HOUSE OF ASSEMBLY

Tuesday 26 November 1996

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

LOCAL GOVERNMENT (CITY OF ADELAIDE) 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.

RACIAL VILIFICATION BILL

The following recommendation of the conference was reported to the House:

That the Legislative Council do not further insist on its amendments.

KINGSTON PARK LAND

A petition signed by 85 residents of South Australia requesting that the House urge the Government to approve the compulsory acquisition of the property at 14 Burnham Road, Kingston Park, for incorporation in the adjacent park was presented by the Hon. W.A. Matthew.

Petition received.

SHOOTING BANS

A petition signed by 4 991 residents of South Australia requesting that the House urge the Government to ban the recreational shooting of ducks and quails was presented by Mr Clarke.

Petition received.

MULTICULTURALISM

A petition signed by 22 residents of South Australia requesting that the House urge the Federal Government to give a firm commitment to the principles of multiculturalism was presented by Mr Rossi.

Petition received.

CAPITAL PUNISHMENT

A petition signed by 253 residents of South Australia requesting that the House urge the Government to consider the reintroduction of capital punishment was presented by Mr Rossi.

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 3, 7, 27, 29 and 34.

PAPERS TABLED

The following papers were laid on the table:

By the Premier (Hon. Dean Brown)—

Australian Financial Institutions Commission—Report, 1995-96

By the Deputy Premier (Hon. S.J. Baker)—

Courts Administration Authority—Report, 1995-96
Liquor Licensing Act—Regulations—Dry Areas—Murray Bridge
Rules of Court—Supreme Court—Supreme Court Act—Interest on Judgments
Mediators—Various
Sittings of Adelaide Criminal Court
Sheriffs' Act—Regulations—Fees

By the Minister for Industrial Affairs (Hon. G.A. Ingerson)—

Construction Industry Long Service Leave Board—Actuarial Report, 1995-96
Report, 1995-96
Department for Industrial Affairs—Report, 1995-96

By the Minister for Recreation, Sport and Racing (Hon. G.A. Ingerson)—

Racecourses Development Board—Report, 1995-96
South Australian Greyhound Racing Authority—Report, 1995-96

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

National Road Transport Commission—Report, 1995-96

By the Minister for Aboriginal Affairs (Hon. M.H. Armitage)—

Aboriginal Lands Trust—Report, 1994-95

By the Minister for Correctional Services (Hon. W.A. Matthew)—

Correctional Services Act—Regulations—New Prisoners

By the Minister for Primary Industries (Hon. R.G. Kerin)—

Citrus Board of South Australia—Report, 1995-96 and Strategic Plan 1996-2000
Dog Fence Board—Report, 1995-96
Dried Fruits Board of South Australia—Report, 1995-96
Soil Conservation Council of South Australia—Report, 1995-96

By the Minister for Housing, Urban Development and Local Government Relations (Hon. E.S. Ashenden)—

Corporation—By-Laws—City of Marion—No. 3—Council Land
Development Act, Administration of the—Report, 1995-96
Development Act—Regulations—Special Event
District Council—By-Laws—Yankalilla—No. 13—Dogs and Cats.

STATE DEBT

The Hon. S.J. BAKER (Deputy Premier): I seek leave to make a ministerial statement.

Leave granted.

The Hon. S.J. BAKER: When the Liberal Government was elected in December 1993, it laid down a clear path to return South Australia to financial respectability by tackling the two key issues of debt strangulation and gross Government overspending wrought upon this State by the former Labor Government. Members will recall that at the time of the May 1994 financial statement the projected debt at 30 June 1994 was expected to be $8.7 billion. With an accompanying deficit of $350 million per annum, that debt was headed towards the $9 billion mark by 30 June 1998.

At the time of the election, we promised that the debt would be reduced by $2 billion in real terms by the end of the

first term of the Government—$1 billion more than the then Labor Government—and the figure that we wished to reduce it to was $6.6 billion. We also promised to restore financial integrity and respectability by producing a balanced budget. The reality is that the debt in June 1993 prices has already been reduced from $8.25 billion to an expected $6.7 billion at 30 June 1997. The equivalent figure for 30 June 1998 is estimated to come in below $6.5 billion in real terms. That is expected to be more than $100 million ahead of target—a tribute to this Government's careful management of expenditure programs and above expected returns from asset sales and the run-off of the non-performing assets of the former State Bank.

Whilst this is a remarkable result, South Australia cannot revert to the free spending ways of the former Government. Unlike the Labor Party, we are committed to protecting the long-term financial security of this State. However, there must be a balance between the Government's economic drivers and its social responsibilities and fundamental community needs. I want to reinforce the message the Premier gave publicly last week. Whilst recognising the need—

Members interjecting:

The SPEAKER: Order!

The Hon. S.J. BAKER: —to continue to meet important reform targets and reduce the State's exposure to debt which remains the second highest of the States on a *per capita* basis, the better than expected debt reduction outcomes give some flexibility to meet some immediate priorities which have emerged due to the flattening of national economic growth, Federal funding cuts and some structural weaknesses. The immediate priorities are jobs, stimulating the economy and rebuilding business confidence which has suffered as a result.

The Government has determined that it can redirect funds to meet some of the more pressing needs, most in a limited time frame, until economic recovery overcomes some of the current difficulties and improves the Government's revenue capacities. Some recurrent support can be supplied in the areas of social development, either on a short-term basis or in the longer term, provided in this latter case there are commensurate offsets within the non-commercial sector over the medium term. Schemes such as Housing Deposit 5000 will deliver benefits to the housing industry, boost economic activity and smooth out the current downturn for a very modest injection of capital without adversely affecting the integrity of the budget. No Government worth its salt can turn a blind eye to the changes taking place around it.

Mr Clarke interjecting:

The SPEAKER: Order! The Deputy Leader is warned for the first time.

The Hon. S.J. BAKER: The Government must keep its eye not only on financial targets but also on fundamental community needs. Having progressed the financial results consistent with exceeding our original expectations, it is appropriate for some expenditure realignment without losing sight of or repudiating the debt and deficit goals so important to the long-term future of the State.

Members interjecting:

The SPEAKER: Order! There are far too many interjections coming from my left. The Chair has been most tolerant, as is its usual practice. I suggest that members do not test the tolerance of the Chair.

MAERSK VICTORY

The Hon. S.J. BAKER (Deputy Premier): I seek leave to make a ministerial statement.

Leave granted.

The Hon. S.J. BAKER: I provide the House with information regarding the incident involving the drilling rig *Maersk Victory* in Gulf St Vincent. It was announced in October this year that Canyon (Australia) Pty Ltd—the operator of petroleum exploration licence No.53 which covers much of the waters of Gulf St Vincent—would conduct a $15 million program to drill two offshore petroleum exploration wells in the gulf. Approval for the drilling of the two wells followed a comprehensive assessment by a number of relevant Government agencies and each well was subject to location and operation specific approval. The assessment process includes the review and analysis of considerable documentation that must be submitted by the operator in accordance with legislative requirements.

The documentation includes a declaration of environmental factors, a code of environmental practice, a drilling program, oil spill contingency plan, emergency response manual and drilling rig safety case. In addition, on 4 November a hypothetical emergency exercise, involving personnel from 19 organisations, including emergency and support services, was held to ensure all emergency response and oil spill plans were fully coordinated with the State disaster plan and support plan, the State water rescue plan and the State oil spill contingency response plan.

