemicals that were and still are washed into the stormwater systems surrounding the area's industrial complexes—stormwater systems that inject their contents into the Patawalonga. Up until the time I was elected as the member for Elder, the residents had attempted to bring this industrial pollution to the attention of local and State Government authorities. Out of frustration from being ignored—and in some cases being treated in a very patronising manner by some Government officers—these residents formed an action group to record the industrial pollution and to try to educate others in caring for their environment. These residents, who have my full support, finally have broken through the wall of disinterest and ignorance that has plagued this State during the long dark ages of Labor.

We have the attention of local government and unqualified support of the EPA and the State Government. This Bill is another light that we have turned on to help guide us to a brighter future for our children and our grandchildren. This Bill provides the first formal controls for the management of water resources on a catchment-wide basis. It allows stormwater to be viewed as a resource. It recognises the specific needs of different catchment areas and combines expertise from local government, State Government, environmental specialists and residents in order to address our pressing water resource pollution problems. I do not propose to go into detail in relation to the Bill, as the member for Coles has covered various aspects of it in graphic detail. However, I commend the Minister for his determination and resolve concerning our polluted waterways. The Patawalonga in particular is a damning indictment on 20 years of Labor neglect. It is a shameful indictment but, as with all the other disasters Labor has bequeathed to this State, we will clean it up.

Mr CAUDELL (Mitchell): I will deal later with the Roman soldiers whose caviar wrappers and champagne corks caused most of the pollution in the Patawalonga in the first place. Members of the Opposition may gloat, but they have done very little other than sit on their hands during the past 11 years. A number of comments have been made in my area in relation to the Patawalonga Steering Committee, the Patawalonga and the efforts to clean it up. As most members would be aware, the Sturt Creek flows straight through the electorate of Mitchell. I have had detailed discussions with the Minister for the Environment and Natural Resources, his staff and also the Chief Executive and the Mayor of the City of Marion. Following the discussions I had with the Marion Mayor and the Chief Executive Officer, the executives of the council were left in no doubt about the Government's resolve to clean up the Patawalonga and the watercourses flowing into it, including the Sturt Creek.

I reaffirmed to the council that, although the Government was appreciative of its work to date, it had become obvious that the steering committee, which was established by the 11 councils, would not meet the Government's objectives or the expectations of the people of South Australia; that is, that by 1997 we must have a Patawalonga that is sufficiently clean for people to engage in certain water activities, whether it be boating, swimming or the return of the milk carton regatta. Irrespective of what is said otherwise, the No.1 objective is to clean up our waterways, and that will be done even if we have to drag councils along with us to do so.

A number of statements have been made by councils and also by members of the Opposition, including some of their members masquerading as councillors on local councils, in relation to the levy. The levy must be transparent; it must be seen to be collected and allocated in full towards the clean-up. If the State Government collects that levy in the form of a petrol tax or EWS water charges, it is no longer transparent. The best method of making that levy transparent is by the councils concerned collecting it associated with their rates, so that the levy will, in fact, be transparent; it will be seen on the bottom of ratepayers' notices, and they will be able to see what is involved and how it is used.

Councils, including the City of Marion, have made a number of statements about their concern that, if councils were going to be the vehicle for imposing and collecting the levy, they should control the proposed authorities. However, councils have been in control of the Patawalonga Steering Committee for the past 18 months and the City of Marion itself has stated in a letter to the Premier:

> To some extent the council can understand your frustration with a perceived lack of progress. . .

So, the councils will be involved in the operation in the case of the Patawalonga catchment area: there will be four council representatives and four people who are appointed by the Minister, as well as one board member. Therefore, equal representation will exist on the committee and the councils will have a say in the allocation by and the running of that particular board. Councils within the catchment area will have their say as they will have a chance to elect four representatives from the 11 councils in that catchment area.

I have mentioned to the Minister that, although the Bill provides nothing specific in relation to how that board will be made up of council representatives, clause 12 of the Bill should be altered to allow more specific representatives from local government. It would be preferable if a chief executive, such as the chief executive of the City of Marion, which has had a large involvement in that area, were given the opportunity to serve on the board because he would have a lot to offer the board. I feel that, if an engineer or a planner were included, they could add expertise to the board as well. I feel that a chief executive such as the mayor of a council should be included as well as one elected member.

I have mentioned that to the Minister but, to date, local government would prefer to have four elected members. I have a problem if they are all elected members because, to a

certain extent, they will need to go back to their own councils prior to making a decision, as most elected members of councils have a problem with decision making. I feel that, if it is left to just some elected aldermen or councillors, we will miss out on expertise and acumen. I also have concerns about the calibre of some councillors and aldermen on some of our councils. At this stage I will continue to lobby the Minister in relation to that area.

I refer to the Minister's representative, the presiding member, who will have managerial skills. One member of the board will have catchment water drainage knowledge and skills, and there will be equal representation of both men and women. It must be said that the board is there to do a job, and it will definitely be no junket for certain elected council members. I have asked Marion council to provide me with a list of those clauses of the Bill which cause it concern so that I may address those issues with the Minister. To date, its only area of concern relates to the levy. As a result of that, I had a meeting with the City of Marion, staff from the Minister's office, the chief executive officer and the mayor of Marion where I explained why the levy is to be applied in this way. At the conclusion of that meeting with the City of Marion, it understood the Government's position with regard to the levy; it understood the need for it to be transparent. It also understood that it was quite acceptable for the levy to be a one line entry on the bottom of the rates notice. I am sure that the Marion council will assist in the setting up and management of the authority as it has a good involvement record in environmental issues.

I now refer to the catchment board and its duties. In his second reading explanation the Minister said that the measures it will take to ensure the clean up of the waterways will include the installation of trash racks, sediment traps, monitoring water quality and creating wetlands. When I read the Minister's second reading explanation I addressed an issue which is important to a number of people in the Mitchell electorate. It involves the area where Sturt Creek finishes and where the Sturt drain commences: the Sturt Triangle. Some people call it Lafeter's Triangle and others call it the Warrapinga area, but most locals call it the Sturt Triangle. Sturt Creek, which flows through that triangle, provides the majority of the stormwater which currently enters the Patawalonga. The proposed flow from the channel into the gulf may be protected by silt traps and trash racks, but the pollution of water from storage treatment plants, roads, run off, etc. is not picked up.

The implementation of wetlands will go a long way to improving water quality. It has been said that the establishment of wetlands to the north of the Patawalonga will be inadequate and a waste of money as there is insufficient room. The most practical solution would be to move those wetlands to the Sturt Triangle. I have discussed this with the Minister, and I am hopeful that the catchment boards will take up the issue of establishing wetlands in the Sturt Triangle.

I have raised a number of other areas of concern with the Minister in regard to conditions of membership and the need to ensure that, if a person does not attend a specified number of board meetings, their membership be withdrawn. Another area is where a person becomes an employee of the Crown. The Bill provides that, if a presiding officer becomes an employee of the Crown, that person must withdraw from the board. I would appreciate the Minister's considering extending this so that, if other members of the board were employees of the Crown or became employees of the Crown, they withdraw from the board as well.

I have a problem with clause 19 of the Bill, which relates to privacy. Clause 19 is essentially a straight run off of section 62 of the Local Government Act. I have problems with a number of areas of the Local Government Act, but in particular section 62. I notice that the Minister will be moving a number of amendments to clause 19. I feel that further amendments should be moved because I have a problem with the majority of those areas where the public can be excluded. I also have a problem in relation to the minutes of the agenda and the agenda items that exclude the public. The agenda items and minutes of the agenda are available only to the Minister when the Minister requires them. However, the Minister and this Parliament are not aware of what is happening in relation to those items which exclude the public.

When council members who serve on that committee go back to their councils and report about what is happening with respect to the Patawalonga it is possible that those items will be raised in public during council meetings, because no section of the Act precludes a person from speaking to an item that is covered under clause 19. The Minister and the Parliament are not able to find out what is happening under those items which exclude the public; however, council members who serve on the committee can raise the issue during council meetings. I feel that certain parts of section 62 of the Local Government Act, which in reality is clause 19 of the Bill, are obsolete and should be open so that the public can listen to issues relating to tenders, complaints against an employee, health claims against a board member, and even proposals relating to the acquisition or disposal of land.

I can understand this being necessary when a decision is being made in relation to the purchase of land, but after that purchase is made I do not see any reason for that information to not be included in the agenda, pursuant to open government. The legislation does not allow for local members of Parliament to receive copies of agendas. Hopefully, the Minister will see to it that section 20 of the Act is amended so that local members of Parliament, especially those members who have an interest in what is happening with regard to the catchment board in their area, receive a copy of the agendas and the minutes of the board.

As to clause 23, I believe a provision should be included with regard to the disclosure of personal and pecuniary interests by board members. I would appreciate the Minister's looking at this clause to ensure that personal and pecuniary interests held by the board's presiding officer are available for inspection at a future stage. The catchment boards need to be accountable for their actions; they need to be open and honest in their undertakings; and everything they do should be seen to be done openly. In common with all the people of my electorate I look forward to their operations, because we long for the day when Sturt Creek, which flows through the Sturt Triangle, is once again an area where people can visit, that the Patawalonga is once again an area open to the people in the south western suburbs and all of Adelaide to visit for yachting and other water sports, and so that again we can have the tourist attraction that once occurred on the Patawalonga, the milk carton regatta, which is now just a memory from the past.

For too long the Opposition, which was then in Government, sat on its hands and held numerous press conferences but for some unknown reason never carried through to undertake a final outcome of the clean-up of the

Patawalonga. I conclude my contribution with what the Marion council wrote to me, as follows:

> As you would be aware the council has a very strong and sincere interest in stormwater management. It is committed to a future where a multi objective approach is taken to managing stormwater. This council took the lead role in establishing the Patawalonga Catchment Steering Committee and has sustained its interest in the important issues of stormwater management. The council is very pleased that stormwater management is now receiving the attention it deserves. In this regard the council commends your Government for its actions in seeking to ensure that long-term arrangements will be put in place.

Mrs ROSENBERG (Kaurna): I support the Bill and acknowledge that its key aim is to provide management of our State's water resources. The Bill acknowledges for the first time in South Australia that stormwater is a benefit and an asset to the State and is not just a disposable commodity or waste material in the way it has been dealt with in the past, by simply putting stormwater into a stormwater drain and letting it go out to sea as fast as possible. In my opinion the way stormwater has been treated in the past has been an engineering nightmare. An engineer's idea of the best way to get rid of a problem is to put it in as big a pipe as possible and lead it to the biggest drain possible, and that has been the sea. Unfortunately, stormwater has been carried to the sea via some of our most valuable waterways. That direct movement of stormwater to the sea has caused an immense amount of pollution for our marine environment.

For instance, in my electorate we have a serious problem with stormwater drainage outlets causing siltation on all the reefs from Horseshoe reef to Aldinga reef. I am not willing to point the finger at any local council or government for that matter because there has been an acceptance by society in Australia probably—in South Australia definitely—that this is the way to deal with stormwater. I think that, as a result of an education program which started some time ago and which has certainly been picked up by the Minister, this type of stormwater use is no longer acceptable. It is not acceptable to the community, and it is certainly not acceptable to regard stormwater as waste material rather than a valuable asset. The creek pollution that goes hand in hand with that can only be deplored. For a start, the Bill will focus on the Patawalonga and the Torrens, but I have no doubt that, through the success of those activities, it will lead to these types of catchment authorities being established throughout the State.

In my electorate of Kaurna I note that people working on the Christies Creek catchment area have already developed a process that has gone a long way towards the protection of that creek area without the benefit of this legislation. This group, with the support of Noarlunga council and also money from this Government, has proceeded some way towards the reinstatement of Christies Creek. Because it is so far down the track with that project, doubtless that group with this legislation as a base will seek to set up a catchment authority in the area, and I would support it doing so.

In the new Seaford development in my electorate we have another example of the acceptance in the community that the type of stormwater treatment of the past is no longer acceptable. In the Seaford development we have a series of wetlands that collect stormwater prior to its reaching Pedlar Creek in particular and also the Onkaparinga in the new section of the development. Although I do not believe the amount of wetlands proposed for the Seaford development is sufficient, it is certainly better than any proposal put forward in the southern area in the past.

Mention has been made of the work to set up the Onkaparinga wetlands. I refer particularly to the work of the local community in consultation with Noarlunga council which, I have to say, is very proactive in its method of treatment of stormwater in areas such as the Onkaparinga wetlands. The work undertaken there has set an example for the southern area. I refer to some of the efforts that our office has put in place to set up a catchment authority for the lower reaches of the Onkaparinga, and that will be coming to the Government soon with a request to establish a board in that area.

Some catchment authorities are in existence in terms of looking at whole catchment areas such as those in the Mount Lofty Ranges. Their existence and success in terms of management plans already put in place needs to be recorded. In terms of South Australia being one of the driest States, it never ceases to amaze me that it has taken this long for us to consider stormwater as an asset rather than a waste material. The thought of that asset running down creeks and out into the sea, as I have mentioned, astounds me. The use of stormwater to build an underground supply of water is another aspect of the Bill I am pleased to support, particularly in the Willunga Basin, which is adjacent to my electorate. The use of underground water is becoming a major problem in that area in terms of wanting to promote agriculture and preventing excessive urban sprawl into the Willunga Basin.

Some years ago the area was proclaimed in order to protect the underground supply, and this has meant that the number of bores that can be put down into the area is restricted and, therefore, it means that the amount of agriculture undertaken in the area is severely restricted. I am pleased to see that there is an acknowledgment of that type of issue in the Bill and an acknowledgment that potentially stormwater can be used to build up underground supplies. That is an important part of the Bill. Also, the Bill addresses some of the main issues relating to the problem of stormwater in South Australia, and it allows for the development of catchment management plans. It acknowledges the importance of looking at the whole area of catchment control. The need for that is obvious because of the problems we have today in the Patawalonga and the Torrens. If in years gone by the councils had been able to negotiate with one another and consider those two waterways as a whole of catchment management area, those areas would not face problems. The Bill's importance in acknowledging the need for a whole of catchment management approach cannot be over emphasised.

The Bill also provides for the raising of a levy to pay for the installation of the plan, and it therefore provides the first formal control that will enable water resources to be managed on a whole of catchment basis and to be financed outside a taxed system. The people who will actually be asked to pay for the management plan are those who need to be most involved in consultation. In other words, I believe very strongly in the polluter pays principle, but I also believe that those who pay for the management plan ought to have a very large say in how the plan is set up and whether they agree with parts of it.

The parts of the Bill that deal with the consultation process have been well thought out, and I stress that consultation is very important. It is extremely important that the board that is set up be truly representative of the community, because a lot of semi-government boards I have seen in the past have not represented the community. On an important issue such as storm water catchment management, the last thing that this Government wants is internal politics being played on the

board, particularly when local government is involved. So, I stress that I am particularly interested to see that as the boards are developed they are made up of members of the community who can be seen not by the Government but by the community as being truly representative of the community.

It is also important that the management plan involve a great degree of community support, and that will come as community consultation takes place, if and when it is adequate. It is extremely important that, when the plan passes to the Minister to be authorised, the Minister consult with the board and the constituent councils, because the Minister has to retain accountability in the management of the plan and has to maintain accountability with the community from which the levy has been raised. So, it is an important part of the Bill which acknowledges that the Minister will consult with the board and with the constituent councils before the plan is acknowledged and put into place. It is also acknowledged that it is important that the Government representatives consult the Minister for Infrastructure. There is an overlap between the use of water from the EWS and the possibility that these management boards may start to sell water. That water has to be of a quality that is acceptable to both the EWS and the EPA, so it is important that there be cross-consultation between the various Ministers and departments of the Government.

The two most important features of the Bill are the development of the management plans and the collection of the levy that will used to put this plan into place. The plan must include issues such as the removal of impurities; most importantly, the education of the community; and the installation of wetlands and so on in ways to control pollution in our waterways. I commend the Minister and his department for introducing this Bill—I think it is long overdue—and I look forward to the Committee debate.

Mr BROKENSHIRE (Mawson): I am delighted to be able to contribute to the debate on this Bill this afternoon. First, I congratulate the Minister, David Wotton. I happen to be fortunate enough to be on Minister David Wotton's environment and natural resources portfolio committee and I can quite easily and clearly say in this House this afternoon that, without exception, whenever I am out in my electorate—which is virtually all the time—talking to people about the environment, the accolades and for the appreciation of the Minister's sincerity and his passion for his portfolio are absolute. The Minister deserves to be congratulated on that; he is doing a great job. While I am in a congratulatory mood, I also congratulate the Minister's staff both in his ministerial office and in the Environment and Natural Resources Department. Over the past 12 months or so I have had the opportunity of working closely with those staff, and I can say to the community of South Australia that they are also very dedicated. They have a passion for their responsibilities, and they want to see the environment of this State protected and enhanced. I congratulate them on the work they have done with this Bill and the general work they are doing with the environment.

We are now starting to see some action when it comes to the environment, something that has been called for for many years in this State. Now and again you will hear some people say that perhaps we have moved a bit fast but, goodness me, the majority of people have been saying that it is about time we moved, and that is why I support this Bill. At this stage, I would also like to place on the record the great work that the Friends of the Living Christies Creek in my electorate have already done of their own accord in starting to address some of the concerns that are obvious to anybody who happens to look at the current state of catchment areas and creek systems in this State. I also mention the Friends of the Onkaparinga National Park; the very large catchment area of the Onkaparinga River runs through that national park and those people have been doing a lot of work for quite a few years to address the issues of degradation and pollution.

We must realise that it is no good a group of people down on the plains in a residential area deciding to look after their area of catchment, or a group of farmers—and I am one-up in the ranges and Hills looking after their creeks and catchment areas, fencing them off to keep the stock out and encouraging reeds to grow along the banks of that creek, if people put oil from changing their cars, grass clippings (as one of my colleagues caught someone doing just recently) or green matter down the drains and into the creeks. Clearly and obviously there has to be a total community effort from the start of the catchment area to the point where the water goes out to sea—hopefully, after a few years of work as a result of this Bill, in pristine condition.

I will not refer to the technicalities of the Bill during this debate, because we will have that opportunity in Committee, but the Bill is about community involvement: it is about working with local government, the community and the State Government to address some of these issues and needs. Of course, we read in the paper and when we go to seminars and so on we hear a lot about new technology and methods of dual water reticulation, and we hear about recharging aquifers and so on; but until now we have not seen or heard too much about a fundamental element of our environmental management, that is, the catchment water side of the environment. Now we have a situation where, through thoroughly thought out plans with the community, we will be able to instigate strategies and objectives that people will be able act upon, and we will see some real efforts in fixing up the areas of major concern such as the Patawalonga and Torrens River, but not forgetting all the other areas right across this State which may not be in the same polluted or degraded condition as is the Patawalonga, or the Torrens River, but which, if not addressed immediately, will end up with the same problems as we see in those areas. So, this is an opportunity to get on with the job.

Talking about getting on with the job, it is great to highlight the initiatives of our younger people, about which I have spoken in the House before. For example, the McLaren Flat students, together with their community and teachers last year, came up with a project called 'The Birth of the Forest'. The Minister (David Wotton), the Minister for Primary Industries in his role with forestries and I were fortunate to be involved in supporting this project.

It involved topics such as gully head erosion control and the reafforestation of the bald hills face zone above McLaren Vale and Willunga. These young people have realised of their own accord and initiative that someone had to take some action. After seeing some of those young people recently when I visited their school, I know they are supportive of this Bill, because they can now see the opportunity to encompass a whole of community approach to this problem. They are working on the head of the problem but, as I said previously, this Bill will allow all that area from top to tail to be addressed.

The member for Kaurna and I almost on a daily basis are working at getting the treated effluent water back from the

Christies Beach treatment plant so that it does not pollute the sea bed. We know we have a major problem at the moment with the wine tax, and I hope the Federal Government has the commonsense not to destroy the wine industry, because we will not get the treated effluent water back if that happens. The fact is that it is no good our working hard in the southern areas to get treated effluent water back if silt and pollutants are allowed to continue to travel out into the gulf. It is a matter of looking at the broad picture and saying that we must address these other needs. We know already, for instance, that the Aldinga Reef has been dying. The divers tell me that, in the past three or four years, it has been dying at a rapid rate because of the silt and other pollutants washing down through the catchment areas.

I will touch on a few points with respect to the Bill. First, it provides for the first formal controls to enable water resources to be managed on a catchment wide basis. It allows stormwater to be viewed as a resource and is designed to ensure that water moving into the stormwater system no longer pollutes our waterways. It recognises that different catchments have different needs and problems and allows for those differences to be addressed by utilising local knowledge and skills in tandem with the broad expertise available in Government departments, as I mentioned earlier in this debate. This Bill allows for funds to be raised in catchments to implement the programs considered necessary by the community to clean up the waterways.

It is also interesting that, after this Bill was tabled a couple of weeks ago, someone came to me at a meeting and said, 'I am very pleased to see that the Liberal Government has decided to get serious and introduce this Bill.' That person had been in Texas a couple of years ago and apparently a similar program was put forward there with a great result; the local community is very proud of the improvement in its water catchment areas.

I do not have any problem with respect to the levy. I believe it is not a matter of asking questions like, 'I do not pollute; why should I pay?' The fact is that we are all South Australians. We all have a responsibility to this State and, as far as I am concerned, each one of us should be paying that levy. The only exceptions I would support—and I am pleased to see included in this Bill—are exemptions from a catchment water management levy for those people and organisations, such as churches and council properties, that are exempt from council rates. The fact is that the rest of us have an obligation to look after the environment. I not only support this levy but hope that, in time, these sorts of initiatives will go a lot further. We all know the terrible financial dilemma that we inherited. We have enough to do as a Government and community in getting the economic side going and we will not have additional money to address some of these issues for a fair while unless the community is prepared to put in a bit extra. The vast majority of the people, certainly those with whom I am speaking, are supportive of that levy.

I am also delighted to say that this is only one environmental project that the Minister and the Government will put forward: as a member of the portfolio committee, I know that this State will see many more initiatives put forward over the next three years. As I said, these are not merely talkfests. We have had enough of that in the past. I can remember that a couple of years ago a former Environment Minister went overseas on what I believe was just an absolute jaunt, with a massive entourage, to Rio or somewhere similar, and so far I have not been able to find any information that is fruitful for my electorate from that jaunt.

We have no more talkfests: a Bill has been introduced which is clearly about working with the local community, the local government and the State Government to implement plans and then action them for a result for all South Australians. It is about resolving what has been chronic degradation in many areas. It is also about making provision to protect the future for South Australia. This Brown Liberal Government is about not only economic development and management but also environmental management, and I commend the Bill to the Parliament and South Australia.

Mr CONDOUS (Colton): I support the Bill and I praise the Minister for having put forward a measure which is so well informed. I reiterate that the Bill provides for the first formal controls to enable water resources to be managed on a catchment wide basis. It allows stormwater to be viewed as a resource and is designed to ensure that water moving in the stormwater system no longer pollutes our waterways. It recognises that different catchments have different needs and problems and allows for those differences to be addressed by utilising local knowledge and skills in tandem with the broad expertise available in Government departments. The Bill allows for funds to be raised in catchments to implement the programs considered necessary by the community to clean up the waterways.

One must praise this Government because it is the first Government in about 25 years to look at and seriously address the problems of pollution in two of our major waterways. I was absolutely amazed and amused to read in one of the speeches of the member for Peake last week that, when he was first elected to Parliament back in 1970, he was accused by the Labor Party of walking around with a kitbag containing dead dogs and cats; he would throw them into the Patawalonga and then call the media, saying, 'The Patawalonga is polluted; there are dead dogs and cats in there.' When he approached the Hon. Des Corcoran, the then Deputy Premier and Minister in charge of the EWS, and told him there was a major problem with the Patawalonga, he said, 'I have had reports from the department that there is absolutely nothing wrong with it at all. This is all in your imagination.'

Well, 25 years hence, we are facing a significant problem in our community; we have been living in this filth for such a long time that hardly any of us believe we will ever be able to clean up the two waterways. I can understand and share the concern of people in my electorate about what is proposed in the clean up of the Patawalonga. I am having difficulty making them understand that we will address the problems in the Sturt Creek catchment area and have good clean water flowing down the creek. It is like living in a hovel and filth: if you have been doing it for long enough, you never think you will get out of it. That has been the most difficult thing to sell.

People do not believe they will be able to go to the banks of the Torrens, throw in a yabby net four or five feet down and see everything quite clearly, as I used to see when I was a child: I even saw the yabbies walking into the net! You go down there today and you have to sweep aside the weeds and rubbish, the polystyrene, the plastic bottles, the cartons and the fast food wrappers, and what do you see? You see filthy water. Each one of us in the community has to play our part. No matter how much money the Government spends, if there is not a cooperative community effort involving all of us, nothing will be achieved. When we have something in our hand, whether it is a bottle, a plastic bag, a polystyrene

container, a Hungry Jacks wrapper or whatever, we have to say, 'I have a responsibility to my community, my family and my children to keep it in my car until I can dispose of it properly, so it will not pollute the waterways of Adelaide.'

That is where the education program will come in. In my electorate, I suffer more than anyone, because the outlet for the Torrens River and the catchment that comes all the way around comes out at Henley South, so everything is coming out in that area. When the Patawalonga is flushed, as it was last night, everything travels north, so West Beach and Henley and Grange cop the whole lot. One has only to stand at the outlet of the Torrens River to see how, because of that push north, we have a large sandbank which takes up the southern side of the outlet and everything that comes out cannot go out to sea: it naturally takes a turn to the right and goes north towards the beaches in the Colton area.