Canyon (Australia) Pty Ltd contracted Apache Energy of Perth to supply the jack-up rig *Maersk Victory* to drill the two exploration wells in the gulf. The rig was loaded onto a heavy lift vessel, the *Super Servant 3*, in Western Australian waters and transported to South Australia, arriving in Gulf St Vincent on Thursday 14 November. The rig was unloaded in the relatively protected waters off Port Adelaide in accordance with standard procedures and towed to the location for the first proposed well, approximately 30 kilometres west of Moana.

On the morning of Saturday 16 November, the three legs were lowered to the sea floor and the hull raised. Ballast was taken on board by pumping seawater into ballast tanks located adjacent to each leg. This was to ensure that when working, fully laden and with drill pipe in the hole with maximum loading on the legs, the rig would represent a stable drilling platform. However, one of the legs rapidly penetrated the sea floor to a significantly greater depth than planned, causing the rig to list and causing extensive damage to all three legs of the rig.

The emergency response plan was activated and all 35 rig personnel were safely evacuated by the work boats *Massive Tide* and *Canning Tide*. The State oil spill contingency plan was immediately activated by the Marine Safety Section of the Department of Transport as the *Maersk Victory* contained 170 tonnes of diesel fuel, about 4500 litres of lubricating oil in engine crankcases plus 24 drums of lubricating and hydraulic oil. There has been no oil spill: however, a minor oil sheen was detected on the water adjacent to the rig apparently caused by seawater washing over machinery containing grease and oil.

The emergency response vessel *MV Gallantry* was used to disperse the sheen by mechanical agitation. One drum fell off the rig and was recovered and another was disposed of on the advice of the Environmental Protection Authority. There has been no damage to the three tanks containing diesel oil,

and at this stage it is not considered necessary to remove the diesel fuel or drums of oil as they are unlikely to be affected by operations to recover the rig.

In the unlikely event the three diesel fuel tanks are ruptured, equipment and vessels are available and in place to ensure effective dispersion of any spill. Oil spill clean-up equipment has been transported from Geelong to Port Adelaide including dispersant, two barges, three skimmers and a quantity of absorbent boom. Notice to Mariners has been issued and sufficient vessels are in place to ensure there is no risk to shipping. On Monday 17 November, No.1 leg collapsed against the helideck of the rig. Subsequently the pumping out of ballast tanks has allowed the rig to assume a more even keel. The rig and legs have been inspected underwater by a remote operating vehicle and by divers and a recovery plan has been developed by the rig owners—Maersk—and presented to relevant government agencies on Friday 22 November.

Provisional agreement was given to this plan, subject to submission and review of detailed operational plans. These plans involve freeing the rig, recovering the legs from the seabed and preparing the rig for transport to a repair yard. To free the rig, the legs need to be severed below the hull. A safety case and safety management plan for this operation will be submitted to my department for review and the Department of Industrial Affairs will review documentation related to the severing of the legs.

It is anticipated that severing of the legs will take at least two weeks. Detailed plans for recovering the legs from the seafloor are being developed and may involve either cutting the legs at the seafloor and recovering all debris, or using cranes to lift the legs out of the seafloor. Preparation of the rig for transport to a repair yard will occur after the *Maersk Victory* has been moved to a safe anchorage within the gulf. I would like to take this opportunity to express appreciation to the large number of organisations that provided assistance and cooperation to my department, to Canyon and to Maersk both before and after the incident on 16 November.

On a positive note, Canyon has advised Mines and Energy SA that it is committed to proceeding with the drilling program in the gulf. The timing of the program will depend on the availability of a rig. The drilling program is a significant and important investment in South Australia's resources potential. An oil or gas discovery would increase energy security, provide additional revenue for the State and provide a boost to the economy. As operations proceed to recover the *Maersk Victory* I will keep the House further informed of progress.

PROPRIETARY RACING

The Hon. G.A. INGERSON (Minister for Recreation, Sport and Racing): I seek leave to make a ministerial statement.

Leave granted.

The Hon. G.A. INGERSON: Given the extent of recent publicity surrounding TeleTrak Australia's proposal to establish proprietary racing operations in several States throughout Australia, and considering that individual approaches have already been made to some South Australian councils by TeleTrak representatives, it is appropriate that I outline the Government's view on this matter. Proprietary racing is a privately owned, controlled and conducted racing operation. It is important to note that proprietary racing is defined as being a racing operation established for the purpose of securing pecuniary profits for its members. It is not permitted in South Australia under existing racing legislation.

Last Friday, 22 November, at a conference in Sydney of State and Territory Racing Ministers a detailed presentation was given by the representatives of one company which is keen to develop a proprietary racing operation at several sites throughout Australia. The Ministers' conference resolved that, because proprietary racing is a significant national issue for the Australian racing industry, no agreements be entered into without first consulting the other States and Territories. The State Government is not contemplating amending the current legislation to allow the introduction of proprietary racing. As a consequence, I am writing to South Australian racing clubs and local councils recommending that they not commit themselves contractually or financially to the establishment of proprietary racing in South Australia.

HEALTH MINISTER

The Hon. M.H. ARMITAGE (Minister for Health): I seek leave to make a ministerial statement.

Leave granted.

The Hon. M.H. ARMITAGE: On the most recent sitting day of Parliament, the member for Elizabeth made a number of allegations that, in her view, there was a conflict of interest because of an ANZ shareholding which had been clearly identified in my Register of Pecuniary Interests. I wish to indicate to the House that the member for Elizabeth once again got the facts wrong. This time she got them seriously wrong. I am advised that the ANZ Bank does not hold and has never held any shares in Healthscope.

Members interjecting:

The SPEAKER: Order!

The Hon. M.H. ARMITAGE: The share registrars for Healthscope have advised that 'ANZ Banking Group Limited are not currently shareholders in Healthscope Limited, also they have never been listed as a shareholder in the company'.

Members interjecting:

The SPEAKER: Order!

The Hon. M.H. ARMITAGE: ANZ Nominees Limited—

An honourable member interjecting:

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

The Hon. M.H. ARMITAGE: —is a custodian company holding shares on behalf of other parties. This fundamental error shows that newer members of the Opposition, like the member for Elizabeth, know nothing about business affairs and finance. It shows—

Members interjecting:

The SPEAKER: Order! I warn the Deputy Leader for the second time. And I warn the member for Mawson for the first time.

The Hon. M.H. ARMITAGE: —further that members of the previous Government, who left this State with the legacy of a $3 billion plus debt, have learned nothing about business affairs and finance. The Leader of the Opposition condoned the question. If he did know the difference between ANZ Bank and ANZ Nominees, he failed to tell the member for Elizabeth. If he did not know the difference, it demonstrates an appalling lack of basic financial acumen, which gives further insight into why the previous Government was unable to manage the State's finances.

The member for Elizabeth has attempted to lower parliamentary standards to those she sets for herself. Fortunately, the parliamentary process is greater than that, and it affords an opportunity for an apology to be offered. I would hope that, in seeking such an apology for her breathtakingly naive and incorrect allegations, she would do the decent thing and take the first opportunity to use the parliamentary process by seeking to apologise in the first grievance debate after Question Time. I eagerly anticipate her public apology.

Members interjecting:

The SPEAKER: Order! The Minister for the Environment and Natural Resources.

KOALAS

The Hon. D.C. WOTTON (Minister for the Environment and Natural Resources): I seek leave to make a ministerial statement.

Leave granted.

The Hon. D.C. WOTTON: Within the next two weeks the State Government will release a major strategy involving government, non-government and community groups in achieving practical short and long-term solutions to the Kangaroo Island koala situation. Over the past few months, significant work has been undertaken behind the scenes to develop this strategy, pulling together expert and community advice in producing the most effective, balanced and sensitive way to handle this problem. This strategy will represent a plan that is environmentally, economically and socially sound.

The State Government is well aware of the intense local, national and international interest in this issue. We are well aware of the huge local and international backlash over initial suggestions that koalas, a vulnerable species in most parts of Australia, be culled. The Government is also well aware of the need to protect, preserve and remediate areas of the Kangaroo Island environment, particularly along affected areas of Cygnet River. The responsibility has fallen on this Government to take action because of the failure of a succession of previous Labor Ministers to act. The task force set up to examine the issue produced a scientific response.

Mr Brokenshire interjecting:

The SPEAKER: Order! I warn the member for Mawson for the second time today.

The Hon. D.C. WOTTON: We must add to this the social and economic considerations so as to develop a comprehensive solution that is workable, humane and acceptable both domestically and internationally. These other important elements have been explored as part of ongoing investigations by the department. These investigations have been running parallel with the deliberations of the task force and all input—scientific, environmental, social and economic—is now being developed into a comprehensive strategy, which will be announced within two weeks.

I would like to point out that there are a number of mitigating circumstances on Kangaroo Island that will make the issue easier to deal with than in other States where overpopulation problems are being experienced. The first is the height of the trees. In many cases, koalas are inhabiting trees that are relatively small, unlike the 45 metre high habitats of the koalas facing a similar problem in Victoria. A further consideration is that, while koalas are sensitive animals, previous experience has shown that translocation does work. Kangaroo Island koalas—which, I might add, comprise the only chlamydia-free koala community in Australia—originally came from Victoria in the 1920s, when the knowledge and skill of the people involved was far behind that of present times. Kangaroo Island koalas have also previously been translocated to Cleland, to the Riverland and to the South-East. Translocation, of course, is also carried out in Victoria.

As part of the preparation for this strategy, South Australia has been in constant contact with Victorian conservation agencies over issues such as fertility control now being pursued also in that State. Further, the international scientific community has shown huge interest in being able to work with South Australia in achieving acceptable solutions with offers of in-kind support. In fact, South Australia has been overwhelmed by the level of support from organisations such as wildlife groups and the Marsupial Society, from students, from the business sector, and from community groups such as Rotary, which, through the State Government, has now embarked on a major koala habitat revegetation project.

Our approach will provide a mix of short-term measures to alleviate immediate pressure, together with long-term and ongoing programs to maintain the population at sustainable levels. The results of this marsupial research into the principles and application of fertility control and management techniques, using Kangaroo Island as a base, will be internationally sought. I believe that the release of this strategy will represent one of the most significant joint Government and community conservation programs of this decade. Finally, it will gain attention through the world and show that South Australians do care for their environment and wildlife, and that they are prepared to tackle this issue without resorting to the gun—something that every State, Territory and Federal Government Environment Minister in this country has rejected.

WESTERN FLOWER THRIP

The Hon. R.G. KERIN (Minister for Primary Industries): I seek leave to make a ministerial statement.

Leave granted.

The Hon. R.G. KERIN: Recent surveys by inspection staff from Primary Industries SA have shown that western flower thrip is widespread on the northern Adelaide Plains. The pest has been found in flower, vegetable, nursery and fruit crops. It has also been found on weed hosts, particularly salvation Jane. Western flower thrip was first detected in South Australia on a flower growing property at Penfield in June 1995 and quarantine procedures were put in place to minimise the spread of the pest. There has now been a widespread break-out of the pest and a strategy group involving representatives from industry, PISA and SARDI has met on several occasions in recent days to review the situation.

At a meeting on Wednesday 20 November the group agreed that quarantine measures no longer provided a practical method to contain the pest. The group agreed that the best long-term strategy is to assist growers in learning to manage the pest to minimise its damage by adopting nationally recognised control strategies.

Northern Territory, Western Australia, New South Wales and Queensland have no treatment requirements in relation to produce movement into these States. Victoria requires methyl bromide fumigation of plants, leafy vegetables and flowers from affected properties. Tasmania requires fumigation, inspection or certification assurance of these products. We have successfully negotiated with Victoria that there be

no restrictions on the marketing of tomatoes, capsicum, eggplant, zucchini and cucumbers.

Nurseries and growers of flowers and leafy vegetables can either gain Victorian accreditation as western flower thrip free or issue their own certification of treatment, and are being encouraged to do so as soon as possible. This will avoid the prohibitive cost of inspection and the damage to produce caused by fumigation. Up to 75 per cent of the cost of any training to gain this accreditation can be provided by the State Government under the newly announced RAS group training scheme. The Chief Inspector has recommended that a proactive training and information program be put in place to provide growers with information on the ongoing management of western flower thrip in South Australia, and that the current quarantine restrictions in South Australia be lifted, effective immediately, due to the impracticality of their enforcement over such an extensive area.

Consultative meetings have been held with the Vietnamese producers group, and an open growers meeting was held at Virginia on 20 November. PISA staff are continuing follow-up talks with all growers on infested properties to provide management details.

FILM AND VIDEO TAPE CLASSIFICATION

The Hon. S.J. BAKER (Deputy Premier): I lay on the table the ministerial statement relating to guidelines for the classification of films and video tapes made earlier today in another place by my colleague the Attorney-General.

AUSTRALIAN NATIONAL

The Hon. J.W. OLSEN (Minister for Industry, Manufacturing, Small Business and Regional Development): I lay on the table the ministerial statement relating to Australian National made earlier today in another place by my colleague the Minister for Transport.

PUBLIC WORKS COMMITTEE

Mr OSWALD (Morphett): I bring up the forty-second report of the committee on the Adelaide to Crafers highway upgrade and move:

That the report be received.

Motion carried.

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

That the report be printed.

Motion carried.

DISTINGUISHED VISITOR

The SPEAKER: My attention has been drawn to the presence of a distinguished visitor in the gallery, in the person of Mr Arthur Donahoe, QC, Secretary-General of the Commonwealth Parliamentary Association. Mr Donahoe is a former Speaker of the Nova Scotia House of Assembly. On behalf of the House, I welcome him and invite him to take a seat on the floor of the House. I ask the Premier and the Leader of the Opposition to escort him to a seat on the floor of the House.

Mr Donahoe was escorted by the Hon. Dean Brown and the Hon. M.D. Rann to a seat on the floor of the House.

QUESTION TIME

STATE ECONOMY

The Hon. M.D. RANN (Leader of the Opposition): Will the Premier release publicly two reports from the Victorian based Centre of Policy Studies and SYNTEC, produced earlier this month and purchased by the South Australian Government, which show that jobs and economic growth projections for South Australia are the lowest of any Australian State into the next century? Victorian sources have advised the Opposition that the South Australian Government is paying the Centre of Policy Studies and SYNTEC, based at Monash University, $60 000 a year to provide economic forecasts for our State. The Opposition has obtained a copy of two reports produced by the centre this month which indicate that, for the period 1995 to 2003, South Australia will have the lowest employment—

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

The Hon. M.D. RANN: I am quoting from the report, Sir. This is outrageous!

The SPEAKER: Order! The Leader is fully aware that, in explaining a question—

Mr Atkinson interjecting:

The SPEAKER: If the member for Spence thinks there is something funny about the ruling that the Chair is giving, he will not be in the Chamber to hear the rest of it. The Leader knows full well that he can briefly explain his question, but he is not allowed to comment by reading a prepared statement.