I can understand the enormous concern of the people who are involved. Councils must play their part as well. I was in local government for 25 years. I drive through many council areas and notice time and again heaps of leaves, vegetation and grass clippings. They are there one week, the week after and the following month. I will not name councils, because I do not want to drop them in this, but some of the councils which I could name and which are the largest offenders are not co-operating with the catchment body. They collect the most rates and they are the biggest offenders. If each local government body does not cooperate by accepting its responsibility every week to sweep up this vegetation out of the gutters so that it does not finish up in the beach areas or wherever the catchment comes out, we will not achieve anything at all.

There are a couple of things with which I do not agree and which the Minister may decide to change at a later date. When I was Lord Mayor of Adelaide, I was often asked, 'Why should the Adelaide City Council pay $6.5 million each year to maintain the city's 2 000 acres of parks and gardens? Why shouldn't the State Government make a contribution, and why shouldn't people who use the parklands make a contribution? After all, on beautiful Sundays tens of thousands of people use Rymill Park, Veale Gardens and all such areas, so why should they not make a contribution?' The answer is quite simple: it is a responsibility that the Adelaide City Council has. It is no different from Henley and Grange, Somerton, Brighton or Semaphore having the responsibility of maintaining their beaches for everybody's use.

How can we divide the responsibility? Are we to have ticket machines and say, 'You're not a ratepayer of the City of Adelaide so you must contribute $1 for using the parklands'? I believe that everybody in the State should be contributing, because at some stage every one of us will take our families to enjoy the waterways of Adelaide, whether it is rowing on the Torrens, using the paddle boats, going on *Popeye*, using the beaches or wanting to do some fishing. Many of the pollutants, the heavy metals and so on, which are coming in are invisible.

Even people from the country at some stage will want to use the Patawalonga and its small beaches once it is available. People from all over the State may decide to enter the milk carton regatta, which as previously indicated was a wonderful spectacle. I can remember going along and looking at it. It was one of the most delightful Sundays that one could spend there, seeing people who had saved hundreds and hundreds of empty milk cartons, put them all together and enjoying a boat race for the fun of it. That is why I believe we should all be making a contribution.

We all drive cars. The rubber remains on the asphalt and the exhaust fumes become embedded in it. Then, as soon as the first rains come, off it goes into the drains, down to the catchment and out to the sea. Why should we discriminate against only those who are in the catchment area? I think that everybody should make a contribution.

We need to be smart and innovative. Some of the major shopping centres, especially the newer ones being built, have an enormous acreage of asphalt and catchment area and people are putting in underground tanks to catch and reuse that water at a later date. I believe that Parliament has a responsibility, and it must involve a bipartisan approach, to ensure that every new home has an underground 50 000 litre catchment tank in which it can store water during the wet winter months. Then, instead of paying 88¢ per kilolitre for water, they can use those 50 000 litres to water their gardens.

I will be up for an enormous amount of money soon, because every weekend I have the hose going eight hours a day to keep everything looking green and decent in the yard. If I had had a 100 000 litre tank installed when I was building my home and attached a pump to it, I could have used that water for many years. Every time it used to rain, the pool in my backyard would go up three or four inches and it would go into the backwash and be wasted. If, instead of allowing it to run off, I had been able to store it and use it to water my garden now that we have had a very dry year, it would have been more sensible.

For example, if each of the 1 000 homes on the new estate near the Yatala Labour Prison, about which the Premier spoke the other day, was to catch 20 000, 30 000, 40 000 or 50 000 litres of water and store it in underground tanks for use later on the garden instead of pumping it out into the streets and into the stormwater drains, how much more responsible would that be than polluting by having this enormous run-off?

Catchment water management is not about playing politics; it is about all of us having a responsibility towards the children of the future. It is about giving the kids back what we were privileged to have some 20 or 30 years ago which we are not enjoying at the moment but which, by showing a little responsibility and supporting the Bill, we can bring back again. We can have the things that used to be on the Torrens. People have talked about the frogs, which anyone walking along the Torrens could hear croaking all the time. Now there is not a sound. Even the water fowl, the ducks and the black swans are not happy in their present environment.

We have a responsibility to support the Bill. Let us forget about the politics and the rubbish and get on with it. Let us all make a contribution. I shall not begrudge probably paying a little more than most people; that does not worry me. If in the end we get the result that we want, that is the important thing. I wholeheartedly support the Bill.

Mr SCALZI (Hartley): I support the Bill, which as other members have said is a very important measure. It provides the first formal controls to enable water resources to be managed on a catchment-wide basis. In other words, it acknowledges that water catchment areas and the surroundings of our waterways, namely, the Torrens River, the Patawalonga and the creeks, are resources that we all enjoy. This sort of legislation, which has a holistic approach to the problem, has been long overdue. I commend the Minister for taking this action. I know that a lot of time and thought have been put into it and that there has been wide consultation.

This matter has come from talk to action. No doubt in the past many people have talked about the need for this type of legislation, but it is through this Government, and this present Minister, that this legislation has resulted.

As I said, the Bill is long overdue, and I commend the Minister for now introducing it. For any community, State or nation to improve its environment there must be not only wide community consultation and involvement in the plan but also the plan must ensure that there is wide community acceptance of the responsibilities involved so that the plan will succeed. That principle is very important and this Bill embraces that principle. Resolution of a problem involves consultation, participation, contribution and acceptance of responsibility. There is no doubt that when one looks at the Bill that is what has taken place.

Responsibility has to occur before there is any success. There has been wide community consultation, and previous speakers have already mentioned the various organisations involved. There is no doubt that local government bodies, State Government, local bodies, environmental groups and educational bodies have all played a part in formulating this Bill. Involvement in discussions and taking responsibility are important. Those few critics complaining about the levy that must be introduced to ensure the success of the measure are sadly mistaken because, for any environment plan to succeed, there must be a realisation that there is a cost—an opportunity cost—involved. A cost benefit analysis must be done.

We will not see any improvement unless someone is prepared to pay for it. Once the plan is realised, people will see the results of the changes. In other words, the rewards will be worth the little amount of money required. For example, a house valued at $150 000 will carry a levy of $17 dollars a year, and the resident will see the benefits of that $17. That is very important. One of the biggest causes of pollution in the Torrens River and the Patawalonga Lake is the 80 per cent of decaying grass, leaves and lawn clippings freely entering those waterways.

I have a different image of the Torrens River: when I came to Australia in 1960 I remember going to Marden, and the aesthetics of the area then were a lot worse than today, but I acknowledge that there is a hidden problem. Our increasing population and, as the member for Colton clearly outlined, car parts and rubber all contribute to the problems concerning the Torrens River, and the Government has recognised that. The problems are not just aesthetic but relate to the run-offs and spillage entering the waterways; we must have a comprehensive and holistic approach to deal with the problems, and this Bill provides that approach.

As a school teacher I would get annoyed when students came to me and said, ‘Mr Scalzi, they should do something about it.’ I would say, ‘Who is "they"’? The students would say, ‘They should do something about it. We have a problem at school and they should do something about it.’ But, unless you realise that ‘they’ is ‘us’, no problem will ever be solved. I used to say to my students, ‘If you think they should do something about it, why don’t you join the SRC (Student Representative Council), and put across your views?’ That also applied to SAIT. Teachers would not be too happy with SAIT and I would say, ‘Well, get involved. Go to the State convention and do something about it.’ And that is what I did. It is that philosophy, I suppose, that brings me here.

I kept telling other people that they should do something and so they elected me to do something. I am honoured to be part of a Government that is honouring that responsibility. So when people say, ‘They should do something about it’, ‘they’ is the Government and it is doing something about it. It is good to see that after all those years of talk between the different bodies and levels of government we finally have a plan that is in tune with the philosophy of this Government: we must have development but it must be responsible development; it must be development carried out in an environmentally suitable way so that not only will we have gross domestic product but we will have gross social product for all South Australians to enjoy.

Mr Clarke interjecting:

Mr SCALZI: Yes, I have congratulated the Minister. It is nice to see that the Deputy Leader also congratulates the Minister on the Bill. Obviously, he interjects to show us that he cannot wait to congratulate the Minister. I welcome that interjection, as I am sure the Minister does also. I am pleased to report that the major councils of Campbelltown and Payneham in the electorate of Hartley are very much in support of this project. Payneham council, of course, has much of the river as its boundary, as does Campbelltown council. The Payneham council has participated in Clean Up Australia Day for the past four years, and it has noted that the amount of rubbish has gradually decreased over the years. As I said, we must look at not only the aesthetic problem but also the run-offs, and so on.

Councils are doing something about it. When I attended the clean-up day I was pleased to see the beautification of Linear Park along the Torrens; it is something to be proud of. Of course, other developments, such as the O-Bahn busway, which was instigated by the former Tonkin Government, are now falling into place. We look forward to the time when we can all enjoy the Torrens River and, as the member for Colton said, not only catch yabbies but also fish. We must start somewhere, and the plans are in place.

The Payneham council is also involved in education programs dealing with the problems of the Torrens River area, having installed trash racks, and so on, and the council must be commended for that. Similarly, the Fourth Creek development and the flood mitigation works will help to create a natural grass-lined channel along the majority of the river’s length through the city of Campbelltown. Grass pollutants into the Torrens River have been reduced due to council ownership of the creek, restrictions on the dumping of rubbish in the channel and the natural filtration of storm-water. Natural filtration occurs along the majority of creek beds and grass pollutant trash racks have been installed at the entrance to major drains under Montacute Road, together with regular removal of rubbish build-up at all culverts and bridges.

Also, similar programs to Third Creek have taken place, as well as the development of the drainage system at Athelstone. So, a lot has happened in the past 10 years. Communities generally have become more responsible; they are owning the problem; and already they are enjoying the benefits of the beautification programs in the area. Together with other initiatives that this Government has taken, this Bill will ensure that we have an overall plan. There are clear parameters, there is a plan to have the programs funded in a responsible way, the people own it and I believe that it is one of the most important initiatives that this Government has taken in relation to providing a better environment not only for the present inhabitants of South Australia—particularly those in my electorate of Hartley, Campbelltown and Payneham—but also for the benefit of all future South Australians. I commend the Bill to the House.

Mr BRINDAL (Unley): I heard the Deputy Leader of the Opposition suggest that any contribution that I make would be heaping false flattery on the Minister. I begin by assuring the Deputy Leader of the Opposition that nothing could be further from the truth. I place very clearly on the record what a proud history the Liberal Party, both in government and in opposition, has on this matter. The Minister at the table will well remember that we went to the 1989 election with the absolutely clear promise—ahead of the Labor Party at the time, I can honestly say—to stop effluent discharging into the gulf, and to do other things to clean up Gulf St Vincent.

I would remind all members that, prior to settlement, the Adelaide Plains, from the Patawalonga in the south, to Thebarton in the east and virtually to Port Adelaide in the west, was a natural swampland. With all the vegetation, the rainfall that fell on the Adelaide Plains and on the Mount Lofty Ranges would percolate down into a natural swamp and would take something like 12 months slowly to leach its way to sea. In contrast to that, we have seen through a succession of Governments—both Labor and Liberal—a situation where megalitres of water fall on our roofs, wash out into the streets, down the roads into the stormwater system and reach Gulf St Vincent in less than 20 minutes. The Minister will correct me if I am wrong, but I am told that it takes something like half an hour for a drop of rain that falls on Mount Lofty to be discharged into the sea.

When you have the situation, as occurs adjacent to the Adelaide Plains, of a gulf that is, in effect, a closed tube open only at one end discharging massive amounts of freshwater into it at any given time, it can cause untold environmental damage. On many occasions I have heard the Minister expound on the fact that the damage to seagrasses is at least in part caused by the daily discharge of effluent and grey water, which is nutrient rich, into the gulf, but it also may be caused by the massive out-rushes of freshwater.

If you have a sea concentration and you put enough freshwater into it, you reduce it from the salinity of natural sea water to a brackish salinity and, as members who go fishing will know, fish that feed, live and have as their habitat brackish waters are different to those fish which live in the oceans. That is the first problem, and it is a problem that we addressed during the 1989 election campaign when the Minister was the shadow spokesperson. I can remember, as I hope the Minister does, that when I came into the House one of the first speeches I made was on the Sturt Creek, which was in my former electorate, and I remember making a number of speeches in private member's business about the untapped resource that Sturt Creek was as a linear park.

I commend the Tonkin Liberal Government for establishing the Torrens River Linear Park, and I commend a succession of Labor Governments which saw it through to a conclusion. However, my personal opinion based on living in the area is that the proper use of Sturt Creek as a linear park, linking as it does the fairly spectacular Sturt Gorge with the major tourist attraction of Glenelg and taking into account the terrain that it traverses and the distance between the two centres, could be more of a tourist attraction than even the Torrens River Linear Park. The centrepiece of that linear park, as I have told the House before, could well be the very historic original farm house at Lafeter's Triangle. Because of his love of South Australian history, the Minister would be aware that the dove coop there was designed by the same architect who designed Edmund Wright House, so it is a building of architectural and historic significance, and it is one of the few places on the Adelaide Plains where you can stand in the orchard and see a vision of Adelaide, the Adelaide Plains and that area as it was, as the market garden for the city of Adelaide.

So I would say to the Deputy Leader that he is off his tree if he thinks members of this Government are standing up and heaping praise on a Government that has just thought of a strategy. This is a natural progression of strategies which this Minister has developed over many years and, in fact, it is an essential part of our pre-election promises, because the Minister knows that one of our pre-election promises was that, wherever possible, we would turn the watercourses of Adelaide into a second generation parkland and make them linear parks for the people of South Australia, not only for the betterment of our community but also for the betterment of Adelaide's physical environment. On that subject, I am no longer the member for Hayward; I am now the member for Unley.

Mr Clarke: More's the pity.

Mr BRINDAL: In his normal churlish fashion, the Deputy Leader says, 'More's the pity.' I will ensure that those comments are circulated in Unley, as the people in that area seem to have a quite decisive opinion on that, and it is not concurrent with that expressed by the Deputy Leader. Nevertheless, through the electorate of Unley runs part of the creek system that eventually feeds into the Patawalonga. I know the Speaker has a good friend who lives in the vicinity of Parkside, and I was very shocked to learn that Parkside floods quite regularly. It being such an old district, they have never put in stormwater drains: they built culverts to contain what were then the creeks, and they worked until more residential space was established upstream and the run-off increased. Now, every time it rains to any significant degree, half of the houses in Parkside seem to flood, and the Minister will recognise this as a problem.

The creeks then meander their way into the South Parklands, come out in about the vicinity of the Wayville Show Grounds and cause a problem in the vicinity between the Wayville Show Grounds and King William Road with substantial blocks of flats which again flood on a regular basis because our stormwater system basically is inadequate to cope with the volume of water. It was a problem in Hayward because we could do something to improve the physical environment; it is a problem in Unley because it is doing something that basically is not good for people who own real estate and property. I would therefore commend the Minister on a most exciting initiative, which asks people—

Mr Clarke interjecting:

Mr BRINDAL: The Deputy Leader says that that is not much by way of glowing praise. He is of course a member of a Party that trades in hyperbole, overstatement and gilding the lily. Never was there a Party—

Mr Brokenshire: Where was the Deputy Leader last week?

Mr BRINDAL: The member for Mawson makes a valuable comment, as he normally does. I suggest that he might have been indulging in hyperbole. The more hyperbole in which he could indulge last week, the better. Anything to push the bus across the line. I heard that two planes were cancelled the other night; I wonder why? It would not have been to keep the noise down and to perhaps push the bus across the line—but that is not the subject of this debate. I commend the Minister. I know that at one stage the Minister looked at a proposition from the City of Burnside, which wanted to pond part of the creek system on the land currently owned by Glenside Hospital. That proposition was rejected

by the Government and I personally believe that decision was right, because I do not think it was cost effective. However, I point out to the Minister (if he is not aware of it) that there is a problem of flow with that creek as it crosses the junction between Fullarton Road and Greenhill Road. Something needs to happen to the pipe system through there, because there can be a bank up of water and natural flooding at that corner.

As part of this scheme I hope the Minister will encourage his catchment authorities to consider the potential of the South Parklands as perhaps an under utilised segment of our parklands but nevertheless as a segment which has huge potential from the point of view of good water management to the Patawalonga area. I suggest to the Minister that, if that creek system were channelled into the parklands and harnessed in a series of ponds, they could be used for beautification and recreation purposes. The ponding thus achieved could also be used for watering purposes within the parklands and hopefully, because I am told that there is an aquifer beneath, it could contribute to aquifer regeneration as well.

If as well as that the ponds were used to control the flow further down the Patawalonga, what would be achieved would be less or no flooding to the area I mentioned as being a problem. If it were properly managed it could create a reservoir by which upstream flushing—the release of that water from upstream down the creek at regular intervals—could achieve a flushing through the reaches of the Patawalonga other than the tidal flushing that currently occurs.

I commend to the House an idea that was suggested to me by a number of councils in my area. Good use of the South Parklands would increase the amenity and beauty of the South Parklands and would allow a valuable resource—stormwater—to be better utilised for the purposes of irrigation, aquifer retention and flushing of the creek. The good side effect would be less flooding for people who live in Unley. If the Minister thinks I am being a little biased, I freely admit it. If we can improve South Australia and the lot of my electors in the process, I make no apology for that whatever. I will not detain the House any longer. Despite the churlishness of the Deputy Leader of the Opposition, I commend the Minister. This Minister's *bona fides* in terms of the environment have never been doubted. I suspect that is why the member for Ross Smith becomes so churlish and acidic when it comes to this Minister.

Traditionally, the green and environmental groups have not seen us as the environmentally friendly Party but, as a result of the work that this Minister did when he was shadow Minister, I well remember a very notable conservationist saying, 'Well, the other lot (meaning the Labor Party) always say the right thing, but one thing we know about you people is that you give us your word, and as we convince you of our case we know that you really believe it, and we know that you will stick to that line and be honest in your dealings with us.' They did not seem to feel that they could rely on the previous Government for honesty. They could always rely on the previous Government for the right words but never for honesty. There is a change in this House, and it is not just a change of sides: there is a change of Minister. We have an honest, decent Minister with environmental credibility. Therefore, let the member for Ross Smith bury his head in his book, and let him chat away to his colleague. He will get nowhere in this debate because he is on quicksand. I commend the Bill to the House.

The Hon. D.C. WOTTON (Minister for the Environment and Natural Resources): First, I thank all who have participated in the debate this afternoon and this evening. I thank the Deputy Leader for his support—I think it was support—of the legislation. The Deputy Leader has referred to some matters that are of concern to certain sections of the community in Henley and Grange. It is not my intention to use this opportunity in debate on this Bill to refer to a number of the matters that the Deputy Leader has brought to the notice of the House, other than to say that I am aware of the options that have been put forward by this Government for consideration. A considerable amount of consultation has taken place. I am aware that the local member for the area and the Minister attended a public meeting in the area very recently, and a number of concerns were expressed at that time.

I hope that the main purpose of this debate will be to look at how we can positively clean up the waterways in this State. I was pleased to hear of the positive approach taken by the Deputy Leader in regard to the cleaning up of our waterways, particularly the Patawalonga and the Torrens. He referred to the importance of community consultation. In discussions he had with the Local Government Association he was made aware that it had a number of matters that it wanted brought into this debate, and it made the Deputy Leader aware of a number of amendments. I am sure that as we move through the Committee stage the Deputy Leader will recognise that the need for the amendments that have been raised by the Local Government Association will be addressed.

The Deputy Leader also referred to the amount of consultation that has taken place. There has been an enormous amount of consultation on this legislation, particularly in recent weeks. Members would be aware that the Bill was brought into the House and laid on the table for some three weeks, and that has provided an opportunity for local government, community organisations and members to consult further on this Bill. The Deputy Leader referred to the size of the levy and how the levy might be struck, as has been mentioned by other members in this debate. I am certainly not in a position to say exactly what the levy will entail or what size or what percentage the levy will be. The Government anticipates that it will be between 0.01 per cent and 0.02 per cent of the capital value of ratepayers' property.

As was explained by the member for Coles, that would mean that a typical $100 000 house would have to pay a $10 levy per year. I do not believe that that is outrageous in any way and I believe that, with the preparedness that has already been shown in the community for participation in cleaning up the environment, that would be acceptable. That would mean that, if households were prepared to pay $10 a year, that could result in approximately $2 million per year being made available to clean up those individual catchments. It really means that it will provide the opportunity for individual council areas to have ownership of the catchment of which they are part. Of course, the total amount of the levy will not be swallowed up in general revenue. None of that money will go to general revenue: it will go straight back into the catchment. That is what makes this legislation so acceptable, because it means that every cent earned through the levy will be spent in the catchment. I appreciate the support that has been brought to this debate for this legislation by the Opposition.

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

The Hon. D.C. WOTTON: I do not want to take up much time of the House in replying to those members who contributed to the debate, because we need to get into the Committee stage. Again, I thank those members who participated. I have referred to the Deputy Leader's contribution and I would now refer to the contributions of some of my colleagues from this side of the House.

The member for Peake referred to the time taken to get things started in cleaning up the waterways of this State. I can recall vividly one of the first things that I did on coming to office, which was to meet with all of the councils that made up the Patawalonga catchment. We used that opportunity to explain clearly the priority that we were giving to the clean up of waterways in South Australia, particularly the Patawalonga, and that was well over 12 months ago. Because the member for Peake referred to it, at this stage I would commend all of the councils in the catchment areas of both the Patawalonga and Torrens because they have put much effort into trying to overcome many of the problems dealing with future management of those waterways. They are to be commended for the enthusiasm that they have shown.

As has been said by a number of members on this side of the House, there is no doubt that this legislation will assist those councils to look at the cleaning up of the waterways under a total catchment management program. That is what we are particularly keen to achieve. The member for Peake also referred to the success of the night flushing of the Patawalonga, which came about after much consultation with Glenelg council. The night flushing is a vast improvement on what we saw before. He also asked a question about the use of copper sulphate in dealing with algae. I have not been able to follow that matter through, but I shall be pleased to do so and I will have some further advice for the member for Peake at a later stage.

He also referred to the magnificent work carried out on the Torrens River Linear Park, and I must commend a former colleague of mine, the then Minister for Water Resources in the Tonkin Government, the Hon. Peter Arnold, because it was the Hon. Peter Arnold's initiative that saw that project being carried through. Linear Park is now a great asset to South Australia and the Hon. Peter Arnold, as the then Minister, is to be commended on that initiative. The member for Hanson referred to the need to consider the positive use of stormwater rather than seeing it as a management problem. Given the scarcity of water, particularly in this State, that is something we should all be working towards.

In her contribution the member for Coles referred to the need for ownership and pride in catchment areas, and that is what the legislation is based on, as the member for Coles said. It is important that each of these catchments recognises the opportunity that it has to work towards improvement in the individual catchment. When we were looking at the different ways we could strike a levy and who should pay, we originally considered looking at a flat rate to be paid by all ratepayers across the metropolitan area. Then we would have had a situation where, say, people in Tea Tree Gully would be paying for the clean up of the Patawalonga, etc. We recognised that that would not be as effective as looking at ownership of individual catchments, and that is one of the virtues of this legislation.

The member for Coles also referred to the priority that this Government has in cleaning up both of the catchments in the Torrens and Patawalonga and we have made that quite clear since coming to office in December 1993. The member for Coles referred to the debate that has taken place about the form of the levy and concluded by indicating that she hoped that it would not be too long before we would see fish and frogs in the river. I concur. If we do have people fishing in the Torrens River and frogs appearing in the Patawalonga, it will go a long way towards showing that we have been able to clean up those waterways.

The member for Elder referred to the process adopted in consultation and the time taken to get off the ground with these initiatives in cleaning up the waterways. He referred particularly to some of the problems that he recognises in his own electorate with the chemicals that come from industrial complexes in Elder and his desire to see a number of these matters cleaned up. The member for Elder referred to the neglect of our waterways over a long time. That neglect has been evident over a number of decades in this State.

The member for Mitchell referred to the composition of the board. He indicated that one of the provisions in the Bill provides clearly that there are to be equal numbers of both State and local government representatives. That has been something of a controversial issue, but local government now realises that the State Government means business: it does want to be involved equally and we believe that it is important that that should happen. The member for Mitchell wanted to be more specific in ensuring, for example, that on each board there was a mayor, perhaps a CEO of a council or a planning officer, etc. Local government has made clear during our consultations that it wanted the right to say who should represent local government on these boards, whether they should be elected members or council officers. We have agreed that that should be the case.

The member for Mitchell referred to the process in regard to decision making. He indicated that he hoped to see work carried out in the Sturt Triangle and the establishment of wetlands in that area. As the member for Mitchell would know, I had the opportunity recently to visit that area and look at what was being proposed by some of the residents of the area. He also referred to the need for members of the board to be regular in their attendance and suggested that, if members were absent for more than three meetings, perhaps they should be disqualified. I presume that all members would be aware that it is clear in the legislation that as Minister I, or whoever the Minister is, would have the opportunity of noting the attendance of members and that would be the appropriate time for the Minister to take action if it was believed that a particular board member was not pulling his or her weight in that regard.