The Hon. M.D. RANN: I have said that the Opposition has obtained a copy of two reports produced by the centre this month which indicate that, for the period 1995 to 2003, South Australia will have the lowest employment growth of any State and, at 2.1 per cent per annum, the lowest growth in gross State product of any State. Prior to the last election, the Premier promised—

The SPEAKER: Order! Leave is withdrawn.

The Hon. M.D. RANN: —average growth in GSP of 4 per cent and 20 000 jobs—

The SPEAKER: Order! Leave is withdrawn. The honourable Premier.

The Hon. DEAN BROWN: Clearly the claim made by the Leader of the Opposition is wrong. First, we now have the third lowest unemployment figure of any State in Australia, and the latest figures show that. In fact, this Government has reduced unemployment from 12.4 per cent under Labor down to 9.4 per cent under this Government.

Mr Clarke interjecting:

The Hon. DEAN BROWN: Well, the figures are there. I know that the Opposition does not like the figures when they do not suit it. We understand that fully.

The Hon. M.D. Rann: Release the reports.

The SPEAKER: Order! The Leader has had a fair go.

The Hon. DEAN BROWN: The other clear fact is that South Australia has an above average growth rate for the whole of Australia. We all know that. It was 4.7 per cent for the last period. In fact, that is substantially greater than the growth rate produced by the Labor Party when it was in office. I do not know of these two reports; I have not seen them and, therefore, I cannot comment upon them.

AUSTRALIAN NATIONAL

Mr BECKER (Peake): Will the Premier advise the House of the State Government's response to the announcement made this week by the Commonwealth Government concerning the future of Australian National? On Sunday of this week, the Commonwealth Minister for Transport and Regional Department (Hon. John Sharp, MP) made a series of announcements following the Federal Government's consideration of the future of Australian National and its financial position as outlined in the recent Brew report.

The Hon. DEAN BROWN: The very high cost to South Australia of the poor administration of the railway system by State and Federal Governments over a number of years has now come home. In fact, we have lost 8 000 railway jobs in South Australia under the former Labor Federal Government, which owned the railway system—Australian National. This State has suffered greatly, and my Government has been determined to ensure that, out of the ashes and the absolute shambles of the railway system left by the former Federal Labor Government, we build a railway system that is world class and also incorporates the Alice Springs to Darwin railway.

I am delighted that the Federal Government has now given such strong support to the Alice Springs to Darwin railway. It has made a commitment of $2 billion to clean up the mess left by the Labor Party. The loss of jobs is a great shame, and I am sure all members would join with me in expressing our sympathies to all the workers involved, particularly at Islington and Port Augusta. I walked through Port Augusta just a few weeks ago and met many of the workers, and whilst there I was able to talk to them about their hopes for the future. In particular, they have appreciated the fact that we have set up a task force chaired by the Minister for Transport. They are working very closely with the State Government on that task force, and they want to see their workshops at Port Augusta now taken over for joint railway and mining activities.

They appreciate the fact that the big boom in jobs will be in the area of metals manufacturing and fabrication for the mining industry, particularly Roxby Downs, and they want to work with the State Government. That is why Mr Crossing, for instance, came out and said that he endorsed fully what the South Australian Government was doing. We have been able to broker a deal so far with the Federal Government which has put in $20 million for regional assistance and under which the Federal Government has put $2 billion into helping recover the entire railway system, at the same time securing the support of the Federal Government to build that Alice Springs to Darwin rail link.

Although there is substantial job loss—and we will fight to make sure we minimise those losses—we want to make sure at the same time that whoever takes over the railway system operates it as a national system in the interests of the whole of Australia and maximises the number of jobs in South Australia.

STATE ECONOMY

Mr QUIRKE (Playford): Does the Premier accept the findings of the Adelaide Bank's 1996 annual report that business investment today is at a lower level than before the 1990 recession and that the total employment in South Australia is only marginally higher than the 1990 recession? A report in today's press quotes the report and the Adelaide Bank's Chairman, Mr Richard Fidock, as saying that total business investment continues to lag behind the rest of Australia and that without improved business investment there will be little overall economic improvement. The press report states:

> The Adelaide Bank's 1996 annual report paints a grey picture of South Australia with continuing high unemployment, minimal business investment, a stagnant building sector and tight economic conditions in general.

The Hon. S.J. BAKER: I am fascinated by the line of questioning.

Mr Quirke: My question was directed to the Premier.

The Hon. S.J. BAKER: I will answer the question because the honourable member said that it is a report by the bank and, as Treasurer of this State, I think I have some rapport with and understanding of the banks.

Mr Clarke interjecting:

The SPEAKER: Order! The Deputy Leader.

The Hon. S.J. BAKER: I am interested in the line of questioning. We have seen members of the Opposition gloating about the demise of AN, yet they were responsible for it. Their Federal counterparts sent the contracts interstate and left the workers in South Australia with no jobs, yet members of the Opposition are gloating about it and telling everyone what a terrible thing has happened to the workers. In fact, the fault lies with the former Federal Labor Government and the inability of members opposite to secure those jobs. Now we hear from the member for Playford about business investment. If the member for Playford wants to reflect on what has happened to this State as a result of Labor's mismanagement over a long time, he should look at the figures. Indeed, members will note that, during the 1994-95 year, South Australia had the biggest increase in business investment of any State. How can the honourable member take a snapshot in time of one financial year and draw a conclusion?

In terms of any uplift in investment, we will wait and see what is happening on the ground, whether it involves public investment in the Southern Expressway, the Mount Barker Road or Adelaide Airport, together with what we will see at Roxby Downs and other mining ventures in this State, as well as some of the other initiatives taken by the Government, and I can assure the honourable member that he will see the figures lift. If he wants to draw conclusions on five minutes, he is doing a great detriment to this State and everyone who lives here. I have a very positive attitude towards the future of this State.

DEPOSIT 5000

Mr CAUDELL (Mitchell): Will the Minister for Housing, Urban Development and Local Government Relations advise the House how many people have responded to the Government's offer to provide grants to assist new home buyers through the Deposit 5000 scheme and how much money has been granted so far?

The Hon. E.S. ASHENDEN: I can advise the House that the scheme has proved to be extremely popular. I have spoken with those in the housing and building industries, and they have said that without a doubt this scheme has provided a greater incentive to building in this State than has been seen previously. The subcontractors are giving the same feedback and we are receiving tremendous support from the community—from those who will be in a position to purchase a home.

I can advise that, at the close of business yesterday, the total number of telephone inquiries was 5 179. It is important to bear in mind that one of the qualifications for this scheme is that applicants must be able to show regular savings progress, if you like, in some form of bank statement for a minimum of three months. Already 24 of those who have registered have met that criteria. In other words, they have been saving regularly and, therefore, we will take into account the time in which they were saving before the scheme started. It must be borne in mind that obviously after three months, when applicants have had the opportunity to save the funds as required, there will be an even greater response.

The funds allocated to date amount to $104 000. I point out that that occurred in the first two weeks of the program, although you would not expect any real response for three months for the reason I have already mentioned. So, even though the scheme is only two weeks old, over 5 000 inquiries have been made, 24 applicants have registered for the grant and $104 000 has been allocated.

STATE ECONOMY

Mr CLARKE (Deputy Leader of the Opposition): What specific changes in policy direction will the Government take in the light of the Premier's admission in the *Advertiser* of 18 November that he had received a clear 'message from the wider community that the Government must work to further improve employment'? In the 2½ years between the election of the Government and the June quarter 1996 (the latest period for which we have data), the South Australian economy grew by 5 per cent on trend figures; over the same period the national economy grew by 10.1 per cent (also trend figures). Between December 1993 and October 1996, national employment grew by 7.5 per cent or 584 000 while in South Australia over the same period employment has grown by 3.4 per cent or 22 000.