He referred to section 19 and made quite clear that there was a need to keep the public informed as a result of the minutes being made public, etc. and also expressed his concerns about some of the provisions within session 62 of the Local Government Act. The member for Mitchell obviously feels very strongly about the need for open government, and that is a matter with which I am sure all members would agree. As far as all members getting copies of minutes is concerned, I would hope that, because of the interest that is being shown in this legislation, members would take it upon themselves to ensure that they obtained those minutes which will be public documents in any case and which would be of interest to all members regarding the progress or otherwise that is being made by those boards. The member for Mitchell suggested that I might look at a number of the points that were raised in his contribution and consider whether it was possible to further consider amendments before the Bill is debated in another place. I am happy to do that.

The member for Kaurna referred to her electorate, particularly to the effect of stormwater on the marine environment and the impact of storm and waste water on the reefs adjacent to her electorate. She made the point that there is an absolute need to work towards ensuring that stormwater and waste water are an asset rather than a management problem. She referred particularly to Christies Creek and to the group of very enthusiastic people who are working to clean up that catchment, and I am aware of the excellent work that those people are doing. She also referred to the new Seaford development and the work that needs to be done there in regard to cleaning up the Onkaparinga. Again, the member for Kaurna referred to the need for a whole of management catchment approach, and that is what this Government is on about. She referred to the importance of consultation and the responsibility of boards to be truly representative of the community.

The member for Mawson referred to matters of particular significance in his electorate and some of the groups that are actively involved in conservation, particularly of waterways in that electorate. He referred to the Friends of the Living Christies Creek, and the McLaren Flat Primary School and the excellent work it is doing. I have had the opportunity to see at first hand some of the work they are doing with gully head erosion control, working with treated effluent, etc. and doing a magnificent job in overcoming some of the significant problems that have been caused to the Aldinga Reef. Again, the honourable member referred to total catchment management and the need to share the responsibilities in these matters between State and local government and the community.

The member for Colton referred to his belief, which many of us share, that far too many people have come to consider that this whole problem of cleaning up the waterways in this State is just too hard, and I agree with that: for far too long we have looked at the Torrens and the Patawalonga and thought, 'Where do we start? It is really too difficult.' He remembers the days when yabbying took place, and I can vividly remember hearing stories from some of my relatives who enjoyed fishing in the Torrens and so on. I hope, and I am sure that all members would hope, that it will not be too long before we are able to throw a rod into the Torrens and the Patawalonga.

The member for Colton referred particularly to the responsibility that the general community must take in cleaning up our waterways. He referred to the need for an education program. As far as the Patawalonga in particular is concerned, an excellent community awareness program and involvement with the local community will come out of the approximately $100 000 funding that will be provided to ensure that appropriate community education can take place. Then, in April of this year, the EPA (Environment Protection Authority) will be releasing TV commercials particularly referring to codes of practice and some excellent initiatives in that regard.

The member for Hartley referred to the need for improving the Torrens River. He noted the aesthetic improvement that has already been achieved through the Linear Park. He referred to the problem that has been with us for far too long, namely, that we have been prepared to leave it to others or suggest that others might be able to clear up and clean up these catchments. This legislation will provide the opportunity for all the community to work with government at the State and local level and, I would hope, at the Federal level, because these new boards will provide a greater opportunity for us to obtain grants from the Federal Government as well as to assist in the work we have to do.

The final speaker, the member for Unley, referred to the waste that over a long time has been seen in water running out to sea, saying that stormwater and waste water have been a management problem rather than an asset to this State. He also referred to some of the Burnside council's initiatives. Members might be aware of the communications between Burnside council and my office in an attempt to establish some of those initiatives.

Finally, before we go into Committee, I would again refer to the consultation that has taken place between the Local Government Association and both the Patawalonga and the Torrens steering committees, and I believe that that consultation has been very positive. The draft management plans will contain a budget which will establish the levy required. As we have pointed out, the levy will be very small—probably between $10 and $20—but through extensive consultative planning procedures there will be the opportunity for the community to have its say on what it is prepared to pay. Much work is already under way, especially in the Patawalonga, but we must recognise that much more needs to be done. We need to treat stormwater as a resource, not a nuisance. The reuse of water for secondary uses, for example, watering ovals and some industrial processes and so on, is a very exciting prospect for this State.

Councils in the catchment will be well represented. Local government has the expertise, and the State Government is now providing the means to harness that expertise. Water quality, particularly in the Patawalonga, is recognised as a national disgrace, with Glenelg having been described as the most polluted beach in Australia. All members of the House realise that the community will no longer tolerate that situation. There is a preparedness to pay a small levy which is explicitly shown on council rates and which will provide dollars; it will not be lost in consolidated revenue but will be spent in the catchment itself, and that is something we would all support.

Catchment management boards will not amass large staffs. The staff resources must be shown in the catchment management plan, which will need to be updated annually, and that will provide the opportunity for the Minister to keep a watch on that matter and for ongoing discussions to be held between the State Government and local government. I commend the legislation to the House as we go into Committee and thank all members for the support they have provided the Government in this important initiative.

Bill read a second time.

In Committee:

Clauses 1 and 2 passed.

Clause 3—'Interpretation.'

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

Page 2, line 4—Leave out 'as defined in the Waterworks Act 1932'.

Page 3, after line 9—Insert definition as follows:

'the waterworks' means the waterworks as defined in the Waterworks Act 1932;.

Page 3, lines 21 to 27—Leave out subclause (3).

The amendments provide a definition of 'the waterworks' and delete the definition of 'contiguous land' merely because that term is not used anywhere in the Bill.

Amendments carried; clause as amended passed.

Clauses 4 and 5 passed.

Clause 6—'Vesting of works, buildings, etc., in board.'

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

Page 4—after line 12—Insert paragraph as follows:
(aa) lakes; or.
Line 13—Leave out ‘, lakes’.

It is recognised that this needs to be separated out. It requires a separate proclamation. My advice suggests it is more appropriate that the Bill be amended in this way.

Amendments carried.

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

Page 4—Line 16—Leave out ‘formerly’.
Line 18—Leave out ‘formerly’.

It has been pointed out that the use of the word ‘formerly’ does not make sense and is confusing. We are talking about things that are vested in the present, under the care and control of councils.

Mr CLARKE: I am not opposing the Minister’s point, but concern was expressed by the Local Government Association with respect to the whole issue of vesting of works and buildings. I am sure the Minister will explain it as he goes through his amendments. Is the Minister aware of the document sent to all State members of Parliament by the LGA dated 6 March 1995? For the purposes of expediting the Committee stage, will the Minister, where the Government will introduce amendments which address those concerns, indicate that; if the concerns are not answered, we will pursue those matters further.

The Hon. D.C. WOTTON: I have seen that document. I am aware of the concern expressed by the Local Government Association and I believe that these and further amendments cover that concern.

Amendments carried.

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

Page 4, lines 22 and 23—Leave out ‘referred to in subsection (1)’ and insert ‘under this section’.

This amendment provides that the Minister must be satisfied that any vesting proclamation under clause 6 is necessary to enable the board to carry out its function.

Amendment carried.

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

Page 4, lines 25 to 32 and page 5, lines 1 to 3—Leave out subclauses (4) and (5) and insert the following subclauses:

(4) Subject to subsection (5), where the use of infrastructure or land is vested in a board under subsection (1) or (2), the care, control and management of the infrastructure or land is also vested in the board and the board is responsible for the maintenance and repair of the infrastructure or the maintenance of the land.

(5) The use of infrastructure or land will be vested exclusively in a board by a proclamation under subsection (1) or (2) unless the proclamation provides for the use to be shared by the board and a council or controlling authority in which case the proclamation must—

(a) specify the respective responsibilities of the board and the council or controlling authority for the care, control and management and the maintenance and repair of the infrastructure or land; and

(b) include any other conditions that are necessary or desirable, in the Minister’s opinion, relating to the shared use of the infrastructure or land.

This amendment will clarify that care, control and management, in other words liability, rests with the catchment management boards. Where use will be shared, the proclamation will need to specify where liability will rest. Again, it is a matter that has been raised with us by the Local Government Association and it is an amendment that we have agreed to introduce to overcome some of the concerns of the Local Government Association.

Mr CLARKE: The Minister said that the amendment addresses some of the concerns that the Local Government Association expressed with respect to clause 6. Are there any concerns of the Local Government Association that the Minister looked at but did not agree to in his amendments?

The Hon. D.C. WOTTON: The Deputy Leader will have the opportunity to check with local government if he has not already done so, but I believe these are the main concerns of the Local Government Association in this regard.

Amendment carried.

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

Page 5, line 4—After ‘that relates to’ insert ‘buildings, structures,’.

This amendment is moved at the request of the Local Government Association. The amendment will have the effect that the use of a building or structure will be vested in a board only with the council’s consent. We are talking about things like machinery and equipment. Again, this is seen to be satisfactory by the Local Government Association.

Amendment carried.

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

Page 5, line 5—After ‘controlling authority if the’ insert ‘buildings, structures’.

This is consequential.

Amendment carried.

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

Page 5, After line 8—insert subclause as follows:
(8) In this section—
‘infrastructure’ means—
(a) lakes; or
(b) embankments, walls, channels or other works; or
(c) buildings or structures; or
(d) pipes, machinery or other equipment.

Again, this is consequential.

Amendment carried; clause as amended passed.

Clauses 7 to 11 passed.

Clause 12—‘Membership of boards.’

Mr CAUDELL: My question relates to the structure and membership of the boards. I appreciate that the Local Government Association has requested that its representatives on the boards should be as set out in the Bill. If there are fewer than four councils, two members should be appointed by councils; if the catchment area covers five councils, there should be three members; and if the catchment area comprises at least 10 councils, there should be four members.

It is of concern that there is no prerequisite associated with the capacity of the people appointed to the boards to handle that position, whereas for nominations put forward by the Minister there are specific requirements. Clause 13(1) provides:

The presiding member must be a person who has managerial skills and experience.

Clause 14(1) provides:

At least one of the persons nominated by the Minister (other than the presiding member) must be a person who has knowledge of, or experience in, catchment water drainage or flood control, preserving or improving water quality. . .

What concerns me in relation to clause 12 is that there are no prerequisites for council members. With regard to the Patawalonga area, which covers 11 councils, I believe that of the four council representatives one should be a Chief Executive Officer, who would obviously have managerial skills; one should be an engineer or planner, that person having experience in catchment water drainage and planning in the area; one should be a mayor or district council

Chairperson, that person again being a responsible person who can make decisions; and the fourth member should be an elected member of council, be it an alderman or councillor. If the four members of councils are elected and have no prerequisites, before a decision could be made on the board the councillors and aldermen, for example, would be required to go back to their councils to seek authority and approval before making a decision. Therefore, the decision-making process would be hampered in that way.

I feel that many councillors, without naming anyone in particular, because they do very good voluntary service, lack the expertise and business acumen that would be required to fill the position. The calibre of some councillors and aldermen leaves a lot to be desired. The Minister will be aware that one particular councillor from Marion rings him on a weekly basis. I am sure that the Minister would not like that councillor on one of his boards. Before this legislation makes its way to another place, will the Minister consider altering the Bill to ensure that council representatives at least have some expertise that would assist the management of the board so that the Government's targets are reached in relation to the clean-up of the Patawalonga and the river systems that flow into it?

The Hon. D.C. WOTTON: I think the member for Mitchell was absent at the time, but when I replied to the second reading debate I indicated that I would be prepared to consider some of the matters that he has raised between now and the Bill's going to another place. Not just the Local Government Association but the councils within the catchments have made it very clear that they demand absolute freedom in their choice of people to represent them on these boards, and the Government has been prepared to accept that situation.

I understand what the member for Mitchell is saying, but I do not know that, by being specific in the legislation that one must be a mayor, a Chief Executive Officer, a planning officer, or whatever, we would necessarily finish up with people who are more appropriate than with the open situation that we have at present. However, I am prepared to consider that matter further and to take it up again with local government. This is a shared responsibility. If it is to work appropriately, it is necessary for us to understand the wishes of local government, and it has made them patently clear in regard to this provision.

Clause passed.

Clauses 13 to 15 passed.

Clause 16—'Conditions of membership.'

Mr CAUDELL: My first question relates to subclause (2), 'The Governor may remove a member from office'. I have had discussions with the Minister about including a clause to the effect that a member may be removed from office for failure to attend three consecutive board meetings without leave of absence being granted. A similar provision in the Local Government Act provides that, if a board member were absent for that period of time, the Governor may remove that person from office.

The Hon. D.C. WOTTON: The regulations that will be introduced—Mr Chairman, can we get rid of that little party in the corner?

The CHAIRMAN: Order! The noise from the conversation at the back is quite audible and the Minister is addressing the member for Mitchell. I draw attention to Standing Order 142 about interrupting the course of debate.

The Hon. D.C. WOTTON: The regulations will require that the rate of attendance by each member be specified in the annual report. I believe that that will provide the Minister with the opportunity to determine whether an individual member is doing the right thing as far as attendance is concerned. As I said earlier, I am prepared to consider the situation between now and the matter's going further in another place, but I would have thought that that requirement under regulation answered the honourable member's concerns. Perhaps I can have further discussions with him and, if necessary, give further consideration to that matter.

Mr CAUDELL: Subclause (3)(d) provides:

> in the case of the presiding member—becomes an employee of the Crown or a member or employee of a council;

I believe that the same rules should apply to a council nominee, because if a council nominee becomes an employee of the Crown a conflict exists in that the person is holding two positions: first, as a servant of the Crown; and, secondly, as a member of the board. Therefore, his or her responsibility is to the Minister. Further, if a council nominee is no longer a member or an employee of the council, I feel that that person would no longer have any interest in serving that council and, as a result, the position should become vacant.

The Hon. D.C. WOTTON: Local government has made it quite clear to us that if it has representation on these boards the people need to be appropriate representatives. I understand what the honourable member is saying and, as I have already explained to him, I am quite happy to give further consideration to that, but I believe that there would need to be further discussions with local government before I accepted such a proposal. I understand what the member is saying, and I am prepared to give that further consideration.

Clause passed.

Clauses 17 and 18 passed.

Clause 19—'Meetings to be held in public subject to certain exceptions.'

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

> Page 9, after line 14—Insert subclauses as follows:
>
> (1a) A board must, by notice in a newspaper circulating generally throughout the State, give at least three days notice of its intention to hold a meeting that will be open to the public.
>
> (1b) The notice must state the time and place at which the meeting will be held.

This amendment is self-explanatory. It refers to advertising, and I believe it is totally appropriate. I commend the amendment to the Committee.

Amendment carried.

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

> Page 9, line 17—Leave out 'or other professional'.

This is a substantial amendment, ensuring that part of the meeting will be closed only for the board to consider industrial or personnel issues concerning board staff, the consideration of tenders, legal advice and possible litigation, proposals for acquisition and disposal of land; matters in respect of which the board owes a legal duty of confidentiality. That might mean matters are explicitly disclosed on condition that they will be kept confidential, etc. The honourable member spent some time in his second reading contribution referring to the need for open Government. He expressed his concerns about provisions under the current Local Government Act relating to this matter. I believe that this amendment improves the situation considerably from what was in the Bill that was introduced into the House. We have, again, had quite a considerable amount of consultation in this matter and the current amendment is appropriate in its present form.

Mr CAUDELL: I appreciate that, in certain instances, matters of a legal nature should be kept private, but I have a concern in relation to an ongoing situation in local government, and I am frightened that the same will occur in relation to the board. Will the Minister consider including in his amendments to clause 19 that the minutes of the agenda items from which the public are excluded are to be included in the minutes as per clause 20, or something along those lines? My concern is that, if the minutes of those meetings are anything like the minutes supplied by local government, they are likely to consist of one or two lines dealing with an issue.

Those minutes do not go into great detail. I believe that there is a need for those issues that are kept private to be recorded for people to read, because we will have the ridiculous situation of the Minister's becoming aware of the issues that are kept private only if he requests copies of the meeting, as per clause 22(2). We will have the situation in which every council member within the catchment area will be aware of issues that transpired in private before the Minister and local members know. I can assure the Committee that no harm would come to the board if the minute showed that it had obtained a legal opinion associated with the purchase of land, or that it had obtained a legal opinion associated with a litigation issue and decided to continue with that litigation. I appreciate that there are a number of alterations to clause 19, but will the Minister consider, after the agenda item has been discussed in private, that the item be included in the minutes?

The CHAIRMAN: The honourable member was not speaking strictly to the amendment before the Chair. I will put the amendment.

Amendment carried.

The Hon. D.C. WOTTON: I am not 100 per cent certain of the main concerns of the member for Mitchell. Subclause (5) provides:

> Where an order is made under subsection (2), a note must be made in the minutes of the making of the order and of the grounds on which it was made.

That has to happen in any case, and I am not quite sure what else the honourable member requires.

Mr Foley: It's very clear to us.

The Hon. D.C. WOTTON: You get up and explain it.

Mr CAUDELL: I was referring to the fact that, because an issue is dealt with *in camera* and it is recorded in the minutes, those minutes are not available to the general public and, at this stage, they are not even available to the local member of Parliament. The minutes are available to the Minister as per clause 20(2), but only on request. The issues which are dealt with *in camera* and from which the public are excluded should be provided to the public as well.

The Hon. D.C. WOTTON: I am perfectly happy to consider that issue, but again I refer the honourable member to clause 20(1), which provides:

> A board must provide the Minister and each constituent council with a copy of the agenda for, and the minutes of, each meeting, or the part of each meeting, of the board that is open to members of the public.

I have referred already to the fact that, where an order is made under subclause 2, a note must be made in the minutes of the making of the order and the grounds on which it is made. I will certainly consider the point that the honourable member has raised. There has been a lot of consultation in regard to this matter. I believe that we have achieved much more than originally was hoped in regard to this issue. As I have said, I understand what the honourable member is attempting to achieve in ensuring that as much information as possible is open to the community, and I am quite happy to re-assess that situation.

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

Page 9, lines 21 and 22—Leave out paragraph (d).

Amendment carried.

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

Page 9, line 25—Leave out paragraph (g) and insert paragraph as follows:

(g) information relating to the health of any member or employee of the board;

This amendment relates to the same issue.

Amendment carried.

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

Page 9, after line 30—Insert subclause as follows:

(2a) Where the matters to be considered at a meeting of a board include matters referred to in subsection (2) but include other matters as well, the board can only order the exclusion of the public during that part or those parts of the meeting when a matter referred to in subsection (2) is being considered.

Again, this amendment is consequential.

Amendment carried; clause as amended passed.

Clause 20—'Agenda and minutes of meeting to be provided to Minister and councils.'

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

Page 10, after line 9—Insert subclauses as follows:

(1a) An agenda must be provided under subsection (1) at least three days before the meeting to which it relates is held.

(1b) A board must make available without charge to members of the public copies of the agenda for, and the minutes of, each meeting, or the part of each meeting, of the board that is open to members of the public.

I believe that this amendment is self explanatory. The amendment requires an agenda to be provided three clear days before a meeting, and it requires the board to allow free public access to the minutes of the meeting.

Amendment carried.

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

Page 10, lines 13 and 14—Leave out subclause (3).

Amendment carried.

Mr CAUDELL: In relation to clause 20(1), would the Minister consider inserting the words 'local member of Parliament' after the word 'Minister' so that, in relation to a board, a local member of Parliament also receives copies of agendas and minutes for the catchment authority.

The Hon. D.C. WOTTON: I am prepared to look at the amendment before the Bill is considered in the other place.

Clause as amended passed.

Clauses 21 and 22 passed.

Clause 23—'Conflict of interest.'

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

Page 12—

Line 19—Insert 'or a controlling authority' after 'constituent council'.

Line 20—Insert 'or controlling authority' after 'the council'.

Line 22—Insert 'or authority' after 'the council'.

They are consequential drafting amendments to ensure that there is no conflict of interest by reason only that the member is also a member of a council or a controlling authority.

Amendments carried.

Mr CAUDELL: I notice that the Bill does not include anything in relation to the members of the board disclosing full details of personal and pecuniary interests to the board

within a specified period after their appointment, and there is no requirement for the pecuniary interests and personal interests of all members of the board to be kept in the custody of the presiding member of the board. Would the Minister consider inserting a further provision in clause 23 to require all members of the board to make a full disclosure of personal and pecuniary interests to the board and that those declarations of interests be held by the presiding member of the board?

The Hon. D.C. WOTTON: I am prepared to give that consideration.

Clause as amended passed.

Clause 24 passed.

Clause 25—'Functions of boards.'

Mrs HALL: Could the Minister inform the Committee what role, if any, he sees for the board in terms of community awareness programs and education programs, given the significant changes that are involved and the number of residents who will be experiencing new activities within the catchment areas?

The Hon. D.C. WOTTON: As we have said so often in this place, community education is a significant part of ensuring that we have the community on side in the responsibility that we all have regarding the cleaning up of our waterways. Certainly, as far as the Patawalonga is concerned, a significant sum of money in the vicinity of $100 000 has been set aside as part of a community education program, and that will be a community awareness education program and a program that will also involve the community. As well as that, in April this year the Environment Protection Authority will release some specific television commercials dealing with the code of practice which will also assist in this community awareness program.

I am sure that the member for Coles and other members would also be aware that organisations like KESAB do a fantastic job in making people aware of their responsibility. It was only recently that I had the opportunity to launch a couple of those campaigns where videos were made available as community service advertisements. They related to things like ensuring that we do not throw our green waste into catchments, that we are more careful about where we wash our vehicles and that we ensure that oil, etc. does not find its way into the waterways. A huge package has been looked at. I was fortunate to be asked to launch the Year of the Torrens recently, and I know that the member for Coles was at that launch. Again, the Torrens Steering Committee and the people who have been working towards that program are to be commended, because that is all part of making the community more aware of our responsibilities. To answer the honourable member's specific question, I place significant import on the need for community awareness and for such educational programs.

Mr CLARKE: I find myself also having to be the guardian of the residents of the City of Burnside on this side of the Committee. The leafy suburb of Burnside is part of a marginal Liberal seat in which we represent small retailers, workers and small businesses generally. The City of Burnside has written to the Opposition. I raise with the Minister one of its questions dealing with the role and function of the water catchment boards. The council complains that the role and functions should be far more specific and clearly defined. It contends that the catchment boards must have several broad charters.

I will not read them all out but, by way of example, they include: to set policy standards, codes of practice and guidelines for total catchment management practices; responsibility for community education; have the ability to require all councils within the catchment to meet common standards for the quantity and quality of discharge from their local network and the main trunk drains; and failure by councils to meet board requirements should result in penalty or intervention by the board. This would leave local issues the responsibility of the local authority for work such as maintenance and clearing of the local system, addressing complaints from residents regarding localised flooding, and being able to respond quickly—that is, daily—to local drainage issues as simple as water entering a driveway.

The Hon. D.C. WOTTON: I am aware of the communication that has been forwarded. I have received representation personally from the Burnside council. I am aware also because of the interest that the Deputy Leader has in the electorate of Burnside; I am not quite sure why or how. I am aware of the representation that has been made, particularly to the Premier, in respect of the role and function of the boards under 'general issues'. I believe that the roles and functions are more adequately drafted in the legislation than those that have been suggested by the Burnside council in its correspondence. More importantly, it does not preclude the Burnside suggestions being given consideration. Because there has been a lot of consultation with local government regarding the roles and responsibilities of local government in this matter, I suggest strongly that the Bill in its present form is much more specific about the roles and responsibilities than that suggested by Burnside council.

Clause passed.

Clause 26 passed.

Clause 27—'Sale of water by board.'

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

Page 14, lines 6 and 7—Leave out these lines and insert—

27(1) A board that has as one of its functions the holding of water or the diversion of water to an underground aquifer so that the water may be used for primary production or for industrial, commercial, domestic, recreational or other purposes may sell the water for any of those purposes in the following circumstances:.

This is merely a consequential drafting amendment. It tightens up the water a board may sell. A board may sell only that water which is specified in its plan that it wants to hold on to in order to sell. Again, it is a matter that has come about as a result of much consultation with local government.

Amendment carried.

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

Page 14, line 8—Leave out 'is'.

Amendment carried; clause as amended passed.

Clause 28 passed.

Clause 29—'Board's responsibility for infrastructure.'

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

Page 15, line 2—Leave out 'the embankments, walls, channels, lakes or other works' and insert 'the lakes, the embankments, walls, channels or other works'.

This is consequential on previous amendments.

Amendment carried; clause as amended passed.

Clause 30—'Entry and occupation of land.'

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

Page 15, after line 24—Insert subclauses as follows:

(7) A person may use force to enter land under this section—

(a) on the authority of a warrant issued by a justice; or

(b) if the person believes, on reasonable grounds, that the circumstances require immediate entry of the land.

(8) A justice must not issue a warrant under subsection (7) unless satisfied, on information given on oath, that the warrant is reasonably required in the circumstances.

(9) A person who has entered land under this section and 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,

while on the land is guilty of an offence.,

Penalty: Division 6 fine.

This makes it possible wherever necessary for authorities to enter land if there are some restrictions on them doing so as long as the authority of a warrant has been issued by a justice. In other words, it enables the board to be able to carry out its responsibility. Clause 9 is the amendment that has become affectionately known as the 'Gunn' amendment. It deals with a person who has entered land under this provision, and it refers to offensive language and without lawful authority.

Mr CLARKE: The Minister will appreciate that the Opposition received these amendments only this afternoon. I am reading them as we go, so there may be further questions from the Opposition when the Bill goes to another place. Is it normal procedure that a warrant is issued by a justice of the peace as opposed to a magistrate? I am a justice of the peace and, according to this provision, I can sit in my electoral office and issue a warrant to allow someone to take a sledgehammer, bash down a door and forcibly enter premises. I would have thought that the issuing of a warrant to allow Government authorities to forcibly break down doors, cut chains or whatever else to enter a person's property would be dealt with by at least a magistrate or a district court judge.

I understand why the amendment has been moved, but my concern relates to an authority issued by a justice. I assume the member for Eyre had something to do with the Gunn amendment. It seems to cover the situation where a person forcibly enters land and uses offensive language to any other person without lawful authority: that person is guilty of an offence. I guess the courts decide every day what is offensive language, but is offensive language directed or provoked by the person they are confronting a ground for defence? I am not sure. Will the Minister further explain the Gunn amendment and will he clarify the issuing of a warrant by a justice?

The Hon. D.C. WOTTON: As to the second point raised by the Deputy Leader, it would be a matter for the courts to decide. As to justices, this refers to a magistrate under the Justices Act, so we are talking about magistrates.

Amendment carried; clause as amended passed.

Clause 31—'By-laws.'

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

Page 15, lines 26 to 33—Leave out clause 31 and insert clause as follows:

31. (1) Subject to subsection (2), a board may make any by-laws that can be made by a constituent council or a controlling authority in relation to water or infrastructure.

(2) A board can only make by-laws under subsection (1) that apply exclusively to, or in relation to, water that is under the control of the board or infrastructure that is under the care, control and management of the board.

(3) A council or controlling authority cannot make by-laws that apply to, or in relation to, water that is under the control of a board or infrastructure that is under the care, control and management of a board but a by-law that applied to water immediately before it came under a board's control or infrastructure immediately before it came under a board's care, control and management will continue to apply until the board revokes the by-law as it applies to that water or infrastructure.

(4) Where the care, control and management of infrastructure is shared by a board and a council or controlling authority, the board and not the council or controlling authority may make by-laws in relation to the infrastructure as though the care, control and management of the infrastructure was vested solely in the board.

(5) Before making a by-law under subsection (1), a board must consult each constituent council in whose area the water or infrastructure to which the by-law will apply is situated.

(6) In this section—

'infrastructure' means a watercourse, channel or lake or works, buildings, structures, pipes, machinery or other equipment.

This is not a new initiative. Many statutory bodies have by-law making powers. The by-laws are controlled by their being tabled in Parliament, like regulations, where they can be disallowed. The Subordinate Legislation Act is involved as well. The board has this power only in respect of things vested in it under clause 6 or built or created by it and the board has this power only to the same extent—no more no less—than the council had while it was under the council's control. The amendment requires a board to consult the council where it intends to make any by-law and, where the care and control is shared between the board and the council, only the board will have the by-law making power.

Amendment carried; clause as amended passed.

Clauses 32 to 35 passed.

Clause 36—'Water recovery rights subject to boards' functions and powers.'

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

Page 16, after line 24—Insert paragraphs as follows:

(d) the right of the Minister for the time being administering the Sewerage Act 1929 to erect dams or reservoirs across and in the bed of the Torrens River;

(e) the right of the Minister for the time being administering the Water Conservation Act 1936—

(i) to erect or maintain buildings in, upon or across any watercourse or lake; or

(ii) to divert, impound or take water from a watercourse or lake; or

(iii) alter the course of a watercourse or widen or deepen a watercourse or lake;

(f) the right of the Minister for the time being administering the Waterworks Act 1932—

(i) to erect buildings upon any watercourse; or

(ii) to divert, impound or take water from a watercourse, lake or spring; or

(iii) to alter the course of a watercourse;.

This clause covers the boards' powers and functions and overrides certain of the rights and powers where they conflict. The clause at present specifies that water recovery rights, both riparian and rights by licence under the Water Resources Act, are subject to the boards' powers. For example, we could talk about diverting a creek or reducing the flow of a river. The amendments are largely consequential to the requirement that the Minister responsible for this Act have the agreement of the Minister responsible for waterworks before approving a plan. In the result, boards will be able to exercise and carry out their functions without being fettered by the EWS where the EWS has consented to the plan. This has come about since the legislation has been introduced. There has been consultation with my colleague the Minister for Infrastructure and the EWS.

Similarly, the Minister responsible for the Sewerage Act will lose his or her power to erect a dam across the Torrens where this would interfere with the boards' care and control

of, for example, the Torrens. The Water Conservation Act is the subject of similar amendments. As we would appreciate, the Act is administered by the EWS but so far as I can determine it has never been used. I commend the amendment to the Committee.

Amendment carried; clause as amended passed.

Clause 37—'Preparation of plans.'

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

Page 17—

Line 7—Leave out 'water' twice occurring and insert, in each case, 'catchment water'.

Line 10—Leave out 'water' and insert 'catchment water'.

Line 12—Leave out 'water' twice occurring and insert, in each case, 'catchment water'.

Mr CLARKE: As the guardian of Burnside residents, I again raise some of their concerns with the Minister. They say that the matters to be considered in the catchment management plan are all encompassing, as they rightly should be: however, many of the requirements should not be board functions but remain local government functions. This refers to clause 37 generally. The board can impose minimum standards for those functions in accordance with the plan. Board functions must be limited to the major channels only, and that refers to subclauses (2)(e) and (3)(b). Burnside residents have a number of significant concerns about this clause. Can the Minister allay their fears?

The Hon. D.C. WOTTON: I have received a copy of the same letter to which the honourable member refers. We have noted what Burnside council has said but we disagree with its views, because we need to limit the boards' functions to this extent. The plans will detail the works and measures to be undertaken and we believe that to be appropriate. It is only in the last day or two that I have received a significant communique from Burnside council and I intend to communicate with it about the points it has raised. It was only yesterday or the day before yesterday that I saw the council's letter and I will be contacting it about a number of the matters raised.

Amendments carried.

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

Page 17, line 18—Leave out all words in this line and insert 'Providing financial or any other form of assistance to constituent councils, persons'.

This amendment improves the wording.

Amendment carried.

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

Page 18, after line 31—Insert subclause as follows:

(7) In this section—

'catchment water' includes any other water mixed with catchment water.

This amendment is consequential.

Amendment carried; clause as amended passed.

Clauses 38 and 39 passed.

Clause 40—'Approval of plan by the Minister.'

The Hon. D.C. WOTTON:

Page 20, lines 15 and 16—Leave out subclause (5) and insert subclause as follows:

(5) If the Minister approves the plan with amendment, he or she must give—

(a) a copy of the plan as amended; or

(b) if the part or parts of the plan that have been amended can be conveniently substituted in the draft plan—a copy of that part or those parts as amended,

to the board and to each constituent council.

This amendment merely indicates that the Minister need not give a copy of the entire plan where he or she has approved it as is. Where he or she approves it with amendments, he or she may provide copies of the pages as amended. It is a matter of attempting to simplify the situation.

Amendment carried; clause as amended passed.

New clause 40A—'Consent of the Minister administering the Waterworks Act 1932.'

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

Page 20, after line 18—Insert new clause as follows:

40A.(1) Subject to subsection (2), if, in the opinion of the Minister, the implementation of a proposed plan would affect the quality or quantity of water flowing into the waterworks, the Minister must not approve th plan without the consent of the Minister for the time being administering the Waterworks Act 1932.

(2) If the Minister and the Minister for the time being administering the Waterworks Act 1932 cannot reach agreement on a plan, the Minister may approve the plan with the consent of the Governor.

This new clause provides that, where a proposed plan affects the quality or quantity of water that would flow into waterworks under the Waterworks Act, the Minister cannot approve the plan without the consent of the Minister administering the Waterworks Act. This provision ensures that the EWS harvesting rights are protected from the activities of a board.

New clause inserted.

Clauses 41 to 43 passed.

Clause 44—'Initial and comprehensive plans.'

Mr CLARKE: Burnside council has some concern about clause 44(2) and I must admit that I have some concerns myself, because the Minister's discretion seems somewhat unfettered. It provides that, if the Minister is of the opinion that the scope of the plan is limited and that no useful purpose will be served by consulting the constituent councils, no consultation is needed. My concern is that the Minister of the day (and I do not presume that this Minister would be so high handed) wanting to ride roughshod over local government could, by exercise of what would seem to be unfettered discretion, simply say, 'I do not think this plan is other than very limited and therefore I do not need to consult with anyone, the local government bodies in particular.' It seems a very broad power to give the Minister of the day, and I can understand why the Burnside council has expressed reservations.

The Hon. D.C. WOTTON: Clause 47 requires us to consult with council before obtaining any funding to enable us to implement the plan. I cannot speak for future Ministers and I understand what the Deputy Leader is saying, but I believe that, as with the provision that is already in the Bill, that safeguard is addressed.

Clause passed.

Clause 45—'Time for implementation of plans.'

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

Page 21, line 31—Insert 'and, in the case of a plan referred to in subsection (3), the consent of the Minister for the time being administering the Waterworks Act 1931' after 'the constituent councils'.

Both amendments require the consent of the Minister for Infrastructure before implementation of a plan that has not been approved. Again, it is a matter that has come about as a result of discussion with the EWS and the Minister for Infrastructure.

Mr CLARKE: Again, I am speaking on behalf of some of the concerned residents of Burnside, but there would be other councils with a similar concern. Clause 45(2) provides

that a draft management plan or amendments to a management plan that have not been approved by the Minister may be implemented by the board with the consent of the Minister and the constituent councils. If the management plan has not been approved by the Minister, how does the board go about implementing it with the consent of the Minister and the constituent councils? Before implementation, I would have thought that all plans would have to be approved by the Minister and that in the ordinary course of events the Minister would consult with the constituent councils.

If I may say so, on first reading of it and at the risk of offending Irish Australians, it sounds a bit Irish. If a management plan has not been approved by the Minister, the board can still implement it by getting the consent of the Minister and the constituent councils. I find it odd, to say the least, that it is expressed in that form. Why not get the approval of the Minister in the first instance?

The Hon. D.C. WOTTON: I should say that I am looking at this communique for the first time, so I am battling with it a little, and that is why it will be necessary for me to take up some of these matters personally with the Burnside council. As I understand it, approval will be given only if there are extraordinary situations where they have run out of time and where everybody agrees that action should be taken. That is not of concern to me as Minister. It might be an unusual way of going about things but, if there is general agreement and if there are extraordinary circumstances, I am prepared to accept it.

Amendment carried.

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

Page 21, after line 31—Insert subclause as follows:

(3) The consent of the Minister for the time being administering the Waterworks Act 1932 is required if, in the opinion of the Minister for the time being administering this Act, implementation of the plan or the amendments would affect the quality or quantity of water flowing into the waterworks.

Amendment carried; clause as amended passed.

Clause 46 passed.

Clause 47—'Contributions.'

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

Page 22, lines 17 to 22—Leave out subclauses (5), (6) and (7) and insert the following subclauses:

(5) The board must submit its estimate of expenditure and the amount of other funds within sufficient time to allow the procedures ending in the Governor's approval to be completed on or before 16 June preceding the financial year in respect of which the amount is to be contributed.

(6) The amount must be determined by the Minister after consultation with the board and the constituent councils and must be submitted to the Governor for approval.

(7) The Minister must determine the rate to be declared by councils under Division 2 to reimburse them for the amount to be paid to the board and must submit the rate to the Governor for approval.

(8) In determining the rate the Minister may, where accounts for the rate cannot be included in the accounts for general rates, allow for the recovery of the costs of a council in imposing and recovering the rate.

(9) The Minister must cause notice of the amount to be contributed by the councils approved by the Governor under subsection (6) and the rate approved by the Governor under subsection (7) to be published in the *Gazette*.

(10) Liability for the amount to be contributed will be shared between the councils in proportion to the Minister's estimate of the amounts to be raised by each council by the imposition of the rate under Division 2.

(11) Where rates are rebated in respect of land under section 193 of the Local Government Act 1934 or where a council grants a rebate in respect of a rate imposed under Division 2 in respect of land under that section, the council may deduct the amount of the rebate from the amount of its contribution under Division 1.

(12) Subsection (11) only applies in respect of a voluntary rebate if the council has granted a similar rebate in respect of general rates in relation to the same land.

This amendment refers to the constituent councils being liable to contribute to the board's costs. That total cost is to be estimated by the board and submitted to councils and the Minister and to be approved by the Governor after the Minister has consulted the appropriate councils. This process is to be undertaken in sufficient time to obtain the Governor's approval by 16 June. That date has been determined to enable the necessary information to be included in the general rate notice. The Minister is then to determine the rate to be declared by councils, which will meet the board's costs. In determining that rate, the Minister may allow for councils' costs in recovering that rate. The Minister will put the rate before the Governor for approval and then gazettal. Where rates are rebated by a council under the Local Government Act, the council may also rebate this catchment levy and deduct the rebate from the amount due to the board, but only where the council also rebates its ordinary rates for that ratepayer.

The necessity for that to happen has been raised with me a number of times. If a council has determined that a particular institution should have a rebate on its rates, we believe that a percentage of that rebate should also relate to the catchment levy. That is an important part of this amendment.

Mr CLARKE: I think that we should call a spade a spade in this matter. It may be called a levy, but it is in fact a new tax. We should not be shy about calling it precisely what it is. It is a new tax, which is in direct contravention of the Premier's promises both prior to and after the election that no new taxes would be imposed on the people of South Australia. This is a tax, whichever way the Government seeks to dress it up and whatever language or verbiage is used to describe it. If money that one would not otherwise be paying is coming out of one's pocket, it is a tax, no matter how it is dressed up. A number of councils have contacted the Opposition, and I use Burnside council as but one example.

The Hon. D.C. Wotton: Are you thinking of changing seats?

Mr CLARKE: The Minister interjects whether I am thinking of changing seats. The growing body of opinion on this issue in the City of Burnside and its inability to get satisfaction from its local member is making it a very tempting proposition. As a result, I am seriously contemplating launching an all-out assault on that seat.

Mr Caudell: How seriously?

Mr CLARKE: Momentarily, I would have thought. I am not suicidal just yet. Nonetheless, as guardians of all citizens of South Australia, the Opposition has a responsibility to raise these issues. The Burnside council believes that to collect the levy in 1995-96—it uses the word 'levy'; we would use the term 'new tax'—would seem impracticable. It also asks that local government-owned land must be included in the list of exempt property. I would appreciate the Minister's views on that. The council is also seeking maximum flexibility in collecting any new tax, including the ability to equalise the tax through the council area where more than one catchment authority is involved, and that it should not be compelled to use the same basis for collecting the tax as was used to apportion costs between councils. There are some difficulties in the Burnside council area

because of the catchment areas. Some properties would be within the council area; others would not. No doubt, there will be a great area of disputation between residents and local government.

I have another question on this new tax, which will be included on the rate form that will go out from council offices. I understand from reading the amendment and from the Minister's explanation that the new tax will be the same as any other council rate and, therefore, if it is not paid—even if it is only that amount that is not paid—the councils will be able to launch all the necessary prosecutions to recover it as if it were a council rate. As there is a differentiation on the notice paper between a rate and a new State Government-imposed tax, that will still allow the council to pursue any unpaid new taxes and make sure that they are collected and payable.

The Hon. D.C. WOTTON: The member has asked about 15 questions. The Government will continue to refer to this as a levy, because that is exactly what it is. I remind the honourable member of a similar debate that I had when the previous Government introduced the environment levy on sewage rates. At that time I suggested that it might have been seen to be a new tax, but the then Government insisted that it was a levy, not a new tax. Therefore, I took into account what the previous Government had to say and from that day referred to it as a levy. As far as I am concerned, this is a levy.

The only land that we are talking about with regard to the levy is rateable land established under the Local Government Act. As I have said three or four times during this Committee stage, I am seeing for the first time the last effort that the Burnside council has made to me, and I am not 100 per cent sure of what it is trying to achieve. This matter has been debated at length with the Local Government Association and that is the determination that has been made.

With regard to the collection of the levy, councils can collect that levy in any way that they would, but I was of the opinion that the opportunity was not there for a fine to be levied if the levy was not paid at a particular time. That may not be accurate. It may be that the same applies as is the case with normal council rates, and that is something that I would like to look at. I know that how the council collects the levy is entirely in the hands of the council.

Mr CAUDELL: In relation to subclause (7) of the amendment the Minister noted that councils would be reimbursed for their costs. Bearing in mind that different councils have different administrations and different levels of administrations, and given the fact that there has been no real investigation of some of those council administrations, will benchmarks be set for reimbursement to councils of their costs associated with the collection of the levy on behalf of the boards?

The Hon. D.C. WOTTON: As far as I am concerned, and in relation to the provisions under the Bill, the Minister will take into account all of those representations before a final amount is determined.

Amendment carried; clause as amended passed.

Clause 48—'Payment of contributions.'

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

Page 22, line 24—Before 'equal' insert 'approximately'.

This amendment means that instead of there being four equal instalments we can now determine that there will be four approximately equal instalments. That, again, has come out of discussions with the Local Government Association.

Amendment carried.

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

Page 22, lines 28 to 32—'Leave out subclause (2) and insert subclause as follows:

(2) If the accounts for the levy declared by a council to pay its contribution for a financial year could not be included in the accounts for general rates for that year because the amount to be contributed by the constituent councils was not approved by the Governor on or before 16 June preceding that year, the council may pay its contribution in approximately equal instalments on 31 December, 31 March and 30 June in that year.

This amendment is in similar vein to the previous amendment.

Mr CLARKE: The Local Government Association was concerned about the payment of interest, but from reading the amendment I take it that that has now been deleted. Therefore, its objection has been met.

The Hon. D.C. WOTTON: The objection has been met.

Amendment carried; clause as amended passed.

Clause 49—'Imposition of levy.'

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

Leave out division 2 and insert division as follows:

DIVISION 2—IMPOSITION OF RATE BY CONSTITUENT COUNCILS

Imposition of rate by constituent councils

49.(1) In order to reimburse themselves for the amount contributed to the board under division 1, the constituent councils, must impose a rate on rateable land in the catchment area of the board.

(2) The councils must impose the rate pursuant to part 10 of the Local Government Act 1934 and that part will apply, subject to this section, as though the rate were a separate rate under that part.

(3) The rate will be based on the capital value of rateable land and must be declared by the councils in an amount determined for that purpose by the Minister under division 1 and approved by the Governor.

(4) An account for the rate sent by a council to a person who is liable to pay the rate must show the amount of the rate separately from any other amount for which that person is liable.

The whole of the previous Division 2 was based on land use formula. Now, as indicated previously, the Government has determined that it is much fairer to look at a percentage of capital value, which means that this particular Division 2, in the form in which the Bill stands at the present time, is now not necessary or appropriate.

Mr CLARKE: The Local Government Association is totally opposed to the notion that unalienated Crown land and any other land used or held by the Crown should be exempt from tax. Does the Government's amendment address that issue? I cannot see it on the face of the amendment, in which case would the Minister care to expand on the Government's position with respect to the LGA's points?

The Hon. D.C. WOTTON: As I said previously, it is only rateable land under the Local Government Act that will be rateable under this levy. Crown land is not rateable. There has been some debate about this and I am aware that the Local Government Association, or representatives of council, have indicated that they would want to be able to have the levy refer to Crown land. The honourable member would be aware that the Government already provides $2.5 million to assist in work that needs to be carried out in this area, and we believe that that is appropriate, rather than being able to levy Crown land.

If we were to remove that $2.5 million and place the levy on Crown land, the Government would probably be better off, but we have determined that is the way it should be. I know

that some councils are not happy about that, but that is a determination that has been made by the Government.

Mr CLARKE: Will the Minister assure the councils that no officer, agent or employee of the Crown using those Crown lands would in any way contribute towards the pollution for which the local government authority would be responsible for collecting, and hence will not be adding to the cost of local government?

The Hon. D.C. WOTTON: I cannot give that assurance, but the Government recognises, as I hope do all people who work with or for the Government, the responsibilities we all have in regard to ensuring that pollution is kept to an absolute minimum.

Mrs HALL: My question relates to the imposition of the levy. As the Minister has overall responsibility for the operation of this legislation—and I am very pleased that that is the case—will he inform the Committee whether there will be any controls on the rate; whether he envisages that it will increase annually; and whether it is likely to be a permanent or temporary environment catchment levy?

The Hon. D.C. WOTTON: The levy will continue as long as there is a requirement for funds to be provided to carry out work to improve the condition of these waterways. I could say that I hope we can remove the levy in a few years, but I am not brave enough to do that. The Premier has indicated that he will be taking a swim in the Torrens River by the year 2000, and I think I was foolish enough to suggest that, if he was prepared to do it, I would too. Perhaps we are hoping that by the year 2000 the water quality will have reached a standard whereby no further work is required. I am being facetious; I am not able to say how long the levy will be required, but we expect the levy to be paid as long as work is required in the water catchments.

Mrs HALL: Will it increase on an annual basis?

The Hon. D.C. WOTTON: Again, I am not in a position to give a firm assurance about that. If we look at the Patawalonga, for example, and the money that has been provided this year as part of the $4 million, because it has taken a while to get the wheels turning there has not been the opportunity for significant expenditure. It may be that there will be a slight increase from year to year, but that will be the responsibility of the board. Under its management plan it will have to determine the works that are required for a particular year and the costs associated with that. However, as the member for Coles has indicated, the Minister has the opportunity to consider that rate before it is put before Cabinet and the Governor in Executive Council. I believe that there are significant safeguards to ensure that that rate does not increase significantly.

Amendment carried; clause as amended passed.

Clauses 50 to 52 negatived.

Clauses 53 to 56 passed.

Clause 57—'Compensation.'

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

Page 27, after line 27—Insert subclauses as follows:

(1a) A claim for compensation under subsection (1) must be made by written notice served on the board—

(a) in the case of compensation under subsection (1)(a)—within six months after loss or damage first occurred;

(b) in the case of compensation under subsection (1)(b)—within three months after the board, or a person authorised by the board, entered the land or ceased to occupy the land.

(1b) If the claimant and the board cannot reach agreement within three months after the notice is served on the board, the claimant may apply to a court of competent jurisdiction for determination of the amount of compensation payable.

This amendment puts a time limit on when compensation claims should be made. In other words, negligence claims are not included in the time limit: they are governed by the Limitation of Actions Act.

Amendment carried.

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

Page 27, lines 34 and 35—Leave out subclause (3) and insert subclause as follows:

(3) Compensation is not payable—

(a) under subsection (1)(a) to the Crown or an agent or instrumentality of the Crown or to a council;

(b) under subsection (1)(b) in respect of the entry or occupation of land pursuant to an easement.

This amendment provides explicitly that compensation is not payable to the Crown, including instrumentalities and agencies or a council for a loss of riparian rights or rights under a licence to take water.

Amendment carried; clause as amended passed.

Clause 58—'Interference with works.'

Mr CLARKE: The Local Government Association has concerns with respect to the interaction between clauses 58 and 59 which, in its view, has the effect of joining the body corporate and members of the body corporate in any offence incurred by a third party so far as clause 58 applies, and there is a recommendation by the LGA that clause 59 be amended to clarify this position, to the effect that liability will not attach to a body corporate or members of a body corporate in circumstances beyond the control of a body corporate or its members.

The Hon. D.C. WOTTON: This is a standard requirement which is found in other pieces of legislation. I am not sure what the Burnside council is—

Mr Clarke: It's the LGA.

The Hon. D.C. WOTTON: I am not sure what the LGA is attempting to achieve through that or what its concerns are, but it is standard and I do not see why the Local Government Association would need to be concerned about this issue in the Bill.

Clause passed.

Remaining clauses (59 to 61), schedules and title passed.

Bill read a third time and passed.

SUPPLY BILL

Returned from the Legislative Council without amendment.

SOUTH AUSTRALIAN HOUSING TRUST (WATER RATES) AMENDMENT BILL

Returned from the Legislative Council without amendment.

PIPELINES AUTHORITY (SALE OF PIPELINES) AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 8 March. Page 1834.)

The Hon. FRANK BLEVINS: Mr Deputy Speaker, I draw your attention to the state of the House.

A quorum having been formed:

The DEPUTY SPEAKER: I point out to members that the Pipelines Authority (Sale of Pipelines) Amendment Bill

is before the House. If members are agreeable, this Bill and the Natural Gas Pipelines Access Bill can be debated together. However, the Bills will be put to the House separately.

Mr QUIRKE (Playford): I am pleased that this will be a cognate debate, because I had thought—

The DEPUTY SPEAKER: Order! The honourable member is mistaken, because it will not be a cognate debate in the true sense of the word. Members are allowed to canvass the issues in the two Bills, but the Chair has not ruled that it is a cognate debate. If it were, it would have to be dealt with differently. The Bills will be considered separately.

Mr QUIRKE: I am quite happy with that, Mr Deputy Speaker. I simply make the point that, instead of it being a four hour debate, it will take only three hours. The issues associated with these Bills from the point of view of the Opposition really come down to three fundamental principles. The first is that we want to be absolutely sure that South Australians in the future do not give away rights to a private company that may come in and charge excessively for the haulage of gas in South Australia. A number of things are associated with that. First, we want to be assured that, if the pipeline is privatised, at some stage in the future we will not be held to ransom or that the economic development of the State is not stunted as a result of this sale. The Opposition will be moving amendments to ensure that the Government plays a more interventionist role in a privatised pipeline in the future than what appears to be the case from the first look at this legislation.