The Hon. DEAN BROWN: First, there is a direct contradiction between what the Leader of the Opposition has said today and what he said two weeks ago.

Members interjecting:

The SPEAKER: Order!

The Hon. DEAN BROWN: It is an absolute contradiction. Two weeks ago, both the Leader and Deputy Leader were in the media claiming that since the election the number of jobs in South Australia had dropped yet today he is acknowledging this growth. Which story will the honourable member stick to—the story from two weeks ago or the one today? It varies from day to day. Two weeks ago, he was running a campaign arguing that the number of jobs in South Australia had dropped since the last election. Today he acknowledges that there has been growth—

The Hon. M.D. Rann interjecting:

The SPEAKER: Order! I warn the Leader of the Opposition.

The Hon. H. Allison interjecting:

The SPEAKER: Order! I warn the member for Gordon.

The Hon. DEAN BROWN: The fact is—and this is shown clearly in the latest unemployment figures—that this Government has taken South Australia to the third lowest unemployment level in Australia, and it is certainly down from the 12.4 per cent level when the Leader of the Opposition was the Minister responsible for employment. I highlight the growth in jobs that has occurred under this Government with what occurred when the Leader of the Opposition was the Minister for Employment. We lost 35 000 jobs in the manufacturing industries when he was Minister—35 jobs for every day that he was Minister. This Government has created 25 000 extra jobs.

MOUNT LOFTY

Mr EVANS (Davenport): Will the Minister for the Environment and Natural Resources advise the House what process will be used in the proposed vegetation view management at the new Mount Lofty summit, and will he also clarify how many trees will go as a result of clearance applications to the Nature Vegetation Council? The Minister said at the weekend that the regrowth from the 1983 Ash Wednesday bushfires was impeding views of the new summit development. He further said that 42 trees would be affected, but some conservationists are saying up to 290 trees. I seek clarification.

The SPEAKER: Order! The member is commenting.

The Hon. D.C. WOTTON: I thank the honourable member for his question and for providing the opportunity to put a few facts on the table as far as what will be an international icon that will be open in a matter of weeks. The State has been waiting for this development for a long time. I would like to clarify the situation. View management techniques, including clearance and pruning of vegetation on the site, has been undertaken since the 1920s. There is nothing new in this, nothing sinister and nothing out of the ordinary. View management was postponed after the Ash Wednesday fire in 1983. It has taken 13 years for a Government—this Liberal Government—to hear the long ignored cries of the public in South Australia that suitable amenities be provided for locals and visitors who visit the summit to view the city and surrounding areas. The people of this State have waited 13 years for this development.

The second fact is that when this Government took office one of its first goals was to deliver what a Labor Government would not or could not—a world-class tourist centre with a view we can proudly show visitors. A special consultative panel was set up to lay down the guidelines for development, and the need for ongoing view management was one of the points identified by that panel. The third fact is that 42 trees are earmarked for removal—definitely not the 270 or 290 mentioned by certain alarmist elements who have decided to count every branch and twig on each of the 42 trees.

The fourth fact is that some 17 000 trees and plants are going back into the ground, and introduced species such as weeds and infestations of blackberries and so on are being eradicated. That is something to which nobody has given recognition. The fifth fact is that work has been undertaken to remove illegally dumped rubbish, which has marred that site for many years. The sixth fact is that the criteria for the redevelopment set out by the consultative panel, including CFS requirements for the building to be set back and fire proofed, the design of the building, the provision of adequate car parking and vegetation view management, was unanimously signed off by all players, including the conservation lobby involved on that panel.

The view management involves applying to the Native Vegetation Council to cut 42 trees. There will be 14 stringy barks, which are expected to regenerate and will be continually managed to a workable viewing level. They have only been pollarded. The Mount Lofty summit redevelopment is one of the most sensitive developments ever planned for the site and has been designed by one of the country's leading architects. It is a far cry from the monstrosities proposed by

the previous Labor Government and never built—buildings that would have stuck out like a sore thumb and would have been seen from most parts of the city.

More than 400 000 people visit the summit each year, and one of the principal reasons is to get a view of Adelaide—and that will continue. This redevelopment sets a number of firsts for South Australia. It will maximise the latest in technology, linking tourist assets, national parks and other attractions throughout the State with new high-tech touch screen displays and interpretations and will provide world-class facilities including a restaurant and will link into the Cleland Wildlife Park with upgraded walking trails. In short, it will turn a poorly maintained asphalt jungle—a disgrace for people who visit—into an area that all South Australians will be proud of. It is about time some of these points were acknowledged.

SCHOOL SERVICES OFFICERS

The Hon. M.D. RANN (Leader of the Opposition): Given the Premier's announcement that the Government's new policy direction will include a priority for education, will the Premier reinstate the 250 school services officer job cuts this year in time for staff to commence at the beginning of the 1997 school year?

The Hon. DEAN BROWN: The first thing the Leader of the Opposition and the whole of the Labor Party should remember is why we had to make any cuts in the first place: because Labor lost the money on the bank. It lost $3 000 billion. It took South Australia right to the brink of bankruptcy. My Government had to come in, fix up the debt and the deficit and put South Australia back on track. One thing I know is that my Government will never allow the wild incompetent expenditure of the former Labor Government to threaten the future of South Australia again. Our Government is absolutely determined—

The Hon. M.D. Rann interjecting:

The SPEAKER: Order! The Leader and others have had more than a fair go. The Leader is now warned for the second time. The Chair does not want to have to call any other member to order.

The Hon. DEAN BROWN: Having now got the debt and deficit under control, I assure South Australians that we will continue to be vigilant in making sure that we restrain our level of debt and expenditure so that never again is this State threatened the way it was under Labor. Major new initiatives will be announced by the Minister at the appropriate time.

QUEEN ELIZABETH HOSPITAL

Mr ROSSI (Lee): Will the Minister for Health—

Mr Caudell interjecting:

The SPEAKER: Order! The member for Mitchell is warned.

Mr ROSSI: I have been approached by medical practitioners, nurses and patients complaining about the running down of the Queen Elizabeth Hospital's medical diagnostic equipment over the period of the previous Labor Government.

The SPEAKER: Order! The member has already heard the Chair speak to other members about commenting. He is clearly commenting. He will ask his question or I will withdraw leave.

Mr ROSSI: Will the Minister tell the House what the Government proposes to do to address the needs for improved radiology services at the Queen Elizabeth Hospital?

The Hon. M.H. ARMITAGE: I thank the member for Lee for his extraordinarily important question. It is with great pleasure that today I announce massive works to upgrade the Queen Elizabeth Hospital's radiology department. As the member for Lee intimated, it is not a moment before time. Under the previous Labor Government maggots were falling through the roof of the Queen Elizabeth Hospital onto the patients. Clearly that was not good enough, so we are fixing the problem. Today the State Government is making a $610 000 funding commitment, and patients from Adelaide's northern and western suburbs requiring radiology services will be the big winners following the upgrade.

The Government inherited an ageing infrastructure, and the QEH radiology department is currently cramped for both patients and staff. An integrated and phased redevelopment of the areas of the radiology department is proposed in three areas to provide solutions to ongoing accommodation, supervision and service delivery problems that have been extant for a decade and were ignored. These works will result in improved staff efficiencies, improved design of the department, an increased ability to monitor quality and performance and, most importantly, a new streamlined, more comfortable service for patients—not a moment before time because they were ignored in the past decade by the previous Government.