We want to make absolutely sure in this process that the price of gas haulage at some stage in the future, whether it be next year or 12 years from now when those reserves are running down and presumably with only a few years left from the traditional sources of gas that go into that pipeline, does not affect our constituencies and industries out there with ETSA and Penrice and all of those large gas and energy users to the point where they are held over the barrel. A number of companies will be interested in buying this asset. In all probability they will have a board of directors, and they will have to maximise the profit they make out of any purchase; that is their job. If they do not do their job properly there are all sorts of laws in this place, Canberra and in other States where they will be hauled over the coals for not maximising the profit that they can make out of this whole exercise.

The Opposition wants to make absolutely sure that mechanisms are put in place to ensure that some private owner of the pipeline does not hold this community to ransom. Secondly, during the Committee stage of this Bill I will be asking about the cost benefit analysis. I understand that the Government is a bit sensitive about putting on the public record the price that will be achieved for this asset should it be sold.

The one thing we know is that this year we have $17 million flowing into the budget as a result of this income stream. We want to be absolutely sure—and I understand the sensitivity of the Government about the price—that the amount of money, if it is forgone, will be a smaller amount than the community will get as a result of the sale of the asset. Everyone will say, 'It is worth $17 million and you get 10 times the income stream.' Of course, the $17 million is not for a full year flow on of the increase in gas haulage prices from last year, so it will a bigger sum in 1995-96. People will say that the figure is 10 times the income stream, but we want to see the cost benefit analysis to the State, and this brings us to the second issue.

We assume that all the money from this asset will go off the State debt, so that the saving in our interest rate and the possible improvement of our credit position will be such so as to offset, and more than offset, the loss of this income stream. We seek assurances to that effect, because we deal with asset sales not from an ideological position. We deal with asset sales on a case by case basis. The Leader of the Opposition has made it clear that we will consider individually each asset that the Government brings before the House to prepare for sale. We will look at that asset and make our determination on it, and that is the second issue we wish to explore. I will not say too much more about it because in Committee we will get down to more details, but we want to be assured that the community is getting value from the sale of the asset and that the value will more than compensate for the loss of the future income stream that flows into future budgets over the next 10 or 12 years or for however long the pipeline will be hauling gas in South Australia.

That brings me to the third principal issue, one which we raised when we were talking about SGIC a few weeks ago in this place. The arguments about SGIC were different because we dealt with that entity differently. A number of aspects about the two entities are distinct: one makes money and will probably always make money and the other can be dressed up to make it look as though it makes money. A number of us are sceptical about some of the accounting we have seen in that entity. I cannot understand how one cannot make money from hauling gas, particularly when only one organisation is doing it. That is what raises my concern and we want to make sure that that matter is well addressed by Parliament.

As a corollary to that, the third issue is that we want to see adequate scrutiny of the sale. We put up the same idea with SGIC, but not with the same force or ferocity as we intend on this asset. There are a number of reasons for that. At the end of the day SGIC is a different entity and a number of other concerns are connected with the ownership of an insurance company and whether or not it ought to remain in State Government ownership. But this is a different sort of exercise and we want to be absolutely certain that a fair price is obtained from the sale of this asset. The Opposition will be moving an amendment to the Pipelines Authority Bill (No 100) that will seek to put future contracts for sale before the Industries Development Committee.

The IDC mechanism has worked well here. It has been in place for a number of years and I am not aware of any abuse of that process in the years that I have been here. It gives members from both sides the opportunity to peruse, call evidence and report on a particular proposal, and this is all done in camera. Under the Act, committee members are bound by the IDC Act and the Parliamentary Committees Act 1991 to respect the confidentiality of the persons involved in the whole exercise and of the material that comes before the committee. That respect has been maintained by members from both sides of the House, certainly in the time I have been here and for some years before that as well.

The IDC is one mechanism, but perhaps the Deputy Premier has some other view and might make a counter proposal to us. We are not locked in necessarily to the IDC and perhaps the Treasurer will come up with some other satisfactory parliamentary scrutiny for the sale of this asset. If that is the case, I have yet to hear it, but the night is young and it may well emerge before the night is out or before the

Bill goes to another place. However, at the end of the day we want to see proper and effective parliamentary scrutiny of the sale. I have no doubt that when we are debating other asset sales—I understand that other assets will be brought before the House over the ensuing months, if not the next 12 months—

Mr Foley: What's left?

Mr QUIRKE: The Government has a few assets left that it can flog off. We flogged a fair bit of it. The member for Hart keeps interjecting. There are some assets that the former Government did sell, but it sold them wisely. In fact, we always had the altruistic motive of looking after the community, but we are not so sure about this Government's being so kind to our constituencies, if not its own, and consequently we need to be absolutely sure that the sale is at the best and fairest possible price and a reasonable price.

We believe that the IDC mechanism is the one to use. The Opposition has had a long and extensive debate on this issue. I would suggest that the position we are now putting forward is that of a compromise between all members of the Opposition. Some members are more intractable in respect of the sale of public assets—in fact, they have a dog and a bone approach to those sorts of things—and there are other members of the Opposition who have a more generous view. However, the one thing we are all agreed on is that if this is not in the best interests of the community of South Australia, both financially and socially, then we will not proceed with it.

I have elaborated on three areas here tonight. I will emphasise again the three key issues, and that is the spirit of these amendments: first, we want to ensure that the Government does not lose control of the price of gas haulage in South Australia; we want to ensure the community, through a cost benefit analysis, that it gets the best deal it can; and we want to ensure a parliamentary scrutiny that involves both sides of politics. With that, I will conclude my speech and we can deal with other issues when we get into the Committee stage, where we will deal specifically with the amendments before the House.

The Hon. S.J. BAKER (Deputy Premier): I move:

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

Motion carried.

Mr KERIN (Frome): I would like to speak briefly on the Bills as they are of vital importance to Peterborough, which is in my electorate. This is an anxious time but I am confident, and I think many of the people in Peterborough share my confidence, that the new owner will fully recognise the value of the town, its work force and its location in relation to the pipeline. One of the conditions of the sale is a guarantee to keep the Peterborough depot open for at least two years. That is a very important concession because if it is kept open initially it makes more sense in the long term to keep it there.

Gas pipelines are certainly a very specialised business. The skills required to run and maintain them are not the type of skills you can pick up by advertising in the daily newspaper. The Peterborough work force has had a very good record over the years. The workers there have very specialised skills and, despite some of the problems that they have had in coming to terms with the sale, I think that there is a general keenness amongst the work force to get on with the job and maintain jobs in the long term. Peterborough's location is also very strategic to the pipeline and the compressor stations along the line and back this way. The ongoing involvement with the pipeline will be vital to Peterborough's future. The town has had more than its share of heartache over the years, particularly as the railways have gradually closed down. That has well and truly reduced the number of jobs within the town and the population has moved basically in the same direction, stabilising these days at just over the 2 000 mark.

I have noticed a bit of new-born confidence in Peterborough. The Government has made a major commitment to the area. Certainly, the redevelopment of high school has made people realise that Governments have not turned their back on the town. There has not been much done there for many years. It was seen as a town with a decreasing population, but the development of the high school has given it something to go on with. In the past couple of weeks a $70 000 grant was announced for the corporation to spend on training as it does work on the main street.

Peterborough has a lot to offer the successful bidder for the gas pipeline. A look at the skills and the work force would demonstrate to that owner that these people have much to offer and, indeed, that they are vital to future operations and maintenance of the infrastructure. The geographical position is very important and its being based at Peterborough will save a lot of time in going up and down the line, as PASA has found over the years. In fact, I am confident that the new owner may well identify this and would even consider perhaps expanding the amount of maintenance done out of Peterborough, because, as I said, the central location would save a fair bit on travel to service the line than if it were based near the metropolitan area. I feel that the community has much confidence in the fact that Peterborough will do well out of a new owner.

Mr Clarke: You don't know who it is yet. It could be Christopher Skase.

Mr KERIN: We are a bit more careful than was the last Government. I commend the Bills. I certainly look forward to continuing working with the Peterborough community. We have sat down often to discuss this issue and the community is pretty keen to see who is the new owner and to work hard on selling Peterborough to that owner so that the full potential of the town is realised and the work force remains secure and grows.

Mr CLARKE (Deputy Leader of the Opposition): I share the concerns that have already been outlined by the Opposition spokesperson, but I want to go a little further. Basically, the Asset Management Task Force briefed the Opposition a couple of weeks ago and a number of questions was put to it; I am pleased that it forwarded a letter, which I have read with a great deal of interest, outlining the Government's position with respect to this whole issue. We are not dealing with the sale of just any old asset: we are dealing effectively with the only pipeline that supplies gas to our domestic and commercial users in South Australia. We are an energy poor State, and it is not something that we can treat lightly, nor can we assume that the market forces in 10 or 12 years will guarantee us a supply of gas at a competitive price so that the consumers, both domestic and commercial, will not be ripped off by the private owners of that pipeline, if it is sold.

Whilst the Pipelines Authority is supplying only $17 million by way of profits to the Government this year, the fact is that, as has been pointed out in the letter of the

Asset Management Task Force, for 20 of the past 25 years of its operations, PASA has operated for all intents and purposes on a cost recovery basis. That was done for good and proper reasons by Governments of the day with respect to ensuring that the cost of gas to the consumers, and in particular the commercial users in this State, was kept at a level that helped to retain and attract industry.

When you look at industries such as the smelters at Port Pirie and the like, you appreciate very much that any significant increase in the cost or supply of gas to those industries would place those types of industries in extreme jeopardy. I would trust that the member for Frome has looked at that issue closely and that, before he jumps up and is too keen on flogging off the pipelines, he is absolutely confident that at the end of the day the price we will receive for the pipeline will more than offset the fact that we will not have the revenue stream from the pipeline and that the reduction in debt that we achieve and the savings we make on interest rates reflect significant savings over and above the income that we forgo. If anyone is to jack up the price for hauling gas in South Australia, it ought to be the Government of South Australia so that, if there are any returns—increased profits or increased dividends as a result of exploiting our own State's natural resources—it is the State that uses them for the purposes of supplying essential services to the people, the citizens of this State.

I do not necessarily believe that just leaving it to the Government on the basis that it says, 'Yes, trust us; we will do the best by you and sell it at the best price' is good enough when we are dealing with such a valuable asset, hence my support for the amendment moved by the member for Playford with respect to any future sale of the Pipelines Authority being referred to the IDC, so that the Opposition Party as well as the Government and Parliament can be properly informed as to the value of the pipeline and the sale price that the Government may ultimately hope to recover.

There are not enough safeguards—and we will deal with this further in Committee—in respect of a whole range of matters. There is no reference in the access Bill to the public interest. Yes, there is public interest in market competitiveness, whatever that means, but I mean the public interest, the responsibility for the social and economic development of this State as being a prime objective. As the member for Playford has pointed out, the shareholders of private companies expect their board of directors to do their utmost to maximise profits. That is their responsibility. They are not there to look after the interests of the State as a whole or its social or economic development: they are there purely to maximise profits for the benefits of their shareholders. That is their bounden duty. We say that, when you are dealing with such a valuable resource as we are dealing with in this matter, it is too important simply to be left in the Government's hands as if you are selling a car, a piece of land or something of this nature, particularly in an energy poor State such as South Australia.

There is not enough accountability under the legislation with respect to ministerial intervention. The Minister of the day is very much a bystander in this whole exercise with respect to the rights of other producers to access the pipeline, to pump down the pipeline to South Australia, or in respect of the pricing mechanisms and the like. The legislation in my view is appalling. The Minister has no right to directly intervene in any of these matters: he can intervene only if there is an access dispute. Is there a provision for the Minister, if he or she so chooses, to put a position to the arbitrator on these matters? In such disputes, the arbitrator's decision is final. It is reviewable only by the Supreme Court on a point of law.

As to the factors that the arbitrator must take into account, which are detailed in the Bill and with which we will deal more specifically in Committee, they do not refer to public interest except public interest for market competitiveness—whatever that means. I will be interested to hear the Deputy Premier's explanation of what the hell that term actually does mean. One thing I am confident of is that it does not mean the broader test of public interest. I would feel far better if just the words 'public interest' were there. That has a far broader meaning and brings in a whole range of things, such as the social and economic development of this State—the overall objective of the welfare of the citizens of this State—rather than this concept of public interest in market compatibility. The Asset Management Task Force letter (page 2) states:

> But will the private sector owner of PASA's pipelines be subject to any economic controls? The answer is yes. The AMTF has developed a draft Natural Gas Pipelines Access Bill 1995, which provides for pipelines access and pricing disputes to be arbitrated, with the Minister having the right to input into the process.

Yes, the Minister has input into the process if there is an access dispute. If there is no access dispute, that is, if one of the consumers and the operator of the pipeline get together on a cosy arrangement and do not challenge one another as to the respective price, there is no mechanism as I see it under this Bill for the Minister to intervene as of right and say, 'You might be happy with this agreement but I, as the Minister with responsibility for this State's social and economic well-being, believe that that is totally out of order and we insist on its going to arbitration.'

I do not see any provision in the access Bill which gives the Minister the right to intervene unless there is a dispute. In any event, I believe that the Government of the day should have overriding authority with respect to pricing and any dispute relating to access to the pipeline. I do not want it left in the hands of an arbitrator—an unelected, appointed person, perhaps very experienced, honourable and honest, but unaccountable to this Parliament or to the people of South Australia—to deal with such a vital issue and, in particular, issues affecting the energy supplies of this State. That is properly the province of the Government of the day and of the Parliament, not of some unelected arbitrator unaccountable to no-one and with a limited range of responsibilities in terms of the factors that he or she must take into account in any dispute. The task force also informed us:

> With regard to the next 10 to 11 years, gas transportation charges and their escalation (at below CPI) will be fixed under the new gas transportation agreements. If at the end of the haulage agreement term the pipeline owner sought to unfairly 'jack up' the price, the pipeline users would have the right to notify a dispute under the access regime.

It goes on to say:

> The real issue for South Australia in gas prices is whether we will see competition at the upstream end of the gas chain. Real competition at the producer and transporter level is possible within this 10 to 11-year horizon with the prospects of a Minerva-Adelaide supply, other alternate gas supply and TPC [Trade Practices Commission] pressures on the producers to individually market their gas.

That is terrific. Let us gaze into the crystal ball and hope that something at the end of 10 or 11 years will develop, that real competition will be there, and that, therefore, all will be nice and rosy in the garden.

Looking at another country, which is not exactly comparing apples with apples, but the analogy is not far out, the

moment that the water, gas and electricity supply industries in the United Kingdom were to be privatised, the private sector hopped in like big brown dogs and jacked up the price. They quadrupled the price of water. Like big brown dogs they hopped in and did that, because that is the nature of the beast. I do not blame them. If they are given the ability to fleece the general public, they will always avail themselves of the opportunity if Governments are silly enough to allow them to do it. Hence, the amendments that will be moved by the member for Playford are designed to give ministerial power of direction with regard to access, and that prevails totally. That is as it should be, because the Minister will be accountable to this House and Parliament for his or her actions in the best interests of the State.

The haulage charge with respect to the price of gas coming down our pipeline—it is our pipeline paid for by our taxes—is subject to price control. The issue of price control may sound a throw-back to the 1950s or even before that, but, as I said earlier, we are dealing with the basic necessities of life in this State. We are dealing with energy needs for our industries and for our consumers, and that must be paramount in our concern.

I do not want to deal with the legislation in too much detail because that can be done in Committee, but I do wonder about part 6 of the Bill which relates to monitoring haulage charges. For example, the regulator must keep haulage charges under review; the regulator has a duty to report to the Minister as to what the rates are and upon the request from the Minister supply a report as to the haulage charges and the like that are being made. However, nowhere, in my view, is the public interest protected sufficiently in the Bill to ensure that this vital resource is supplied to this State at an affordable price, taking into account our social and economic needs.

I could say a great deal more about this legislation and I will certainly do so during the course of the Committee stage, but I would dare suggest, particularly to the member for Frome with respect to his pious hopes regarding the maintenance of the work force at Peterborough, that the honourable member might get a guarantee from a new owner, as there is a requirement under this Bill to keep a work force at Peterborough for two years. However, that work force will not be there within two years and one day of the making of that agreement. That is an absolute certainty: those jobs will go at the end of that two year period. It is a face-saving sort of grace and favour perhaps to the member for Frome with respect to such pious hopes about the maintenance of the work force in Peterborough, but inevitably it will go as part of a new private owner's desire to maximise profits.

In relation to the issue of setting prices, if a company is prepared to come here and spend hundreds of millions of dollars on buying this pipeline, presumably it has to borrow that money at commercial rates of interest which will be at least what it would expect to pay in terms of the dividend that the State Government is currently receiving. Indeed, it will have to get more than that, because its interest rates will have to be higher. Inevitably it will want to jack up the price of gas. It does not buy a pipeline on the basis of altruism: it bases it on a commercial reality and it expects to make a good profit out of it. It is a capital-intensive industry. It employs only 111 workers. Even if it slashed the work force by 50 per cent, in terms of overall savings it would not save a huge sum of money. It will obtain its money by increasing the cost of the haulage of gas by a significant margin—even blind Freddy can see that.

Before we hand over that asset and expose ourselves to that type of potential rapaciousness, members on this side of the House say, 'If you do it, let us make sure that we are convinced that the deal the Government believes it will achieve and the price it believes it can obtain are the best that it can get for that asset, more than compensates for any loss of revenue stream and takes into account the various other factors because it loses control of such an asset, with the inherent dangers that that poses for this community. Then you should superimpose in this legislation ironclad legislative guarantees of ministerial override.' The Deputy Premier was only too happy to push ministerial override and veto powers in respect of native title legislation and in other legislation. In this area, dealing with our natural gas—the basic energy source that keeps this State turning—to do less than that would be to abrogate our duties and our responsibilities to the citizens of this State.

The Hon. FRANK BLEVINS (Giles): I have very strong reservations about these Bills—as strong as I can state. The two previous speakers on this side of the House outlined very well in words familiar to me why the Opposition has these strong reservations. The two Bills provide for the sale of the pipelines and—as it was described—a very light-handed regulatory framework. I have the strongest reservations about both of those principles. In fact, I will go so far as to say that the real reason for selling the pipeline is ideology: that the Treasurer, the rest of the Government, and the advisers that he has bought at a very high dollar price have a passionate hatred of the public sector.

That has been clear throughout the past 12 or 18 months. In fact, those advisers would not have been hired had they not had that passionate hatred of the public sector, which blinds them to the public good. The reasons for the sale have not really been advanced by the Government. It has made out no case whatsoever for the sale of the pipelines; no cost benefit analysis has been carried out. It has written seven pages of what is fairly thin justification for its own ideological prejudices. I do not think that it is good enough: South Australia deserves much better than that. We are dealing with a fundamental piece of infrastructure to this State.

It is no good the Minister for Infrastructure (Hon. John Olsen) coming here day after day with the hard sell, prattling on about these wonderful projects that allegedly will flow into the State at some time in the future. Unless the infrastructure is there, and unless it is supplied by the State, then the infrastructure in this State will be very poor indeed, because the private sector will not see a significant return on it. If there is no return for the private sector, there will be no infrastructure. The private sector is not in the business of providing infrastructure; it is not in the business of transporting gas. It is not in the business of any of those things; it is purely in the business of making a profit.

If the private sector owned a particular asset that was not making a profit it would close it down, despite the social cost. I am critical of that only in a general sense, because that is the system we have in Australia and that is the system that people vote for, and they are obviously free to do so. I am not quite sure that people always think through the full ramifications of what they are voting for, and we have seen a demonstration of that tonight from the member for Frome. However, the member for Frome can take care of himself. Unless the State supplies a significant subsidy—and that is what it is—for some of the fundamental infrastructure in this State, then this State will go backwards.

Unless there is a subsidy in the price of gas, and therefore the price of electricity, both to the domestic and industrial user, I would argue that it will be less attractive for industry to establish here, given our low population, our significant costs of transportation and our paucity of raw materials. If the catchcry is 'The market will prevail', then I am afraid South Australia will get hurt. It was realised by the Liberal Party and its predecessors over a period of 50 years that it was essential to do that if you wanted this State to go ahead. The ideology of members opposite is damaging to the basic infrastructure and rationale of South Australia—and that is a great pity. These pipelines are a natural monopoly. At the moment they are a public monopoly, but they will be turned into a private monopoly if the Government has its way—and I, for one, hope that it does not. If it does have its way, what it will hand over to the private sector is a monopoly: let us make no mistake about that. The so-called light-handed regulatory regime that is also expected to be imposed will do absolutely nothing to protect industry and the domestic consumer in this State against this private sector monopoly.

The whole experience of not just deregulating but of privatising these kinds of utilities has turned very sour overseas, and I would argue that already it is turning sour interstate. This South Australian Liberal Government is hanging onto fairly tired ideas that have been worked through overseas and interstate over the past 10 or 15 years and found to be wanting. If a poll were conducted in the UK about whether to re-nationalise these sorts of monopolies, I would argue that, overwhelmingly, the people would vote 'Yes', because the first thing that happens when these things are privatised is that executive salaries are increased. I know that people in the public sector are already lining themselves up for jobs with the new owner—and that is well known around the town, although some of the new people who have come into the public sector with this sterile ideology are getting paid very large amounts of money compared with what their predecessors received. They are merely hired guns who have no regard at all for the public sector, but already they are manoeuvring for very highly paid jobs that previously they were doing for public sector salaries.

This has happened all over the world where instrumentalities have been privatised. The first thing people do is fix up their salary to an extent that is unbelievable to ordinary people. That is what will happen first. The second thing that will happen is that, by one means or another, despite so-called arbitration, the price to the consumer of the commodity or service they supply will rise. That has been the experience everywhere. Where an attempt has been made to have this so-called light-handed regulation, it has proved to be a total failure. No-one can show me where this regulation has in any way impeded the private sector operators of these monopolies in raising their prices to give the shareholders plenty.

The letter that the Asset Management Task Force wrote to the Opposition, in effect, says this. I am referring to a letter written to the Leader of the Opposition and signed by Mr R.N. Sexton, who is the Chairman of the Asset Management Task Force, and this letter comes from the mouths of the people who are advising the Government to sell PASA as quickly and as cheaply as possible. On page 2 of the letter Mr Sexton states:

> For 20 of its 25 years of operations, PASA operated for all intents and purposes on a cost recovery basis. This has meant that South Australian taxpayers have been subsidising gas transportation, since the Government has not been receiving (until recently) a commercial return on its investment in the pipeline.

That is absolutely correct, and it has been in the public good. Ask those big companies out there, Sir, who have had the benefit of this whether they would have established in South Australia or maintained their businesses in South Australia without it; and there is no need to say what the domestic consumer would say to that statement. The letter goes on:

> As part of the Scoping Review of the PASA sale, it became patently obvious that a significant increase in the PASA gas haulage charge was justified.

I would argue: justified in the eyes of whom? It continues:

> In the end result, the Government decided on a 25 per cent real increase—

a heck of an increase—

> although the market showed that a higher increase could have been justified.

It is the last part of that sentence that tells us clearly what is going to happen; that that unrealised value, if you wish to call it that, that is in the pipeline is about to be given by this Government to its mates so that they can make enormous profits out of South Australia's gas at the expense of both the industrial consumer and the domestic consumer. That is how these companies make their profits. They do not make it any other way. They cannot make it by efficiencies, as was pointed out by the Deputy Leader, because efficiencies by and large are the result of improvements in productivity.

As I have said previously today, if you sacked half the work force, or even all the work force, you still would not have hundreds of millions of dollars of profit that these people are looking for. However, page 2 of the letter signed by Mr R.N. Sexton, himself, states that there is a lot of unrealised increase in PASA at the moment, and that is what is being sold. For those who are organising this, all the Minister will get is the satisfaction of boasting at the Liberal Party State Council about how he is good and tough and how he is looking after his mates by transferring public assets to them, and he will get a pat on the back, and so on. For those who advise the Minister, there are lucrative new jobs for them in the private sector at double and triple the already exorbitant salaries that some of them are getting. For both the domestic and the industrial consumers, there will be higher prices. What can be done about it? I do not know what the Democrats are going to do about this, but we will find out in due course.

An honourable member interjecting:

The Hon. FRANK BLEVINS: We have all been elected on a mandate. I was elected on a mandate to oppose the sale of PASA. I was democratically elected on a mandate to oppose the sale of it.

Members interjecting:

The SPEAKER: The member for Custance is out of order.

The Hon. FRANK BLEVINS: The Democrats have also been democratically elected, on whatever their platform is. It is not a system that I necessarily support, but it is a system supported by all members opposite. If the system they support jumps up and bites them, I cannot see how they can complain. Everybody is democratically elected here and quite free to do as they wish. So, what is to be done? I am not sure what the Democrats will do, so we can only speak for ourselves. I have seen a number of amendments on file. Very many of them I support, some of them I do not and some I support as far as they go. The amendments moved by the member for Playford, the shadow Minister in this area, are very good. Some do not go as far as I would like to go.

Maybe as the debate progresses through both Houses we may be able to toughen them up a bit.

I would like to see the prices charged for the use of this infrastructure to be by regulation so that it comes before Parliament and Parliament can have the debate on whether industrial or domestic gas prices increase—as that is what we are talking about at the end of the day. People are not buying a slice of the pipeline but domestic or industrial consumers are buying an end product, and the cost at some stage will rise accordingly. I would like to see Parliament have a say in that. Having a say through the Minister (with the Minister's accountability to Parliament), as suggested by the member for Playford, is one way of doing it, or we can do it by regulation so that all of us and not just the Minister can have a say on what the gas price ought to be. I cannot see anything wrong with that, but we can explore it as the debate continues. There is a long way to go in this debate yet. We have a precedent for this and what I am suggesting is not new.