In particular, changes to the reception and waiting area will provide increased space for people waiting as inpatients or outpatients and better supervision of staff as the ultrasound area will become more closely aligned with the entire radiology department. Related functions will be in the one location, and ultrasound services will improve even further as the staff will be able to use the four rooms needed for the current workload—up to 50 patients daily—which includes a large proportion of extraordinarily complex vascular examinations. The retention of the ultrasound facility in its present location under the previous Government for more than 10 years has had a major impact on imaging services. While ultrasound units are available for the current workload, there are only three examination rooms. Other activities presently are curtailed in order to accommodate the use of the fourth machine. The issue of the continued upgrading of Queen Elizabeth Hospital is constantly brought to my attention thanks to the dedicated work of Government members—the members for Lee, Peak, Hanson and a number of other members in that area.

Members interjecting:

The SPEAKER: Order!

The Hon. M.H. ARMITAGE: The member for Spence tries to get in on the list, but he has not written to me once.

Members interjecting:

The SPEAKER: Order!

The Hon. M.H. ARMITAGE: I am pleased to be able to respond so positively to this question from the member for Lee, because specifically he has been highlighting to me the need for the radiology department to be redeveloped. I remind the House that this redevelopment comes a couple of months after I opened a new $1.55 million cardiac investigation suite at the Queen Elizabeth Hospital. These projects demonstrate this Government's commitment to public hospitals. We are investing already the millions of dollars that I have intimated today in maintaining the Queen Elizabeth Hospital. The standard that we want for the people in the north-west is not affordable because of the State Bank debt: that is an acknowledged feature. That is why we are looking for private sector partners.

Despite all that, the Queen Elizabeth Hospital will remain as a public hospital providing free public services, but patients will have access to more services and more choice in other facilities on site. Clearly, the Labor Party does not like choice. Under 11 years of Labor Government and its neglect of public hospital infrastructure, increasingly for the people in the north-western area there was no choice. With today's announcement, the State Government is continuing in its determination to provide people in the north-west with more and better public services and more and better private services. With another announcement about the Queen Elizabeth Hospital in train, all I can say to the Opposition is 'Watch this space.'

AUSTRALIAN NATIONAL

Mr CLARKE (Deputy Leader of the Opposition): My question is directed to the Premier. Given that the Premier has welcomed the Howard Liberal Government's decision to privatise Australian National and has just acknowledged that there are to be job losses, how many workers will lose their jobs because of the privatisation? What assurances has the Premier received from the Commonwealth about the continuation of the Overland, Indian-Pacific and Ghan services as well as an affordable and regular freight service for South Australian farmers?

The Hon. DEAN BROWN: Let us look at the reality of this issue and who created the problem. The first and clear issue is that the National Rail Corporation should never have been formed as an organisation separate from Australian National. If the corporation had incorporated Australian National, we would have found that South Australia would have had the bulk of rail services in Australia, but the Federal Government decided to form the National Rail Corporation. I opposed it in this Parliament but the Labor Party in this Parliament supported it. It was a Bannon Bill and it was the Bannon Government that agreed that the corporation should be formed as a separate organisation apart from Australian National. That is the very reason why South Australia has now missed out.

It is fine for the Deputy Leader of the Opposition to ask how many jobs will be lost, but the crucial question he should be asking is why Labor ever made such a decision that would result in so many jobs being lost here in South Australia. If Labor members had done that, then as a Party the Labor Government would have made an entirely different decision. It is not known how many jobs will be lost. That will not be known until we have the new private organisation that buys the appropriate operator's services. It is impossible to answer that question and the Federal Minister said so on Sunday.

WATER OUTSOURCING

Mr LEGGETT (Hanson): My question is directed to the Minister for Infrastructure. Last week the Opposition claimed it had done polling showing that privatisation was not popular in the electorate. Can the Minister explain to the House how this poll can be misinterpreted and what new success has been achieved with the SA Water outsourcing contract?

Members interjecting:

The SPEAKER: Order!

The Hon. J.W. OLSEN: I am delighted to answer the honourable member's question and also to reply to an interjection by the Leader of the Opposition to a reply of the Premier when talking about the fact that we had spent $1.5 billion on a water contract. Either the Leader of the Opposition is ignorant of the contract or he is deliberately deceptive. We have not paid out $1.5 billion but we are paying a monthly fee for a service, and in the process we are saving 20 per cent. South Australians are getting a better deal and we are saving $33 000 a day—every day of the year—for 15 years. It is like winning X-Lotto—

Members interjecting:

The SPEAKER: Order!

The Hon. J.W. OLSEN: —three times a year for the next 15 years. That is the benefit of the water contract. The Leader seems a little confused about the word 'privatisation'. He seems to have lost sight of the fact that the great privatisers in Australia's political history have been none other than the Federal Labor Government. Look at its privatisation record: Qantas, the Commonwealth Bank, the Commonwealth Serum Laboratories and, lo and behold, let us not forget the Bannon Government's privatisation of SAGASCO in South Australia. What an absolute hypocrite the Labor Party is! It is the Labor Party which has privatised. For the benefit of the Leader of the Opposition, if he looks up 'privatise' in the *MacQuarie Dictionary*, he will see that its definition is: when you change ownership from public to the private sector.

Members interjecting:

The SPEAKER: Order!

The Hon. J.W. OLSEN: The simple fact is that we have not sold any of our major assets in SA Water to any private company. We still own all the pipes, all the filtration plant, all the reservoirs and all the water running through them. We still own it all and we still set the price for it all.

Members interjecting:

The SPEAKER: Order!

The Hon. J.W. OLSEN: We have the asset management program and the environmental program. It is all still retained, but at the same time achieving substantial savings for South Australians. Perhaps the Leader of the Opposition might like to demonstrate—

Members interjecting:

The SPEAKER: Order! The Leader will not interject again.

The Hon. J.W. OLSEN: —what he will do differently.

Members interjecting:

The SPEAKER: The member for Giles has had a fair go.

The Hon. J.W. OLSEN: Is he going to ignore $33 000 in savings every day, $1 million a month? Is he going to ignore $164 million in savings? If he is, he has to tell the public of South Australia how he will replace it. Will it be through higher taxes? Will there be an entertainment tax? How will the Leader replace the savings that are locked in? We need only go to the Labor Party's policy document, which makes some interesting—

Members interjecting:

The SPEAKER: Order! I suggest to all members that they recognise what they have been told. If they want to ignore the Chair, they do it at their own peril. If there are any further disruptions, the Chair can dispense with the rest of Question Time without a great deal of difficulty. The Minister.

The Hon. J.W. OLSEN: Thank you, Mr Speaker. Let us look at what the Labor Party has written into its platform policy, because it makes interesting reading in saying:

> Labor concedes that private provision of some public infrastructure may be in the public interest where it can be demonstrated that infrastructure can be constructed and operated in superior terms for the public benefit.

The water contract is doing both: it is providing better service at less cost and the beneficiaries are the public of South Australia. If members opposite are going to walk away from the contract, they had better start to prepare their explanation to the South Australian public about how they will replace $164 million worth of savings. That contract has a big tick under the Labor Party's policy description and, in addition, from the World Bank. The real question to the Leader of the Opposition is: do you not want jobs created in South Australia?

Members interjecting:

The Hon. J.W. OLSEN: No. Do you not want this State to lead Australia in the development of a water industry going into Asia?