All purchasers of the asset ought to take clear note of what has been suggested here, namely, that at least the Minister ought to have the right to say 'Yea' or 'Nay' on prices charged for the service provided. I ask potential purchasers to look at the Gas Act, which gives the Minister the last word on domestic gas prices. That has to be taken into account by potential purchasers, which is nothing novel. This State already has legislation on its books to have some input into that.

I also draw the attention of potential buyers to the history of the Labor Party in this State where it intervened strongly when Alan Bond wanted to get his evil claws on the Cooper Basin. The Opposition, of course, opposes dealing with Alan Bond, with the exception of one or two Liberals who crossed the floor—quite properly. Potential investors ought to be very clear that the Labor Party is not happy with the process, is not happy with the principle, particularly when the Government has stated quite clearly that it has no objection to foreign buyers owning this infrastructure, which is so basic to South Australia.

Mr FOLEY (Hart): I rise tonight in support of my colleague the member for Playford (the shadow Treasurer) and follow the excellent contributions of the member for Giles and the Deputy Leader.

An honourable member: What about me?

Mr FOLEY: I mentioned the honourable member before he came through the door. The shadow Minister has already said that this issue was debated significantly within the Labor Party—

Mr Venning interjecting:

Mr FOLEY: Ivan, will you shut up please.

The SPEAKER: I suggest to the member for Custance that, if he wishes to participate, he will have an opportunity.

Mr FOLEY: Thank you, Mr Speaker, for your protection. This issue was subject to significant debate within the Labor Party. It was an appropriate debate for the Labor Party and was one that provided a wide ranging body of opinion. In the end, the Labor Party was at one on some very fundamental points in respect of the Bill. We are prepared to accept the sale of the Pipelines Authority contingent upon some significant improvement in the Bill. What is becoming a too common trend in this Parliament is that Bills are not adequately prepared or sufficiently thought through before they are brought into this Parliament. Much of our time is spent having to improve what is pretty inadequate—

Mr Venning interjecting:

Mr FOLEY: Will you just shut up, Ivan.

The SPEAKER: I suggest that the member for Hart ignore the out of order interjections of the member for Custance. The member for Custance will not interject again.

Mr FOLEY: Thank you, Mr Speaker; it is very difficult coming from that angle. The Opposition has tabled amendments in the Parliament tonight that go towards greatly improving the quality of this Bill. First, I refer to the issue of the price control mechanisms. This Bill is very inadequate when it comes to the issue of the future pricing of gas from the north of our State given that the two customers of the pipeline's supplies are responsible for the generation of the State's power. It is important that, whoever the owner of this asset is, they do not have an unfettered right to increase the price at their own discretion. It is totally inappropriate that the Bill provides only the discretion of arbitration in respect of the final price setting mechanism. The Opposition's amendment is about simply putting into place the appropriate role of the Minister of the day and the Government of the day because, given the strategic importance of this utility, it is appropriate that the Government has a role in price setting.

The Government's decision to sell the Pipelines Authority is a first for this State. Whilst we have debated in this Chamber decisions to sell other assets, what we are selling here is a unique asset to the extent that we are selling a monopoly. We are selling a piece of physical infrastructure that, in the hands of a private owner, will be a private monopoly situation. It cannot be without adequate Government control. I support fully the Opposition's amendment to introduce the level of ministerial direction. I make the point again that the Bill was sloppily prepared, particularly in respect of the clause that provides that the Minister may participate in arbitration proceedings. If ever there was lip service to a Government, that clause certainly is it.

As we have witnessed in the United Kingdom with the privatisation of utilities, there are some unfortunate features of such action. These include the issue of price increasing and executive salaries, and a whole raft of other unfortunate consequences that accompany the selling of monopoly utilities. Therefore, it is important that the Government has as much control as possible. The other issue that the Opposition raises is the need for the Parliament to scrutinise the sale appropriately. In our amendment we request that the Industries Development Committee scrutinise the sale with the confidence that the committee is renowned for providing. We are talking about something that will affect the State for the next 10 to 15 years—it is not a sale that relates only to the life of this Government. Therefore, it is appropriate that the Parliament has the ability to scrutinise the sale and offer its advice about ways that the sale could be improved.

That is not an unreasonable request, and I am sure that the IDC Chairman, who is in the Chamber tonight, would share the Opposition's opinion that the IDC should be given that role. At the end of the day, this asset is too important and its function is too important for Parliament not to have a role. As I said, to my knowledge this is the first time a monopoly public utility has been put up for sale, and in my opinion at least it is appropriate that the Parliament has an appropriate role.

With those few comments I support the sale of the authority and ask that the Government and the Treasurer view our amendments as constructive amendments. They are not put up in any way to frustrate the Government but are simply put forward to improve what we believe is inadequate

legislation to ensure that the public interest is served, not simply in words but in legislation for future Governments or future Ministers to have a direct role if the then Minister is concerned that a price increase put forward by the private owner is excessive. I support the Bill.

Ms STEVENS (Elizabeth): I want to speak briefly to support the comments of my colleagues on this side of the House. Whenever we talk about the sale of public assets we need to proceed with real care, especially if those assets make a profit and especially if they are a monopoly, which is the case with this pipeline because it is the only gas pipeline in our State and energy is crucial to our economic development. Much concern has been expressed to me by the community about the sale of assets. People say, 'Once they are gone, they are gone; you never get them back, and we need to be careful about going into this willy-nilly.' We need to be sure that the short-term reduction in debt and the consequent advantage in the reduction of interest on debt outweigh the advantages of the long-term flow of income over the years that the pipeline could be used by the State. So, there is the issue of our being really sure that the cost benefit analysis comes out in favour of the sale. It is an important issue, and I hope that the Deputy Premier can provide that information.

As to what other colleagues have said, obviously a private operator has to maximise profits. That is the name of the game, and obviously they would work with that in mind. It is not the function of a private operator to have overall consideration of the economic and social development of the State. That is the Government's role and, as my colleagues have said, we need to make sure that the public interest is protected and that the Minister, who represents that interest, has the power to ensure that the public interest is protected, particularly in respect of pricing and access matters.

My final point has also been made by my colleagues, that is, we need to be clear about public scrutiny, and we need to ensure that we can all see that the sale is to the future benefit of South Australia. As the member for Hart just said, we will move a number of amendments, and we hope the Government will consider them carefully and adopt them. They are not done to frustrate the Government's business but to ensure that the public interests and the economic development of the State are protected.

The Hon. S.J. BAKER (Deputy Premier): I thank members for their contributions. I was a little mesmerised by the various contributions. I wondered whether some members opposite were stuck in a time warp and had forgotten recent history. I am not saying this too unkindly, but I think some contributions reflected on attitudes which have prevailed for a long time in this State and which I hope are now dissipating very quickly. I remind those members who have great pride in public ownership that we had a State Bank of which we were very proud and which cost—

Mr Clarke interjecting:

The Hon. S.J. BAKER: The Deputy Leader is being rude as usual.

The SPEAKER: Order! The Deputy Leader has had a fair go. The Deputy Premier has the floor.

The Hon. S.J. BAKER: The State Bank cost $3.15 billion. As the honourable member knows, the Premier of the day could have intervened as could the whole Cabinet. That loss is a hallmark of public asset management. We had a State Government Insurance Commission, again, the pride and joy of the previous Government. Of course, one property has cost over $400 million. We had private transport wandering around Adelaide back in the early 1970s—and I can remember pushing a bus up Shepherds Hill Road—and that was taken over by the MTT. Its pride and glory is a $140 million loss each year and continued loss of patronage. That is the contribution of a poorly managed public sector. All members opposite should reflect on that.

An honourable member interjecting:

The Hon. S.J. BAKER: I don't want to go through the EWS and no return on assets over the period. There was no interest in returning money to the taxpayers. I can go right through the assets of Government and ask what it has done for South Australia. Very little. Our growth potential disappeared rapidly after the mid 1960s and it has never been recaptured. Again members got stuck in the past. Members opposite believe that if it was public it was good and if it was private it was bad. We are here to get the State on the move and to get the best service possible within the price range that we can afford.

If I were to reflect on what public ownership has done and if I were a member of the Opposition I would not be too proud of the record of public ownership on a number of fronts, whether they be financial, management or whatever. It is an accident of fate that the PASA pipeline is publicly owned. It could well have been two, three or four years later that a pipeline of that nature could have been privately built. So, it is timing and history that made that pipeline public, not the fact that there was some intrinsic worth in making it public at the time.

We are talking about timing, not principle. As members can recognise, in all parts of the world when pipelines are being built they are being built by private interests. There is rarely a pipeline built by Government anywhere in the world today. That is a fact. So, members opposite, when they refer to the fact that it is 'our' pipeline, built with public moneys, are lost in history. I would like to think that we will take this State forward.

In relation to the issue of price regulation, again I believe that members opposite are stuck back in history. If members opposite had been reading through Hilmer, had been listening to the announcement of the Prime Minister and had been listening to the negotiations between the States on competition they would quite clearly understand that the Prime Minister, the Federal Government and the Federal Opposition of this country want to see true competition. Part of that is not to have ministerial control on prices.

Members interjecting:

The Hon. S.J. BAKER: The member for Giles knows it, and the Deputy Leader knows it. He should go back over the financial review in the *Australian* for the past two years. Has he forgotten how to read? Has he participated in the debate? Has he had any feedback from his Federal colleagues?

Members interjecting:

The Hon. S.J. BAKER: That is fine. If the Deputy Leader is on the losing end I am pleased about that, but I hope he understands some of the principles and the arguments. The problem with the Prime Minister is that he wants to do it only for the States. He does not want to do it for his ports, airports and railway lines; he does not want to apply the same principles to those entities as he demands of the States.

Mr Quirke: Have you forgotten the airports?

The Hon. S.J. BAKER: He has not done the airports. There is so much control in the system at the moment; he keeps making noises about fair competition but he still

controls the whole shooting match and charges monopoly rents at the same time. Let us get it straight. The world has changed dramatically, and we have to change with it or get lost in the process. When members say they would like this regulatory regime in place, they should realise that the Federal Government will rule us out of court. We have sought advice from the Federal Government on these issues, and it says that without fair competition policy the commission would say, 'No, no, no.' What it wants is an oversight to the system; it does not want any ministerial intervention. The members for Hart and Playford understand that.

Mr Clarke interjecting:

The Hon. S.J. BAKER: Well, that is the issue that has been debated for the past two years. I wish the Deputy Leader actually read a little, because it is his belief that the fair competition commission in Canberra will do it if the States do not, and will have an arbitration system should negotiations break down. It is saying that there should be some oversight to the system but that it should not be the Ministers or the Crown actually setting prices. That is absolutely clear, so I would ask members to rethink their position on the issue of price regulation. We gave this matter great thought and, as all members would recognise, prior to the last election (and I know I heard one or two howls of protest at the time), we said that this Government would no longer be involved in banking, insurance or pipelines.

Mr Clarke interjecting:

The Hon. S.J. BAKER: I said it at the time as Treasurer, and it is on the record.

Mr Clarke interjecting:

The SPEAKER: Order! It is on the record that the Deputy Leader of the Opposition is out of order.

The Hon. S.J. BAKER: I made those points at the time. There did not seem to be an enormous debate about the principles involved. The Government's direction has been quite clear on this issue, and it is consistent with what is happening in the rest of Australia and the world. Some members opposite want to get off the bus and stay off it, but the bus keeps moving, and if we do not move with the times we will be left back where we were some years ago with the problems that beset us and with no solutions—and we are talking about solutions here. It is the right thing for the Government not to be into pipeline ownership.

In terms of the issue of State debt, obviously we have given an undertaking that the revenue derived from the asset sale will be set against State debt. We are the only State in Australia that separates the revenue from asset sales from the Consolidated Account. So, we can say that we are far purer in our accounting than is any other State in Australia, and certainly the Commonwealth, which has offset its massive budget deficits by asset sales of various types over the past five years.

I do take note of the public interest, because what we are doing is in the public interest. It is compelling from a Federal Government point of view, from a State Government point of view and from a public interest point of view. The public interest is to get the best result for this State. The best result is not only to offset the massive debt created by the previous Government but also to increase the dynamics and our capacity to get gas from other sources. As members would recognise, the significant gas resources that currently lie off the coast of Victoria may extend into South Australian waters. There has to be a capacity beyond the Government of South Australia to link into that system and perhaps back-sell some of our other holdings elsewhere. We cannot do that under the current arrangements. In terms of the State's increasing its capacity to provide for gas in the future, we are impeded by the current arrangement with PASA.

The Deputy Leader and the member for Giles said that all the jobs will go, but I do not know who will run the pipeline if all the jobs will go. In our discussions with potential buyers, they have said that Peterborough is a strategic part of the maintenance program for that pipeline. I do not know whether they will fly them in by helicopter—

Mr Clarke interjecting:

The Hon. S.J. BAKER: Well, that is an absolute joke.

Mr Clarke interjecting:

The Hon. S.J. BAKER: The matter has been discussed at considerable length.

Mr Clarke interjecting:

The Hon. S.J. BAKER: The honourable member does not know what he is talking about. He is talking about two issues: the first is, what is the time frame for commitment for employment, and the second is the Peterborough issue. The potential buyers who have actually had a chance to look at the pipeline have said to me that Peterborough is of strategic importance. It has to be retained. You cannot have a pipeline which is 25 years old and which does not have a proficient maintenance work force. You will not have someone who buys a pipeline which is 25 years old and which requires regular testing and maintenance suddenly say, 'We will approximate or use some other method.' There are no other methods. It is hands on. They have the intelligent pig or whatever it is that runs up and down the pipeline to test the innards. It keeps coming back to the issue of practical, hands on maintenance. Every pipeline has some maintenance facility along its length.

Even the issue of the closure of Peterborough is a joke. Members opposite have decided, 'This is what we will do. We will upset all the employees. We will put furphies into the arena,' but they know they are incorrect. That should be put on the record. This has nothing to do with ideology. It is simply understanding where South Australia has to go, and being a part of that process, as well as offsetting debt. We can say that the imperative to sell the pipeline was brought about more by the debt created by members opposite than perhaps the other issue. Given the changes that have taken place at the Federal level, I can say that the sale of the pipeline, even if we did not have a debt problem—and we do—would have meant we would have had to sell it at sometime in the near future. We have actually made a decision for a whole range of reasons, but the reasons become far more compelling when you see the changes that have taken place at the national level.

The member for Giles mentioned Bond. Bond was one of Hawke's mates, as was Skase. Marcus Clark was one of the member for Giles's mates. I think the record speaks for itself.

The Hon. Frank Blevins interjecting:

The Hon. S.J. BAKER: I do not have any mates, but the member for Giles and the former Premier had. I think that the record of the Federal and State Labor Governments speaks for itself on the issue of mates, Bond and all the people who participated in the demise of large slices of industry in this State and country.

The member for Elizabeth commented about the Government being responsible for the economic development of the State. I could not quite understand that, given that everything that the Labor Government did destroyed economic development in this State. We believe that the Government has a very important role to play, but the

development of this State will rely not on the Government but on the expertise and willingness of people outside as well as inside our borders to put money into South Australia to help it to develop. That can be assisted by the Government, but the Government should not be putting taxpayers' money in, except for the provision of certain services, as we are doing. I understand that we got into an ideological debate in part, but there is no ideology involved in the stance that this Government has taken on this issue, as I have clearly explained.

We have carried out some cost benefit studies, as members will recognise but, as members will also recognise, they are not for public discussion. I can assure members opposite that we finish on the right side of the coin, otherwise I would not be involved in the process. I am not here just to sell off assets if it means that the State will lose at the end of the day. That is just bad economics. I am not particularly interested in selling things for the sake of selling them if we lose at the end of the day. As members will recognise, we have talked about profits of $21 million coming through in 1995-96. Even on the basic sums, with current interest rates at 10.75 per cent and a starting point of $200 million for the sales process, we are past the revenue figure that we would be seeing through the budget. By not paying 10.75 per cent on average for the cost of funds, we are already in front. That is important, because at this interest rate we are in front. Where the Federal Government leads us in future in terms of interest rates, we therefore reduce our risk. On that issue alone—and that is with a very conservative price—we are in front.

There is a whole range of other issues besides price. There is the expected commercial life of the asset and the future in terms of capital and maintenance expenditure, and we have already mentioned how old the pipeline is. There is also the benefit from direct interest costs, lower debt, and the skills and experience that we can improve upon within our existing resources simply because we open up avenues that have not been open before. I commend the Bill to the House.

Bill read a second time.

In Committee.

Clauses 1 to 9 passed.

Clause 10—'Insertion of new parts.'

The Hon. S.J. BAKER: I move:

Page 9, line 3 (new section 28(8))—Leave out 'Assets Sales Account' and insert 'Asset Management Task Force Operating Account'.

This is the title of the operating account into which these funds will be transferred, and then they will be offset against debt from that account.

Mr QUIRKE: I take this opportunity to make a couple of general remarks which need to be made. First, I remind the Deputy Premier that the Opposition has made quite clear that on certain conditions—and we will be sailing into those in a moment—it supports this legislation. I was under the impression a moment ago that that message had not drifted across to the other side of the Chamber. All Opposition members are supporting this legislation on the conditions that I outlined some hour and a half or more ago. They are simple conditions which I am sure, in the interests of the South Australian community, we will want to see properly and adequately addressed—at least that is our attitude on this side of the Chamber.

There is absolutely no use whatsoever being what can only be described as over the top and abusive to members who have an attitude to public ownership that may not be that of the Deputy Premier, but we have come to the block here today to support this legislation. We want to make sure that it is toughened and tightened and that it will not come back to bite us on the backside. Having made those remarks, I ask the Treasurer whether this amendment is the mechanism about which he was talking about before and which ensures that all moneys paid into this account for the sale of this asset—whatever that quantum of money is—will then go to paying off the South Australian State debt? Is that what we are being told here?

The Hon. S.J. BAKER: Yes, the member for Playford is quite correct: the proceeds from the Asset Management Task Force Operating Account go towards retiring debt. There are one or two complications when dealing with shacks and some of the minor items, but I will discuss that at the relevant time in terms of where the money goes and what is off-set in the process. Basically, the Asset Management Task Force has a budget, moneys are paid into the account and those moneys are then used for the purpose of retiring State debt. It is actually written into the legislation. So that there is no misunderstanding: it comes off the debt.

The Hon. FRANK BLEVINS: I was interested in the response from the Treasurer, and I am not sure that the Treasurer has told the whole story. At the end of the day, the State is a net borrower. It does not matter how many pockets you stuff the money into or what you call the accounts: it is all mirrors. At the end of the day, if you are a net borrower you will be paying interest on $200 million less if you sell this asset. That is all it is. To suggest that some lumps of money will pay off the debt and others will not is nonsense. At the end of the day, if you are still borrowing you are a net borrower and you will be borrowing $200 million less.

Of course, you will not have the income stream to support that $200 million of borrowings, but to suggest that there is some way separate to the overall global budget of paying off debt is a furphy for political purposes, and the Treasurer knows that. He ought to have more self-respect than to come into this Parliament suggesting that what is realised from this sale will in some way be taken off State debt because there is a special account tucked away somewhere for that purpose. It is nonsense. It is all one bucket of money.

The Hon. S.J. BAKER: The member for Giles has a valid point in terms of what has traditionally been the budget process of all State Governments and the Commonwealth Government. The honourable member has made a very relevant observation: in many ways it is mirrors. I criticised the Federal Government, for example, when it said that it had a deficit of $13 billion, because there was about $8 billion worth of asset sales, so the real deficit was some $21 billion. We are saying, as the member for Giles has suggested, that the normal process is that you have a net borrowing figure for the year. We are moving towards a position where we do not have a net borrowing requirement—where our non-commercial sector is in surplus.

That is what we are moving towards, and that is why we are separating off asset sales: so that they are not swallowed up in the Consolidated Account and people cannot pat themselves on the back and say, 'Look what a good job we have done.' That is quite misleading, and I appreciate the point made by the member for Giles.

Amendment carried.

Mr QUIRKE: I move:

Page 9, after new section 28—Insert new section as follows:

'Reference of proposed sale agreement to Industries Development Committee.'

> 28A. The Treasurer may not make a sale agreement unless the proposed agreement has been inquired into and reported on by the Industries Development Committee under the Industries Development Act 1941.

I have raised three issues tonight and, however late the hour, we will keep raising them here, and we will raise them in the other place if they are not satisfied. Probably the most important of the three is this proposed new section. In essence, this is the 'put up or shut up' amendment. This amendment says that we will go along with this process of asset sales; we will judge each one on its own merits; we do not necessarily have an objection to this particular sale and we have agreed to go along with this legislation, but in order to protect the interests of the South Australian community we want to take away the pricing and the equation of who gets what, whether it is better sold or kept because of the income stream—we will deal with those matters when we come to the other Bill—but we want to see adequate parliamentary scrutiny.

We are not asking that the Committee of the whole House deal on the public record with the *Advertiser* and other media agencies to help in the process of looking at contracts, etc.; we are asking that the IDC play an important role in the whole process of asset reduction. Because we collect a salary each month and because we represent the community, we need to be able to say to those people that, in our view, this sale was adequate, that the price was fair and that we are satisfied. We do not want to go into detail or expose any commercial in confidence material, although I must say that it used to be that patriotism was the last refuge of a scoundrel, but since I met the State Bank and some of the people who are still there I have discovered that commercial in confidence is the last vestige of those scoundrels.

At the end of the day, this amendment seeks to provide that we have this confidential committee, which has worked pretty well, if not extremely well, over the years. If someone can come up with some other mechanism that will give the Government some confidence in its confidentiality, let it emerge tonight or in the other place. However, we want to be able to assure people that this sale has been executed in the terms and in the spirit with which the people of South Australia would be satisfied in relation to the disposal of an asset worth this amount of money. I emphasise strongly that the Opposition has come a long way on this Bill and, even though I had the impression a while ago that we were being berated for not supporting it, I want to make it clear again that we are supporting this legislation, but on three simple conditions—and make no bones about it, this is the most important of those three conditions. I will now quite happily hand over this matter to the Deputy Premier to find out whether the Government is prepared to come to us on this issue or to suggest some other alternative, or whether it is not prepared to meet us halfway.

The Hon. S.J. BAKER: The member for Playford is quite persuasive in his argument and I have been giving it some considerable thought. There are some complications in the process, as we would all recognise. The assembly of information for this process has taken some months. The technicalities are very significant, as the honourable member opposite would understand, and the extent to which the Government has a right to contract with a potential purchaser is an important issue. As the member for Playford will recognise, we are asking an independent bipartisan committee (in the form of the IDC) to determine whether a particular form of investment—normally by the Government and normally of very limited dollars—should be made available.

We are there to assist certain parts of industry in that process, and the IDC was put together for that purpose. I do not know how long ago that actually happened, but the IDC has been with us for some considerable time. I believe that it does two things: first, it operates reasonably effectively and, secondly, it has the confidence of the Parliament. I do not believe I have come across any occasion on which confidences have been breached in the IDC. It certainly comes with good references as far as the Parliament is concerned. In terms of putting the IDC in the loop of negotiations, there are some real difficulties that I believe everyone would understand.

The process gets to the point of a preferred buyer for the asset. I do not know when the member for Playford is suggesting the IDC should have a right of scrutiny. After the preferred buyer is approved by Cabinet, it then goes through a process of due diligence to ensure that the buyer is well aware of what that company may be buying and to ensure that there is no difference of opinion as to the asset that is being sold. As members opposite would recognise, due diligence in some companies has shown some massive flaws in the memorandums that have been provided. So, that goes on for a particular period, the final negotiations take place and the Cabinet actually signs off on the final deal.

A few other things are done during that process time. I am not sure where the IDC could fit into the loop. I am reasonably content that the IDC, given its record, could have the information available after the deal has been signed, sealed and delivered.

The Hon. Frank Blevins interjecting:

The Hon. S.J. BAKER: I say to the member for Giles that we are being more transparent in the way we are doing things as a Government—and hopefully will get everybody's confidence in the process—to ensure that the things that happened in the past do not revisit this State or Government. We have the Auditor-General, who receives all information—

The Hon. Frank Blevins: What is new?

The Hon. S.J. BAKER: That is not true. The Auditor-General did receive information under the previous Government, as the member for Giles takes great pains to point out. We are trying to ensure that the process is transparent so that everybody knows whether they are a buyer, customer, employee or an interested South Australia, so they know the process and what decision making points occur along the way. The heavy involvement of the Auditor-General and the Crown Solicitor is to ensure that, from a legal and financial prudence viewpoint, everything happens according to the book. I am not sure where the IDC could fit into the loop or what constructive role it could play. The only way the IDC may have some relevance is in looking back on the contract.

The Hon. Frank Blevins interjecting:

The Hon. S.J. BAKER: The member for Giles is making certain statements. I am saying that there are some difficulties as to what point Governments' roles and responsibilities are abdicated and where this could fit into the series. I do not believe it can fit into the series, but I will give it further thought. At some point we are saying that the IDC suddenly says that it wants to be part of that process. I do not believe that that is a feasible proposition, but I will give it further consideration and discuss it with other people. In a contractual sense the buyer would then have to ask, 'With whom am

I dealing and does the Government have right of passage for this sale?' That question has to be asked.