Members interjecting:

The Hon. J.W. OLSEN: No, you want to take us back to the past where you ran an organisation that cost $41 million to $47 million a year and not an organisation contributing about $80 million in total contributions this year and supporting a whole range of other services provided by the Government to the public of South Australia.

Members interjecting:

The SPEAKER: The honourable member will experience the wrath of the Chair, too. The honourable member for Flinders.

SOUTH AUSTRALIAN STEEL AND ENERGY PROJECT

Mrs PENFOLD (Flinders): Following the announcement earlier this month that Indonesian investors had agreed to join in the South Australian Steel and Energy Project, will the Minister for Mines and Energy inform the House whether a site has been selected in the Upper Spencer Gulf region for the demonstration plant? In a significant investment decision, two Indonesian companies, PT Krakatau Steel and PT Maritosa Coalindo, have joined with partners Ausmelt, Meekatharra Minerals and the South Australian Government to develop the Ausmelt technology, which offers the possibility of new processing expansion of this State's vast iron ore and coal resources.

The Hon. S.J. BAKER: I inform the House that BHP Engineering has been selected to provide detailed costings and design plans for the construction of the pig iron demonstration plant. The joint venturers have had a look at various options for the provision of the demonstration plant. There are a number of advantages that accrue in terms of siting this demonstration plant at Whyalla: there are the existing laboratory facilities, the existing capability of the site and proximity to a range of resources. So, an announcement will be made today that BHP Engineering is the preferred tenderer by the SASE partners. They have to produce the plans and the detailed costings. However, until there is a contract, we are in only the preliminary stage of what we hope to be a very successful program. So soon after the announcement of the joint venture arrangement and the $20 million being put in place, it is heartening to see that events are progressing very rapidly now so that we will have a demonstration plant much sooner than most people expected.

WHYALLA STEELWORKS

Mr CLARKE (Deputy Leader of the Opposition): My question is directed to the Premier. In light of the bipartisan meeting held on 21 November with the Executive Officer of BHP Steel, Mr Ron McNeilly, what is the Government doing to protect the jobs of the 2 000 South Australians working at Whyalla BHP? Although Mr McNeilly said that closure of BHP's Whyalla steelyards was not on the agenda, he told the meeting that he did not want to paint 'too rosy a picture'. Mr McNeilly would not rule out future job losses and said that important investment decisions concerning BHP Whyalla's operations would be made early in 1998.

The Hon. DEAN BROWN: We had a very constructive meeting between the State Government, chaired by me, BHP and the Whyalla council, together with representatives of the Leader of the Opposition and a representative of the trade union movement from Whyalla. As a result of that meeting, the delegates present could hear first-hand the position of BHP. Its position was quite clear: the proposed reduction of 250 jobs at Whyalla was part of the ongoing program at Whyalla which had been going on over the past five or six years under the Labor Government, and there had been no change in that regard. Secondly, it was one of voluntary retirement: it was not one of compulsory retirement. In fact, BHP stressed that it had a company policy which clearly outlined the fact that any reductions in employment had to be on a voluntary basis.

The State Government is working with BHP to make sure that we achieve a much more competitive environment in this State. We have worked to bring down the cost of electricity and other infrastructure projects. It receives the cheapest gas and the cheapest business environment of any State in Australia. That is the best assistance that the State Government can give, because it allows BHP to say clearly that Whyalla is more competitive than Newcastle and other places in Australia for steel making. The State Government will continue to work with BHP.

Also, I am trying to identify successful resources of iron ore for the future. We have pledged our support with some ongoing joint work being done between BHP and the Department of Mines and Energy to carry that out.

ABORIGINES, DEATHS IN CUSTODY

Mr CLARKE (Deputy Leader of the Opposition): What action has been or will be taken by the Premier to ensure that all Government agencies fully implement the recommendations of the Royal Commission into Aboriginal Deaths in Custody in light of the report titled Indigenous Deaths in Custody 1989 to 1996 released yesterday by Mr Mick Dodson, the Aboriginal and Torres Strait Islander Social Justice Commissioner? In his report on South Australia, Mr Dodson found that there had been 14 Aboriginal deaths in custody from May 1989 to May 1996, six of them in 1995 and, in comparing general populations, indigenous people are 31.7 times more likely to die in custody—the highest rate in Australia. An average of 6.8 royal commission recommendations were breached in each death in custody in South Australia.

The Hon. M.H. ARMITAGE: First, let me say that every single death in custody is obviously a tragedy, and the Government is working tirelessly to decrease all deaths in custody, both Aboriginal and non-Aboriginal. South Australia's proportion of custodial deaths since the royal commission has been comparable with the proportion of deaths prior to the royal commission. For instance, we had 12.2 per cent under Labor and 13.9 per cent under this Government. Between 1980 and 1989, the level was 12.2 per

cent, and from 1989 to 1995, under both Labor and Liberal Administrations, it was 13.9 per cent.

I have not yet seen the report, and I am distressed that Mr Dodson chose to release it via the media rather than to show Ministers. However, I am informed that the report states that, according to Mr Dodson, in South Australia an average of 6.5 recommendations are breached per death compared with a national average of 8.5. That is not necessarily positive, other than that we are better than the national average. This highlights the fact that implementation of the royal commission recommendations in terms of custodial care is really only the starting point to reducing deaths in custody. The main game, frankly, is reducing the rate of Aboriginal people who end up in prison, and this is significantly related to Aboriginal disadvantage.

On Friday I hosted a national conference in South Australia of Ministers for Aboriginal and Torres Strait Islander Affairs and this was a major item on our agenda. In fact, the changes that I reported from South Australia's perspective, particularly my personal involvement and re-invigoration of the Aboriginal justice inter-departmental committee into task groups dealing with juvenile welfare, custodial health, non-custodial sentencing options, policing issues, remand rates and Anangu Pitjantjatjara land issues, was regarded by that council as a very enlightened way to have gone. We are looking at a number of methods of keeping Aboriginal people out of prison.

For instance, I took to the ministerial council on Friday the possibility of having the pensions and benefits garnisheed—the technical term—to pay the fines so that Aboriginal people are not imprisoned for fine default. At the moment, that is contrary to the social security legislation. Ministers from around Australia have agreed that it is a very sensible way to go.

Mr Atkinson interjecting:

The Hon. M.H. ARMITAGE: Are you the shadow Attorney-General?

Mr Atkinson interjecting:

The Hon. M.H. ARMITAGE: It is interesting that the shadow Attorney-General simply does not know the facts.

The SPEAKER: Order! Interjections are out of order.

The Hon. M.H. ARMITAGE: The member for Spence, who claims some knowledge in legal matters, does not know the facts.

Mr Atkinson interjecting:

The SPEAKER: I warn the member for Spence for a second time.

The Hon. M.H. ARMITAGE: The member for Spence said that it is legal under the social security legislation to garnishee pensioner benefits to pay fines, and it simply is not. It is another case of the Opposition getting the facts wrong. However, as I say, we have done a number of things and we are getting a report back from the officers about garnisheeing and other ways of keeping Aboriginal people out of prison through non-custodial sentencing.

The South Australian Government has done many other positive things. Obviously, we are working to improve the record, because every death in custody, whether of an Aboriginal or a non-Aboriginal person, is a tragedy. With the disadvantage experienced by the Aboriginal community and, hence, a much greater rate of ill health, if they are disproportionately represented in prison and a disproportionately greater number of deaths are caused by the underlying medical condition, it will stop deaths in prison if we can stop them getting into prison . That is the goal of this Government.