Remembering the massive amount of information generated during this process, to what extent should the IDC have all the information generated over a period of six months which is then brought before it for its scrutiny? I have reservations and there are difficulties in the process. I understand the point made by the member for Playford, but I cannot reach a resolution as to how it can be competently accommodated. It is a matter on which I am willing to have further thoughts, but at this stage I cannot accommodate this proposition.

The Hon. FRANK BLEVINS: In support of the amendment, how the IDC can be accommodated is very simple, namely, by passing this amendment. With anything that was negotiated by the Government, any company would know that it was subject to a favourable report by the IDC. It is simply giving the Parliament of South Australia a significant voice in the sale of a State instrumentality. If, as the Deputy Premier keeps saying, this is to the benefit of the State, enormously so, where is the fear? As to the IDC, if it is so obvious to all reasonable people—and it includes the members for Playford and Hart, I think the member for Light, the members for Unley and Peake and Treasury representatives—if this is such a great deal for the State of South Australia, what is the problem?

I cannot see any problem at all with a contract being subject to a favourable report by the IDC. It is simple: you either agree with it or you do not. There are no complications, no legal complications, nothing. It is just that that is the agreement, subject to. What is the big deal? If the member does not agree with it, fine; that is one issue but do not try to raise obstacles which are certainly not there. Like the member for Playford I think this has some importance. I have held the belief for a long time— and if members opposite do a little bit of research they will find it on the record—that any company or individual that deals with the Government has to do that deal on the understanding that somewhere or other it can be made public. That is the price of dealing with the Government. The Government is dealing with no money of its own: it is all public money. If a company does not want any publicity around its financial dealings it should not deal with the Government. At the end of the day the Parliament is entitled to know. As far as I am concerned commercial confidentiality is rubbish when you are dealing with taxpayers' money.

I refer to the question of some kind of examination of this in retrospect. What is the point of that? It does not have any point as far as I can see. If you were looking for some parliamentary scrutiny after the event then it would not involve the IDC; it is not the IDC's charter. If the alleged benefits of this privatisation were realised it would be the Economic and Finance Committee that would have a look at whether the public finances had been enhanced in the way that the proponents of the sale had stated. It is a legitimate role for the Economic and Finance Committee, and my colleague the member for Hart has suggested something to the Economic and Finance Committee and it has had the full agreement of the whole committee to do exactly that.

The Treasurer is giving nothing to the Parliament when he suggests that it is possible that we could have a look at it retrospectively. If the Economic and Finance Committee wants to have a look at it retrospectively it can, for what that is worth. It is not worth very much. I want a committee of this Parliament to have a look at it before the deal is done. In my view, that is a perfectly reasonable thing to do.

The Hon. S.J. BAKER: I will respond briefly. I explained the process previously. As the member for Giles would recognise, to the point where the contract is ready for signing there is potential either for the party to walk out or for changes to be made, depending upon the circumstances visited during due diligence. We are all aware of that and that is the way the process should be. If the rules change, the Government has to decide whether it likes the rules or not. It happens with all contracts. A point is reached where both parties are ready to sign, and the member for Giles is saying that at the point when the Government is ready to sign, ready to make the announcement, we will have an inquiry and a public report, before any signature takes place.

The Hon. Frank Blevins interjecting:

The Hon. S.J. BAKER: That is exactly what the member said. The member Giles said, 'I want a public report,' and I thought, 'Well, that is inconsistent with the IDC.'

The Hon. Frank Blevins interjecting:

The Hon. S.J. BAKER: I think the member for Giles should check the record. I go back in time and I look at what we are doing now to give the public confidence in whatever we are striving for, in contrast to the commercial confidentiality response to every question that we ever asked about any instrumentality in which the Treasurer or the Premier of the day was involved. The member for Giles is stretching my patience a little when he suggests that I have now found a new religion and that we want Parliament to be involved in a process which has been a traditional role of Government.

Governments are required to contract. The honourable member is saying that a significant amount of money and expertise are involved and tied up to the point where both parties—the Government and the buyer—are satisfied about the deal they are doing. The members for Giles and Playford then say, 'Hang on, now that we have reached this point of happiness we want the IDC to inquire into and report on the contract.' The system becomes ludicrous. Do we wait one, two or three months while the committee inquires into the process? That would be unworkable.

As I said, I have not canned the idea, but I do not believe that there is a practical way of implementing it. I suggested that I would give it further thought. However, standing here and having thought about it for a little while, I cannot see that it can be made to work without affecting seriously the contract base. As everyone would recognise, these sales work on time frames. People might close off books on 30 June—

The Hon. Frank Blevins interjecting:

The Hon. S.J. BAKER: If the member for Giles had been involved in one of these processes—

The Hon. Frank Blevins: I have.

The Hon. S.J. BAKER: I will not reflect on that. Dates are laid down for certain achievements which often have to do with financial years or other decisions. To then say, when the Government has probably gone through 12 months of preparation, memoranda, perhaps tenders, then negotiations and further negotiations at the end of the series, 'Let us take time out while the IDC takes a month or two to go through the whole material that has been collected over a full year of bloody hard work', is not a practical way of implementing it, but I will give it further thought.

Mr QUIRKE: The Deputy Premier has raised a couple of issues. The first relates to the point at which IDC gets involved in the sale process. We need to understand exactly what role the IDC currently plays. The IDC does not publicly

report but it reports on behalf of the Parliament to the Government mostly about certain initiatives relating to the building of a factory, economic assistance or whatever. That matter is already before the Government and is placed on the agenda by the EDA, which refers items automatically on legislative triggers to the IDC. That is part of the process of Government approval. After that approval the examination is quite speedy, and I have never known it to continue for more than seven or 14 days. I have been a member of the committee for 15 months. Some investigations may go longer, but most are completed on the spot. It is part of the automatic procedure so that, before money goes through the Housing Trust for a factory scheme or other moneys are paid to a company, it is automatic that a report from the IDC goes to the Government along with the EDA submission of support.

I cannot see what the problem is if we take out the EDA and put in its place the Asset Management Task Force. It may be that there is a preferred customer—it is all organised—but we then say, 'Look, this is not going to be dragged out in the media, but there is a parliamentary obligation to scrutinise this deal. Indeed, this report will be done and it will be part of the process that goes to Cabinet and to the Government to accept it.' No-one is telling anyone who registers an interest, however wild or whatever it is, or however many there are, that they have to go to IDC. That is not being said, and what also is not being said is that this report will become public property afterwards. However, it will make it a lot easier for us in the parliamentary process to assure our constituents that we think the right thing was done.

If members do not want to accept that, that is fine. I have issued a challenge to the Government to find a mechanism to involve us so that we can be satisfied on this side of the Chamber that the right thing has been done. If that is not to be the case, if we are not to have that satisfaction, so be it. However, at the end of the day we are saying that we are prepared to go along with this in varying degrees among members on this side of the Committee, provided a couple of things are put in place to satisfy our constituents—and I think the constituents of a few members opposite—that this process is done properly. That is how I see it unfolding.

I do not think it will be the disruptive process about which there has been speculation. That has never been the case. I will not go into any of the detail, but a number of projects presented to the IDC have been rather interesting, and our job has been to provide a report to the Government—not to the Party room or anyone else—and to subject them to parliamentary scrutiny. I cannot see what is wrong with that. Obviously anyone who buys this asset will have to go through many more hassles than facing the IDC.

The member for Giles talked about the Economic and Finance Committee. I will float the notion that, if there is a smell about a particular contract and if it does not look all that flash, we will take it to the committee. Okay, we may be voted down four to three. Then we will take it to questions on notice—and we can do that, because every member in this House has the same rights as every other member—and, if we are not satisfied with that, we have the 2 p.m. session in here on a Tuesday, Wednesday and Thursday. We are suggesting a process by which we can cull the necessity for that. This process will allow us to say, 'Here is the mechanism by which we can satisfy ourselves on this proposal.'

That is what this amendment is about. I do not have a fixed position on it; I have come down to IDC because I believe that, in terms of all the committees in the Parliament, it is probably the one closest to achieving the role we have in mind. It probably has to be a standing committee of one kind or another to deal with this problem. A select committee is just inappropriate. A select committee of this House would be very difficult to get together, and certainly the Deputy Premier would be very worried if it were a select committee of the other place. Half a dozen select committees were set up in the other place in my first few months in this place, and I do not think any of them has reported yet.

I have been waiting with bated breath to find out about all those prison investigations; I am looking forward to finding about Marineland before the dolphins die, in case I want to bring them back, and I have heard nothing. That has not been suggested. If we really wanted such a mechanism, perhaps some of my colleagues in the other place might suggest it but, at the end of the day, it would be useless. I implore the House to support this amendment and the Deputy Premier to take it on board.

The Hon. FRANK BLEVINS: I want to make some comment on the response of the Treasurer to my earlier question and also the comments that have just been made by the shadow Minister. I am not sure that I agree at all with the shadow Minister. The question of a select committee is one that I think is probably worthy of further consideration; the shadow Minister has dismissed it out of hand and has not given it the thought that he should have. I think the shadow Minister is still expecting this Government to be reasonable, and that is where he is probably making his mistake, because he is a reasonable person and he gives people the benefit of the doubt. I am afraid that that is probably an error. Whether the IDC is the appropriate body is arguable, as the member for Playford says, and I am willing to hear of some other mechanisms for parliamentary scrutiny before this monopoly is signed over to the private sector. The ownership will go to a company which owns this pipeline, just as we now do. The ownership will be transferred to this private monopoly, and it is important that we try to get some intervention by the Parliament in the process.

What I do not understand is that, if the Treasurer comes to an agreement with a company for the arrangement (price, conditions, etc.), then presumably that will become public immediately the contract is signed. The Treasurer will not get his nose in; the Premier will attempt to hog any glory that may be coming, but the Government will be out there stating what a wonderful deal it is. It will have a slide show for the media and will explain all the bells and whistles and what a wonderful thing this is. The Treasurer cannot and will not want to keep the price secret. He cannot, anyway: presumably it will be sold to a public company. The funds will appear in the financial statements that are prepared, so the price, the conditions and so on will all be public the following day and the Treasurer will be arguing that it is a wonderful deal. What is wrong with arguing the same thing the day or the week before with the IDC? I cannot see where the difficulty or the commercial confidentiality is. It will not be confidential two seconds after it is announced; it will all be public. So, if the deal is no good it will be apparent and, if it is a good deal, again, it will be apparent.

The Treasurer assures us that he is not doing this for ideological purposes but that he is doing it to get a good financial deal for the State. Personally, I do not believe that there is no ideology involved, but I know the Treasurer's ideology will be tempered by the financial deal, because Treasurers, unlike the rest of Cabinet, are always the guys in the black hat. They are always the bad guys to whom the

others come, looking for money. Nobody wants to raise it; they only want to spend it, and the Treasurer has to feed all the mouths around the table. So, the Treasurer will not make his own job harder by giving things away, thus reducing his ability to feed all these mouths around the table.

I accept the fact that the ideology will be tempered. Given that you will argue the case publicly for this deal—every dollar and all the conditions will be public—why not argue it before the IDC so that if it is such a good deal, surely you would win them over and it would strengthen your argument in the community that the Parliament has agreed to this deal? I cannot see the downside. Apparently all these foreign companies are queuing up to buy it—that is a contempt of Parliament, but I will not get into that argument. With all these companies that are queuing up to buy it, surely they would be very happy because they will have to argue it publicly to their shareholders, and the CEO of the company will sit there alongside the Premier at the press conference—the Treasurer will not even get to the press conference—and say how wonderful it is. It is not a new experience for me.

Why do they not go before the IDC and say how wonderful it is? I cannot see the problem. I would have thought it was a simple way out of giving any parliamentary scrutiny. I am not convinced that the Upper House will be as sanguine about this as the Treasurer thinks it will be. When you start talking about gas prices, and that is what we are talking about at the end of the day, I am sure that members of the Upper House on behalf of the consumers will want the maximum amount of scrutiny of this particular transaction, and why should they not have it? Why be frightened of Parliament? Some of the financial problems that have occurred in this State were because there has not been enough involvement of Parliament. There is nothing new in that for me. I have been saying that for years.

As I said earlier, if the Deputy Premier did his homework, he would see me on the record. What he will not do, if he does his homework, is see me on the record saying the contrary.

The Hon. S.J. Baker: You seem to like the sound of your own voice.

The Hon. FRANK BLEVINS: I have only just started; there are reams of amendments yet. I am very circumspect about the things I say in this Parliament. The member for Playford has put a minimum position. I would have gone for more, but the member for Playford is a reasonable person and has gone for what I believe is a minimum position. He should be applauded by the Government for his moderation.

The Committee divided on the amendment:

AYES (10)

Atkinson, M. J.	Blevins, F. T.
Clarke, R. D.	De Laine, M. R.
Foley, K. O.	Geraghty, R. K.
Quirke, J. A. (teller)	Rann, M. D.
Stevens, L.	White, P. L.

NOES (28)

Andrew, K. A.	Armitage, M. H.
Ashenden, E. S.	Baker, D. S.
Baker, S. J. (teller)	Bass, R. P.
Becker, H.	Brindal, M. K.
Caudell, C. J.	Condous, S. G.
Cummins, J. G.	Evans, I. F.
Greig, J. M.	Gunn, G. M.
Hall, J. L.	Ingerson, G. A.
Kerin, R. G.	Kotz, D. C.
Leggett, S. R.	Matthew, W. A.

NOES (cont.)

Meier, E. J.	Oswald, J. K. G.
Penfold, E. M.	Rossi, J. P.
Scalzi, G.	Such, R. B.
Venning, I. H.	Wade, D. E.

Majority of 18 for the Noes.

Amendment thus negatived.

Progress reported; Committee to sit again.

SITTINGS AND BUSINESS

The Hon. S.J. BAKER (Deputy Premier): I move:

That Standing Orders be so far suspended as to enable the House to sit beyond midnight.

The Hon. FRANK BLEVINS: I rise on a point of order, Mr Speaker. I believe that Standing Orders provide that, when it is after midnight, the House adjourns.

The SPEAKER: Order! I understand that the Minister is in the process of moving that Standing Orders be suspended.

The House divided on the motion:

AYES (28)

Allison, H.	Andrew, K. A.
Armitage, M. H.	Ashenden, E. S.
Baker, D. S.	Baker, S. J. (teller)
Bass, R. P.	Becker, H.
Brindal, M. K.	Caudell, C. J.
Condous, S. G.	Cummins, J. G.
Evans, I. F.	Greig, J. M.
Hall, J. L.	Ingerson, G. A.
Kerin, R. G.	Kotz, D. C.
Leggett, S. R.	Matthew, W. A.
Meier, E. J.	Oswald, J. K. G.
Penfold, E. M.	Rossi, J. P.
Scalzi, G.	Such, R. B.
Venning, I. H.	Wade, D. E.

NOES (10)

Atkinson, M. J.	Blevins, F. T.
Clarke, R. D. (teller)	De Laine, M. R.
Foley, K. O.	Geraghty, R. K.
Quirke, J. A.	Rann, M. D.
Stevens, L.	White, P. L.

Majority of 18 for the Ayes.

Motion thus carried.

PIPELINES AUTHORITY (SALE OF PIPELINES) AMENDMENT BILL

In Committee (resumed on motion).

The Hon. S.J. BAKER: I move:

Page 13, after line 7—Insert new sections as follows:

Disposal of assets and liabilities

43A. (1) The following actions (collectively referred to as the 'authorised project') are authorised—

(a) the examination of the undertaking of the Authority with a view to the disposal of its assets and liabilities;

(b) the preparation of assets and liabilities of the Authority for disposal;

(c) other action that the Treasurer authorises, after consultation with the Authority, in preparation for disposal of its assets and liabilities.

(2) The authorised project is to be carried out by—

(a) persons employed by the Crown and assigned to work on the project; and

(b) officers of the Authority assigned to work on the project; and

(c) other persons whose services are engaged by the Crown or the Authority for the purpose of carrying out the project; and

(d) other persons approved by the Treasurer whose participation or assistance is, in the opinion of the Treasurer, reasonably required for the purposes of the project.

(3) The Treasurer (or the Treasurer's delegate) may, despite any other law, authorise prospective purchasers and their agents to have access to information in the possession or control of the Authority that should, in the Treasurer's opinion (or the delegate's opinion), be made available to the prospective purchasers for the purposes of the authorised project.

(4) The members and staff of the Authority must, despite any other law, instrument, contract or undertaking—

(a) allow persons engaged on the authorised project access to information in the possession or control of the Authority that is reasonably required for, or in connection with, the carrying out of the authorised project; and

(b) do whatever is necessary to facilitate the provision of the information to persons entitled to access to the information under subsection (3); and

(c) provide other co-operation, assistance and facilities that may be reasonably required for, or in connection with, the carrying out of the authorised project.

(5) A person who is in a position to grant or refuse access to information to which this section relates may deny access to a person who seeks access to the information unless the person produces a certificate issued by the Treasurer (or the Treasurer's delegate) certifying that the person is entitled to access to information under this section and the basis of the entitlement.

Protection for disclosure and use of information,etc.

43B. (1) In this section—

'authorised action' means—

(a) the disclosure or use of information in the possession or control of—

(i) the Authority; or

(ii) a current or former member of the Authority or staff of the Authority; or

(iii) persons involved in the authorised project,

as reasonably required for, or in connection with, the carrying out of the authorised project; or

(b) anything done or allowed under Parts 4, 5 and 7 of this Act.

(2) No authorised action—

(a) constitutes a breach of, or default under, an Act or other law; or

(b) constitutes a breach of, or default under a contract, agreement, understanding or undertaking; or

(c) constitutes a breach of a duty of confidence (whether arising by contract, in equity, by custom, or in any other way); or

(d) constitutes a civil or criminal wrong; or

(e) terminates an agreement or obligation, or fulfils any condition that allows a person to terminate an agreement or obligation, or gives rise to any other right or remedy; or

(f) releases a surety or other obligee wholly or in part from an obligation.

Evidentiary provision

43C. (1) In legal proceedings, a certificate of the Treasurer (or the Treasurer's delegate) certifying that action described in the certificate forms part of the authorised project, or that a person named in the certificate was at a particular time engaged on the authorised project, must be accepted as proof of the matter so certified in the absence of proof to the contrary.

(2) An apparently genuine document purporting to be a certificate under subsection (1) must be accepted as such in the absence of proof to the contrary.

These new sections clarify the situation regarding the giving and receiving of information. They ensure that the process is very tight and provide indemnities for people giving information. We must ensure that the integrity of the process is maintained. These new sections are being placed in the Bill so that the responsibilities of all persons involved to keep matters confidential are quite clear.

Amendment carried; clause as amended passed.

Clause 11 passed.

Clause 12—'Insertion of schedules.'

The Hon. S.J. BAKER: I move:

Page 14, lines 31 and 32 (Schedule 1)—Leave out proposed new section 80qa and insert—

Pipeline to be chattel

80qa. A pipeline is a chattel and capable of being acquired, owned, dealt with and disposed of as such.

This is to clarify the ownership of the pipeline to ensure that the owner is not disadvantaged in any way regarding matters of taxation. That matter is clarified in the definition of 'a pipeline': that it is in fact a chattel.

Amendment carried.

The Hon. S.J. BAKER: I move:

Page 19, after line 21 (Schedule 2)—Insert the following clause:

Extension of time

6. If the Superannuation Board is of the opinion that a limitation period referred to in this schedule would unfairly prejudice a State scheme contributor, the board may extend the period as it applies to the contributor.

This provides an extension of time to allow contributors to superannuation schemes appropriate time to make decisions.

Amendment carried; clause as amended passed.

Title passed.

Bill read a third time and passed.

The Hon. FRANK BLEVINS: Mr Deputy Speaker, I was on my feet before the Bill was read a third time.

The DEPUTY SPEAKER: Would the honourable member like to speak to the second reading of the second Bill?

The Hon. FRANK BLEVINS: No, the third reading of this Bill.

The DEPUTY SPEAKER: Would the honourable member like to move to the second reading of the second Bill?

The Hon. FRANK BLEVINS: No, I would like to speak to the third reading of this Bill. That is why I was on my feet.

The DEPUTY SPEAKER: The Bill has passed the third reading stage.

The Hon. FRANK BLEVINS: Okay. Let us establish some rules. If I want to speak, do I have to whistle or shout? I rose in my place.

The Hon. S.J. BAKER: There was so much movement in the Chamber. If the honourable member had called a point of order, I do not think there would have been a problem.

The Hon. FRANK BLEVINS: I was on my feet. Everyone except the Chair saw me on my feet. What do I have to do?

The DEPUTY SPEAKER: The Chair has one distinct problem with the member for Giles and that is that he spends a lot of time on his feet even while other members of his own Party and members of the Government are speaking. Given those circumstances, the Chair is not always certain that the member for Giles intends to speak. However, I must admit that I did not see the honourable member rise to his feet when

the third reading was being put through. I have ruled that the third reading has occurred. The honourable member will have the opportunity to speak to the two Bills during the second reading debate on the next Bill if he chooses to make a point.

The Hon. FRANK BLEVINS: On a point of order, the Standing Orders are quite clear that if an honourable member wants to speak at a particular time he rises in his place. I rose in my place to speak on the third reading. I complied with Standing Orders, Sir, and I would expect you to comply with Standing Orders also.

The DEPUTY SPEAKER: The first point is that, as the Standing Orders apply to the Chair, the Chair's ruling is not to be disputed other than by a substantive motion. The second point is that the Chair did not see the honourable member, and the honourable member could have called, 'Mr Speaker'. The honourable member has that prerogative to attract the attention of the Chair. The Chair did not see the member. The Bill has passed the third reading stage and the Chair has ruled that the Bill is through the third reading stage and that we are now into the second reading stage of the Natural Gas Pipelines Access Bill. That is the situation as it stands. If the honourable member wishes to dispute the ruling of the Chair he has one option, that is, to make a substantive motion in writing immediately.

The Hon. FRANK BLEVINS: I am aware of the Standing Orders and I would hope that the Chair would be aware of them. When I stand in my place to speak, as the Standing Orders prevail, I expect that you will allow me to speak. But you will not, and it is not the first time. What do I have to do? I will get a whistle.

The DEPUTY SPEAKER: The honourable member is not only disputing the ruling of the Chair in an improper manner but he is also reflecting on the Chair. If the honourable member wishes to reflect on the Chair—

The Hon. Frank Blevins: He is dead right, though, isn't he?

The DEPUTY SPEAKER:—he should do it by substantive motion in writing.

The Hon. Frank Blevins: I wouldn't waste my time; what is the point?

The DEPUTY SPEAKER: The Chair's alternative is that the honourable member will be named.

The Hon. Frank Blevins: What's wrong with that?

The DEPUTY SPEAKER: The honourable member is disputing the ruling of the Chair. The Standing Orders are quite clear—

The Hon. Frank Blevins: You were wrong: I was right and everyone knows it. We will leave it at that.

NATURAL GAS PIPELINES ACCESS BILL

Adjourned debate on second reading.

(Continued from 8 March. Page 1829.)

The DEPUTY SPEAKER: We are now dealing with the Natural Gas Pipelines Access Bill. The question before the Chair is that the Bill be read a second time. Since the two Bills were debated simultaneously, we had intended that the second reading would pass straight through. The Chair has given the honourable member the option of speaking to either one of the two Bills on the second reading of the second Bill, if the member would like to take advantage of that.

The Hon. FRANK BLEVINS (Giles): Standing Orders allow me to speak on the second reading—end of story.

The DEPUTY SPEAKER: The House had agreed and the Chair is saying that the honourable member will have that right to speak to the second reading. The member for Giles.

The Hon. FRANK BLEVINS: I have that right anyway; the Standing Orders provide it, whether you wish or not. I have very severe reservations about this legislation. In the words of the Minister, this Bill applies some light-handed regulations which, in effect, means that this monopoly is handed over to the private sector and possibly to a foreign company. These pipelines are the arteries of South Australia; let us make no mistake about that. Clearly, it will mean that those arteries are controlled by the private sector and possibly by a foreign-owned company. That causes me a great deal of alarm and I think it ought to cause everyone in the Parliament a great deal of alarm, given the importance to this State of those pipelines. I want to go very briefly through the reasons why I say that. I do not say it from being alarmist or purely for ideological reasons, although ideology does come into it: I say it because essentially, under this and the previous Bill, we are saying that in these areas market forces will prevail.

That means that, with minimal interference, the owners of this pipeline can charge what the market will bear. South Australia will be absolutely crushed, as it does not have the strength to stand up in a free market and compete with either the physical or human resources of the Eastern States. We must give industry in this State some kind of edge. That has been the philosophy of this State almost since the State was founded. It was realised by people over 100 years ago and it accelerated 50 years ago. The circumstances that prevailed then are very similar to those prevailing now. All these people who did first year economics, and who never got past the bit in the text book that says that the market is all knowing and all seeing and that the unseen hand will ensure that everybody gets a fair deal, have not developed. They are not only in control of the Parliament but are the people hired by the Minister to give him advice, which I would argue he does not really need—certainly not at the price he pays them.

It just is not worth it for them to give the Minister first year economics information, as the Minister himself knows. Unless we have a strong regulatory regime, which this Bill before us does not have, we will have industry and domestic consumers at the mercy of these people. There is no provision in here for any significant ministerial control or input of the public interest. Public interest is deemed to be satisfied by market forces. Market forces will ensure that this State finishes up in a worse position than it is now because we do not have the strength that the other States have.

Amendments are on file and I look forward to the debate on them as they are very important. The shadow Minister made clear while debating the previous Bill that some of the amendments were fundamental to our making up our minds whether or not to support this proposition. The positions we have put by way of amendment already and have circulated are not onerous positions for the Government to accept at all, but the Government failed on the first one, which was probably one of the mildest suggestions in these amendments. The Government said 'No', so the Government is pushing the ALP into a position where it will be unable to support the sale and where it will make clear to all potential buyers that it does not support it; that the safeguards for the consumers are not there, that the arteries of the State are to be handed over to the private sector and that market forces will prevail on pricing. The member for Playford stated that that would be a great pity, and I am sure he will restate that in Committee.

What concerns me is that there is no provision in this Bill, as I have stated, for any meaningful regulation, in particular for protection of the consumers, when we have a very good precedent for it. The precedent is in the Gas Act. There was no impediment or shortage of buyers or any devalue of price when the Government owned SAGASCO shares were sold, because the potential buyers were somehow scared off through price control provisions such as in the Gas Act. I was involved heavily in that sale and no potential buyers came running to me saying, 'Well, if you repeal the Gas Act we will give you X extra dollars per share.' There was absolutely no suggestion of it whatsoever. It was not wanted by the purchasers and it was not offered by the sellers, the Government. What is being proposed is something that is reasonable, something that all our constituents would welcome and something that industry in this State, in particular, would welcome. I cannot see anything in the second reading that gives me any comfort whatsoever.

The question of arbitration is one that does not fill me with any joy at all; it does not give me any comfort. What does that mean? The company that owns the pipeline will want to maximise its profits. Occasionally, as we have seen in other arbitration on these issues, the consumer of the service will jack up and go to arbitration. The arbitrator could not care less about the public interest. The arbitrator is concerned only to maintain the profits of the owner and, just possibly, to see that those profits are not excessive. That is what arbitration means in this context. Of course, it is a furphy.

The strongest issue that is in this Bill is the lack of Ministerial direction. It is explicit in the Bill that the Minister does not have a power of direction. It seems to me that, when you have such a fundamental service that touches just about every householder and business in the State through domestic gas and electricity prices, when that occurs and the Government just wants to abrogate all responsibility and say that we do not need to have any role at all for the Government in this it is just that: a total abrogation of responsibility. I cannot understand why any Government would want to behave like that on such a fundamental service as this.

The Deputy Premier made considerable play about the bank and SGIC. I do not argue and never have argued—and again I urge the Deputy Premier to check the record—that either of those institutions were fundamental to the well-being of South Australians, even if they were ticking along wonderfully. They were desirable things to have at certain periods of time. I think the SGIC in particular was desirable at the time it was established, but its usefulness, long before it started building up significant losses, as some kind of window into the industry was no longer required. So, SGIC did not bother me at all. It did not keep other insurance companies honest and, in my dealings with SGIC as an ordinary motorist who broke his windscreen occasionally, it was just as tough and horrible to deal with as any private sector insurance company. SGIC would give no-one anything and I do not think it played any kind of a social role whatsoever toward the end of its life. SGIC does not bother me in the slightest. I could argue the same with the bank. I will not go back to the original formation of the State Bank but it may be that it had a social role.

Many of my constituents, particularly in rural areas, would argue that the social role for a State Bank is still there. I do not agree with them and I think they are wrong, but I can say that many of my constituents still argue this and are very sincere in their arguments, but it is not an argument that appeals to me. But when we start talking about transporting the energy of the State, then we are in a different league. It is not something that may be nice to have in good times, such as a State Bank or an SGIC, because we are talking about something that is extremely fundamental and basic to the wellbeing of every individual in this State. The Government is willing to hand it over to any private sector company or possibly even foreign companies. I know the Government has made it clear that if any foreign company wants to buy it and has enough money, they can have it. That is vastly different from selling a bank, insurance company or even a laundry.

We are talking about something that is fundamentally different, something that is in a totally different league. The company, companies, the consortium or whoever buys this asset, if the Parliament agrees to the sale, with this minimal power of regulation under the Act, will do one thing and one thing only, that is, it will maximise its profits. As was explained on the previous Bill, the profits will be maximised by price increases. The Deputy Premier made absolutely no attempt in responding to the second reading on the previous Bill to tell us how the profits were going to be made. He made no attempt to answer the questions asked.

Given that there are few employees and that apparently they are all going to stay—and stay in Peterborough, according to the Deputy Premier—if no employees lose their jobs, how will the profits be made? Will there be less maintenance on the pipeline? I do not think so. A minimum amount of maintenance of that type of infrastructure has to be done. From where are all those profits going to come? The owners will probably want 25 per cent profit on their investment gross, which is usually about the figure required in the private sector before they will consider investing. How will they get that back? They will not get it back through efficiencies involving employees or through lack of maintenance according to the Deputy Premier. How will they do it? Perhaps in his response to the second reading the Deputy Premier will tell us how these profits will be milked out of the operation. Where will the efficiencies be found? Surely, as an advocate of selling the pipeline without any significant protection for the State, as there ought to be in the Bill, the Deputy Premier ought to be able to tell us from where those profits will come.

The view of people on this side is very clear: the profits will come from price rises one way or another. Mr R.N. Sexton said as much in his letter to the Leader of the Opposition. He stated that PASA ought to charge more for the service it provides. Even with a 25 per cent increase in its costs there are still many more unrealised price increases in there. It is all in the letter from Mr Sexton. I will quote it again, as follows:

> As part of the Scoping Review of the PASA sale, it became patently obvious that a significant increase in the PASA gas haulage charge was justified. In the end result, the Government decided on a 25 per cent real increase [a huge increase], although the market showed that a higher increase could have been justified.

That is where the profits are for whoever buys it. They will jack up the prices. If I am wrong, if the profits are to be milked in some way other than productivity increases, lack of maintenance, or price increases, where are they? How will they obtain a return on their investment? Just tell me. It is a reasonable question; it is not a far out question; and it is a question to which I would have liked the Deputy Premier to respond following the second reading debate on the previous Bill. The Deputy Premier has an opportunity in his response to the second reading debate on this Bill to answer these fundamental questions. Where will it come from if it does not

come from price increases? I look forward to the Deputy Premier's answering these questions in his response to the second reading debate. Of course, if we do not get an answer to the questions raised in the second reading debate we will have to persist in the Committee stage on the various clauses with similar questions.

The DEPUTY SPEAKER: If the Deputy Premier speaks, he will close the debate.

The Hon. S.J. BAKER (Deputy Premier): I will respond, because I think we had an arrangement or agreement to treat the original contribution as the debate on the two Bills—

The Hon. Frank Blevins interjecting:

The Hon. S.J. BAKER: It wasn't anyone's fault. The facts of life are that you—

The DEPUTY SPEAKER: Order! The honourable member takes the remarks by the member for Giles as another direct confrontation with the Chair. If the honourable member wants to turn Parliament into a circus, the Chair will oblige him simply by naming him. If the honourable member wishes to know how to attract the attention of the Chair when he wants to make a third reading address, all he has to do is read Standing Order 104, which requires that he stand in his place and address the Chair, not stand in silence.

Mr QUIRKE: I rise on a point of order, Mr Deputy Speaker. My understanding is that we are now in the second reading debate on Bill No. 99 on the Bill file. I wish to participate in that debate. The Deputy Premier was recognised by you, Sir, but I do not know whether the normal warning—if the Deputy Premier speaks, he closes the debate—preceded that. I wish to make the key speech for our side on this Bill.

The DEPUTY SPEAKER: The honourable member should understand that when the two Bills were under consideration the agreement between all members of the House—the question was put to the House—was that the second reading debate would be in the form of a cognate debate whereby both Bills could be canvassed in the second reading debate on the Pipelines Authority (Sale of Pipelines) Amendment Bill.

The member for Giles disputed the Speaker's ruling; three times he committed a nameable offence, and he is still in the House. The member for Giles was given the right to speak to the second reading of the second Bill, that is, the Natural Gas Pipelines Access Bill, when in fact members of the House had agreed that the second reading would go straight through and that we would be in the Committee stage by now. The member for Giles spoke; he took his time; he challenged the Deputy Premier to respond; and, when I called the Deputy Premier, I said, 'If the Deputy Premier speaks, he closes the debate.' The Deputy Premier is well into his speech and, under the agreement made between all reasonable members of the House, there was to be no second reading speech on the Natural Gas Pipelines Access Bill. That was the situation as the Chair understood it and as the Chair ruled, and therefore the Deputy Premier is responding to a speech which would not normally have been made.

The Hon. S.J. BAKER: It is a bit sad that things have broken down, but I am sure they will be repaired. I would like to make a couple of comments, because I have previously made the point that the regulatory regime on gas prices is still in place, although the Federal Government might have a few words about that. Perhaps that will have to be addressed at a later stage, because the current regime may not be allowable under the Federal guidelines, and we will come to grips with that at the time. The relationship of the pipeline itself—the carriage of the gas—will be under an agreement with a price escalator, which will mean that the increase in price will be less than the CPI increase, and that is written into the agreement. So, when we talk about exploitation and all the issues that have been raised by the member for Giles (and I will not comment on the way he has raised them, but simply say that he has an interesting way of debating the Bill), I point out that there is significant protection for consumers and everyone in the Bill.

In relation to the question about where their profits will come from, that is the matter of what price is paid. For some people who believe they will have a market presence which is restricted to the current markets that they see before them, the price will be reflected accordingly. If a buyer believes they have a greater capacity—and we are talking about acceptable rates of return in this industry; they are getting reasonably low at about 7 per cent or 8 per cent, which is less than the rate of interest, and they vary—and that there is significant potential, the price will be higher. The extent of efficiencies of maintenance, the total costs of running the pipelines, where you get your funds and whether you get them from offshore or onshore, can make a big difference to the equation with which you operate. For the member for Giles to advocate a regime under which you do not have the right to bump up prices when you like and charge X cents on the gas pipeline when the agreements would not allow that to happen is pressing the intelligence of the Parliament, quite frankly.

The honourable member has already had a briefing on the matter, and I cannot understand why he is raising those questions, unless it is in a reasonably negative sort of fashion. I simply make two points: what happens to price? The price is provided for in the escalator clauses. What happens with respect to the profits? The profit is the extent to which people believe they can operate the pipeline effectively. If the pipeline breaks down they do not make profits, quite simply. If they own the pipeline, do not keep it in good order and cannot supply their markets, they do not get a return on their capital. Whether the price comes to the figure that either the member for Giles, the member for Playford or I perceive as appropriate remains to be seen. That will be sorted out during the negotiation stage. We did have an agreement. I know that the member for Playford would wish to have joined in the debate, but I think the member for Giles intervened because he was upset. He did not actually raise a point of order during the previous debate.

Bill read a second time.

In Committee.

Clauses 1 and 2 passed.

Clause 3—'Objects.'

Mr QUIRKE: There are some issues that we have not yet canvassed which we do need to canvass. This is probably the best stage of the Bill at which to do so. We are concerned that negotiations that are currently taking place continue successfully in terms of the employment of staff in this enterprise. As I understand it, 111 persons are working there now. That has been downsized from approximately 143 about this time last year. In essence, we are concerned that adequate provision is made for employees who will transfer from a publicly owned utility to a privately owned company. My understanding is that the arrangements for this transfer have been conducted through the various industrial organisations and that, in terms of a number of the issues, guarantees of

continued employment will be given for a period of time. Where there is sick leave and other such forms of leave that cannot be cashed out, an incentive is to be paid in lieu of that to the workers in this enterprise.

I also hope for a response from the Government in relation to long service leave and all the other provisions that will be transferred to the new owner, and one would also ask the standard question concerning superannuation. Of those 111 employees, a couple of them may be in what is now the ancient State Government super scheme that was closed approximately nine years ago. I am sure a lot more would be in the lump sum scheme that was closed during the course of 1994, and there will be others who probably in the meantime have prepared to join the SSS scheme that comes into operation on 1 July. I will not try your patience on those matters at this late hour, Mr Chairman, but we would like those matters addressed. We would also appreciate an understanding, if not a commitment by the Government, that these industrial issues will be resolved to the satisfaction of all parties in this sale process, and that that will be done before the signing is completed on any contract.

The CHAIRMAN: As the honourable member points out, the specific questions that he raises do not appear to be dealt with under any clause of the Bill. Does the Deputy Premier wish to address these points in response?

The Hon. S.J. BAKER: Yes. The negotiations are under a general umbrella, as the member for Playford realises, and there is a never ending debate whether the umbrella is high enough or whatever. Those issues are being tackled in the general industrial relations arena. As the honourable member will recognise, the transfer is to take place with the general remuneration package being no worse than the conditions that currently prevail. It has to be the subject of negotiation between the employee and the new employer.

Long service leave will be paid out. Those who have generated some benefit stream, because of their employment up to the point of transfer, will have a payment for that long service leave, but they will then be able to accrue at the appropriate rate. Annual leave will also be paid out at that time. Sick leave has been a matter of discussion. It is not a significant issue for those who have been with the company for a short time, but it is an issue for longer serving members who have vast accumulations. We have had discussions on that matter, which I believe will accommodate their needs.

The issue of preserving superannuation rights has been laid on the table. The new scheme, whatever it may be, will flow from that, remembering that the total remuneration package will remain in place. It has been a matter of considerable discussion. The resolution of issues relating to employment relationships must run its course with the new employer. I have discussed the issues involved with the employees. There are differences, but we believe that during the due diligence process, which is the appropriate time when employees can see the face of the new employer, those matters will be resolved.

Mr CLARKE: The objects of the legislation are important, particularly when read in conjunction with the arbitrator's functions. Clause 22(1)(a) provides that the arbitrator must take into account the objects of the Bill. I will deal with what I think are deficiencies in the arbitration side later. Nowhere in the objects is there anything related to the public interest. There are three objects:

(a) to facilitate competitive markets in the gas industry;
(b) to promote the efficient allocation of resources in the gas industry; and
(c) to provide for access to pipelines on fair commercial terms and on a non-discriminatory basis.

There is nothing there about the social and economic development of the State. No obligation is placed on the regulatory authority, the operator, the arbitrator or the Minister with respect to the public interest. I do not mean public interest in market competitiveness; that is an issue for another day. Why is an important point such as the public interest not encapsulated in the objects of the legislation?

The Hon. S.J. BAKER: The Deputy Leader is stretching the point just a smidgin, I would suggest. The objects of the Natural Gas Pipelines Access Bill are to do all three things, and I would have thought that all three things were in the public interest and exactly the sorts of things that I was referring to previously when we were discussing what is in the public interest: first, competitive markets in the gas industry—and the Deputy Leader would agree with that; secondly, efficient allocation of resources—and I am sure he would agree with that, too;and, thirdly, access to the pipeline on fair and reasonable terms. All those issues take in the public interest. The Deputy Leader may say there are many other issues that he would wish to see in those objects but, from the point of view of this legislation, it tries to do and is specifically aimed at doing three things very well.

Clause passed.

Mr CLARKE: Mr Speaker, I draw your attention to the state of the Committee.

A quorum having been formed:

Clauses 4 to 13 passed.

Clause 14—'Proposal for provision of haulage service.'

Mr CLARKE: Clause 14(1)(b) refers to terms and conditions for the provision of access, or for making the variation, that the proponent considers reasonable and commercially realistic. That also includes the price of the haulage of gas. This all leads towards access disputes and requests for arbitration. Arbitration will not be confined simply to whether additional parties are allowed to access the pipeline: it also includes issues such as price for the carriage of that gas which are therefore subject to arbitration proceedings. That is as I read clause 14. It is not absolutely crystal clear and I wanted to be sure that we are all fours on that.

The Hon. S.J. BAKER: The Deputy Leader is correct in his assumption. The issue affects people who would like some gas supply and say, 'I would like it off your pipeline.' Accessibility is provided for, so that someone cannot come along and plug in at a rate which is not commensurate with the cost. The issue of price is also a contestable item. That is basically due to the recommendations of the Hilmer report and the fair competition policy imposed from Canberra. Canberra will not allow us to proceed with legislation or, indeed, a sale if we do not have an access regime and a capacity for that to be contested. So, the Deputy Leader is quite correct.

Clause passed.

Clauses 15 to 18 passed.

Clause 19—'Access dispute.'

Mr CLARKE: My understanding is that a dispute arises only if there is a proponent and a respondent. According to the definition of 'proponent', it is not necessarily Fred and Freda Nerd, consumer: the proponent could be only the two customers of the pipeline—ETSA and SAGASCO. There may be others at a future date. It seems to me that, if that is the case, the opportunity, for example, of Fred and Freda or Penrice Soda, who are the ultimate consumers of gas, and

who may disagree with the price they are being charged, cannot access the arbitrator because the arrangement is between the proponent and the respondent.

That is a deal done between the owner of the pipeline (the operator) and SAGASCO and ETSA. Then, whatever arrangements exist between ETSA and SAGASCO has no direct connection back to the pipeline operator. Hence, if they did not agree with the price, for whatever reason, they could not access the arbitration provisions.

The Hon. S.J. BAKER: I think I understood what the Deputy Leader was saying. If there is a contract with SAGASCO, obviously the dispute is with SAGASCO. If the access required is between, say, Penrice Soda and the gas suppliers off the pipeline, that immediately could invoke a dispute which could therefore be arbitrated.

Mr CLARKE: Am I correct in saying this? In my house I have a gas oven—

The Hon. S.J. Baker: You don't have a right of access.

Mr CLARKE: That is right. Therefore, unless I was a major consumer and dealt directly with the Pipelines Authority, how would I obtain access? In fact, I could not even do that because, as I understand it, all the gas is sold to only two consumers. Therefore, how does Penrice Soda, which buys the gas from the Gas Company or ETSA (I am not sure which), access the arbitration proceedings if it is not a proponent?

The Hon. S.J. BAKER: The process exists for those disputes to be held as though they dealt with the operator of the pipeline. So the mechanism exists for that matter to be canvassed. That is my advice, and that is consistent with the general thrust of the access regime that is required under the competition policy.

Mr CLARKE: If the Minister is saying that these consumers have access to the arbitration provisions, that directly they can seek arbitration, where is that provided for in the Bill if under the Act they are not a proponent?

The Hon. S.J. BAKER: Clause 36 deals with some of the issues to which the honourable member refers.

Clause passed.

Clause 20—'Presumptive dispute in case of competing access proposals.'

Mr CLARKE: This follows on from some of the points I made earlier.

The Hon. S.J. Baker: It is like a dead heat: someone must arbitrate.

Mr CLARKE: That is further reason for my not being happy with the Bill as it stands.

Clause passed.

Clause 21—'Reference of dispute to arbitration.'

Mr CLARKE: Under this clause, a regulator must appoint an arbitrator, and this sets out how that is done. Subclause (4) provides:

> The regulator is not obliged to refer the dispute to arbitration if, in the regulator's opinion—
>
> (c) the regulator is satisfied on the application of a party to the dispute that there are good reasons why the dispute should not be referred to arbitration.

I think that is a very broad discretion to give to a regulator, particularly under this current Bill where there is a distinct lack of ministerial direction in this area. As long as the regulator is satisfied that there are good reasons why the dispute should not be referred to arbitration, they can refuse to refer it to arbitration for any reason, and that is it. The proponent could be screaming their head off saying, 'We want to go to arbitration for these reasons,' and the regulator could turn around and say, 'I do not think it is a good enough reason.' The proponent does not have any recourse to have that decision by the regulator reviewed, and I am not aware whether, under this Bill, the Minister would have the power to override the regulator and say, 'That is tough; the matter will go to arbitration.' It seems an extraordinarily wide discretion for the regulator to pigeon-hole the problem.

The Hon. S.J. BAKER: As far as the clause is concerned, the regulator will in all probability be a Government body.

Mr Clarke interjecting:

The Hon. S.J. BAKER: No; I understand that; it is part of the explanation. In all probability it will be a Government body or a body that is acceptable to our friends in Canberra, so from that point of view the final determination on the matter is still subject to further consideration. Basically, the Deputy Leader has pointed to the question of the public interest, and that will be taken into account. The regulator has to be seen to be independent. In those circumstances, our first thought is that it would be a Government body, so it is in the best interests that they have a process whereby unimportant issues do not rise to the surface simply because of aggravation between the customer and supplier. So, that sifts the process, although only to the extent that the minor matters get sorted out simply by people talking together. The more serious ones go to an arbitration system, and that is reasonably consistent with the situation that we see in the industrial arena and elsewhere where, if indeed someone is aggrieved that a matter has not been referred, there are always the courts, which then can order that it go to arbitration. That is the process that we will be pursuing.

Mr CLARKE: The Minister says that more than likely a Government agency or officer will be the regulator. It is not clear in the Bill whether or not the regulator will be a Government agency. If it is, will they be subject to ministerial direction on these matters? Also, subclause (5), which refers to an industry code of practice, provides:

> If, before the dispute is referred to arbitration, conciliation proceedings are started (either under the Industry Code of Practice or on some other basis). . . .

What is this industry code of practice? Is there a hard copy of it or is that yet to be developed?

The Hon. S.J. BAKER: The industry code of practice is in place already. The industry has drawn up a code of practice a form of which we understand the Commonwealth Government will be adopting. So, that is the process that will be followed, consistent with the industry code which I am told is already in place and with which the Federal Government and the whole of the industry is reasonably comfortable. So, there does not seem to be a problem with that particular provision.

Clause passed.

Clause 22—'Principles to be taken into account.'

Mr CLARKE: The arbitrator, under the principles of arbitration, must take into account certain things. Whilst there is a discretion in subclause (2), dealing with those matters which he or she must take into account, under (j), what is meant by the term 'the public interest in market competition'? I do not understand the term. What is wrong with a simple 'public interest' or wording such as 'the public interest and market competition', where the public interest, which is broader than public interest in market competition, is a factor which must be taken into account by the arbitrator and those broader principles that apply?

The Hon. S.J. BAKER: It is common terminology and by way of intergovernmental agreement. They are not my

words: we are trying to be consistent with what has developed around Australia.

Mr Clarke: What does it mean?

The Hon. S.J. BAKER: Public interest in market competition. It is really stating that to have full market competition is in the public interest, so that the public interest in market competition is sustained by the principles taken into account by the arbitrator. It is one of a number of issues that have to be looked at, one being market competition. There is a paranoia in the Federal Government that, if you do not have as free a competition as possible, the results for the economy are less than effective and efficient. That is the Commonwealth's viewpoint, which has been stated on a number of occasions.

Clause passed.

Clause 23—'Parties to arbitration.'

Mr CLARKE: This harks back to an earlier question I asked, namely, that the parties to an arbitration are clearly defined as the proponent and respondents to the access proposal. The only ones who are directly able to access arbitration are the proponent and the respondent, and any other person is able to be joined as a party to the arbitration by leave of the arbitrator, I presume. So, Fred and Freda Nerd or Penrice Soda do not have an automatic right to go to arbitration because they are not a direct party. The only direct parties that can access arbitration are the proponents.

The Hon. S.J. BAKER: If Penrice becomes the proponent, it goes to arbitration. Fred and Freda cannot negotiate a gas price or gas access. Fred and Freda run off the SAGASCO lines, but Penrice can become a proponent.

Mr Clarke interjecting:

The Hon. S.J. BAKER: They can put up a deal to reach their own arrangements. They become a proponent and, as soon as they do, they get into the system.

Mr CLARKE: The Deputy Premier has confirmed one of my fears, namely, that whilst you are a large consumer such as Penrice or the BHAS in Port Pirie you may be able to access arbitration, but the ordinary domestic consumer (who runs off a gas company main line) and a whole range of other industries, which are not able to do a deal direct with the gas producers, have no right of access to the arbitrator.

The Hon. S.J. BAKER: They do. If Fred and Freda want to put a line down to the main link, which is totally impractical, they require an intermediary like the Gas Company to provide them with gas.

Mr Clarke interjecting:

The Hon. S.J. BAKER: That is the situation that prevails at the moment.

Mr Clarke interjecting:

The Hon. S.J. BAKER: The honourable member can put up all sorts of propositions. I am saying that in the sale of electricity and gas certain prices are negotiated right now, as the member would recognise. Quite frankly, I do not think that the world will change dramatically.

Clause passed.

Clause 24 passed.

Clause 25—'Minister's right to participate.'

Mr CLARKE: This is an area of concern that is addressed more particularly by the member for Playford's amendment. This is an exceptionally weak clause. It simply provides that the Minister may participate in arbitration proceedings under this Act. If there is a dispute before the arbitrator, the Minister has the right to intervene and put a case if he or she chooses to.

In terms of the Minister's being able of his or her own initiative to say, 'We think this is an outrageous proposition', even though the gas company and ETSA are all sweet in their arrangements with the gas hauliers and the price rises that might ensue; the larger proponents who have been able to negotiate a deal directly and do not run off gas company mains are sweet with whatever arrangements they have come to; in so far as Fred and Freda Nerd down the street who are caught with the gas company's lines, or smaller businesses who are not able to negotiate direct and therefore are incapable of activating the arbitration mechanisms are concerned, even in the public interest the Minister cannot initiate proceedings to overturn those sorts of decisions. That is an exceptionally weak provision when the Minister should be there to protect the public interest.

The Hon. S.J. BAKER: The honourable member seems to be getting two items confused. Regulation of the gas price for the consumer is already in place. That is not altered under this Bill at all; the consumer has protection. If somebody else wants to hit the system and get access to the pipeline, or whatever, the Minister has a right of intervention.

Progress reported; Committee to sit again.

ADJOURNMENT

At 1.24 a.m. the House adjourned until Wednesday 22 March at 2 p.m.