HOUSING TRUST RENTS

Ms HURLEY (Napier): Will the Minister for Housing, Urban Development and Local Government Relations ensure that new tenants of cottage flats will not be disadvantaged in the renegotiation of the Commonwealth-State housing agreement? The Federal Government has said that existing tenants will not be disadvantaged and that no tenant will pay more than 25 per cent of their income in rent. Cottage flat tenants currently pay only 20 per cent of their income in rent.

The Hon. E.S. ASHENDEN: Once again here we go with the old tactics: let us try and scare the electorate; let us float some things, whether true or not, just to see whether we can cause some trouble. As the honourable member should know full well if she has been at all interested in the discussions that have been going on in relation to housing, a number of matters are yet to be resolved as far as the Federal Government is concerned as to exactly what will be put to the States for their consideration in the new housing agreement. They also have to go to COAG. Therefore, all I will say again, as I have said before, is that this State will be doing everything it can to protect the interests of all the tenants of both public and private housing.

AMBULANCE AND FIRE SERVICE COLLOCATION

Ms GREIG (Reynell): Will the Minister for Emergency Services provide the House with details of the Government's plans to amalgamate the SA Ambulance Service and the SA Metropolitan Fire Service and, the centrepiece to its vision, the collocation of personnel from both services?

The Hon. W.A. MATTHEW: I thank the honourable member for her ongoing interest in this subject.

Members interjecting:

The SPEAKER: Order!

The Hon. W.A. MATTHEW: This question is an opportunity to highlight once more the Government's commitment to delivering the services that it undertook to deliver on coming to office. Shortly after coming to office I was pleased to announce publicly the opportunity that we had found to improve ambulance and fire service delivery to South Australians. That commitment was fulfilled in December of last year when Cabinet formally approved the amalgamation of the fire and ambulance services in South Australia. In approving that amalgamation, Cabinet provided South Australia with the opportunity to have the first fully amalgamated fire and ambulance service in Australia. Indeed, at this time other jurisdictions around Australia are considering similar moves.

That move is already well under way in the first phase through the collocation of fire and ambulance services throughout the State. The first fire and ambulance collocated station commenced in Wakefield Street in the city, and that has been a resounding success. Later, the first purpose-built fire and ambulance station at O'Halloran Hill commenced operation, and that has also worked successfully. Initially, many South Australians were curious as to the collocation of these two services which, on the surface, seem somewhat different. However, the reality is that both services respond to emergencies, both have similar response times and both are often called to the same scene. Very often, be it a fire situation or vehicle accident rescue situation, both fire and ambulance services are tasked. Therefore, by sensibly collocating these services we have the opportunity to have

them work better together and to respond to emergencies in a shorter time frame.

Numerous sites throughout the State have now been identified for collocation of services. In the member for Reynell's electorate, to the benefit of her constituents, work will shortly commence at the present O'Halloran Hill fire station to enable it to become a fire and ambulance station by March 1997. At Golden Grove, collocation opportunities have been identified for both services, and three parcels of land are presently being assessed to determine the final location of a brand new fire and ambulance station to service the Golden Grove area, a move that I am sure will please many members of this Chamber. Further collocations will occur at Camden Park, Prospect, Unley, Northfield, Elizabeth and Port Adelaide. Also, there will be an amalgamation of the fire and ambulance communications—

Mr CLARKE: On a point of order—

The SPEAKER: Order! To which Standing Order is the member drawing my attention?

Mr CLARKE: My point of order is—

The SPEAKER: Order! The Chair wants to know to which Standing Order the Deputy Leader is referring. There have been too many—

Mr Atkinson interjecting:

The SPEAKER: Order! The Minister will resume his seat. The member for Spence has taken it upon himself to continue to defy the Chair. The Chair is of the view that there are too many frivolous points of order. I ask the Deputy Leader under which Standing Order he is rising.

Mr CLARKE: Standing Order 98.

The SPEAKER: What is the Deputy Leader's point of order?

Mr CLARKE: The Minister's answer to the question is more appropriate for a ministerial statement than for an answer.

The SPEAKER: That is not a point of order. The honourable Minister.

The Hon. W.A. MATTHEW: It is disappointing that the honourable member takes such frivolous points of order on such an important issue.

The SPEAKER: Order! It is not for the Minister to comment on that.

The Hon. W.A. MATTHEW: In addition to those areas that I have outlined, new station work is taking place in country South Australia, at Whyalla and Mount Gambier, and I know that at least the member for Gordon will be pleased with this announcement, even if the Labor Party is not. The next stage in the amalgamation is that of administrative functions, and that work is well progressed. The third and final stage will actually be the amalgamation of some of the response functions. The way in which that amalgamation will occur is the subject of very close work with the employee representative bodies, and both the unions, I am pleased to say, have been working constructively with the respective Government agencies to ensure a positive outcome for all South Australians.

PARKS HIGH SCHOOL

Mr De LAINE (Price): My question is directed to the Premier. Why will the Premier not face up to his responsibility as Premier of this State and accept one of the several invitations extended to him to visit The Parks High School to see at first hand—

The Hon. S.J. BAKER: On a point of order—

The SPEAKER: Under which Standing Order?

Members interjecting:

The SPEAKER: The honourable member for Price. I take it that the member for Spence has lost some interest in the matter.

Mr De LAINE: I will start again. Why will the Premier not face up to his responsibilities as Premier of this State and accept one of the several invitations extended to him to visit The Parks High School to see at first hand this unique school and to enter into meaningful discussions with the school community to look at options to keep the school open?

The Hon. DEAN BROWN: I will take up the issue with the Minister for Education and Children's Services in another place.

CONSUMERS BUSINESS REGISTER

Mr LEWIS (Ridley): I direct my question to the Deputy Premier, who represents the Attorney-General. Will the Attorney-General investigate whether a firm calling itself Australian Business Reports, which has been circularising small businesses in South Australia implying that they have to pay $165 to be listed in a publication known as the *Consumers Business Register* or else they may be failing to comply with the law, is a legitimate company or a scam?

A person who signs himself as Gary Solah has been sending out computer generated correspondence to small businesses in my electorate and elsewhere implying that they need to get themselves listed in a publication, *Consumers Business Register*, which is compiled by his firm, and if they do not do so they may in some way be in breach of the law. I am anxious to discover whether or not this is the case, as I fear that many small businesses may be conned into paying $165 to a scam operation.

The Hon. S.J. BAKER: I have looked at the letter, and it is very cleverly crafted, as there is the implication that the law has to be complied with and that this register is the only means of complying with it. I am more than happy to refer the matter to the Minister for Consumer Affairs, who is better able to pronounce judgment on these matters. The letter looks highly misleading in its content.

As the member for Ridley quite rightly points out, it is inappropriate for any person to play on fear or a suggestion that someone might be fined for not adhering to the law—such as occurs in the way that this letter appears to be crafted. I am more than happy to refer the matter to the Attorney-General, as the Minister for Consumer Affairs, and perhaps he can shed further light on it. I agree with the honourable member's warning that business people should take great care in reading these letters, because a number of people are trying to mislead and defraud the businesses.

COMPLETE PEST CONTROL

The Hon. M.D. RANN (Leader of the Opposition): My question is directed to the Minister for Health. Will the Government legislate to regulate the pest control industry to protect consumers from unscrupulous operators who fail to provide a satisfactory level of protection against termites? The Opposition has raised the issue of investigations into persistent allegations against a pest control operator in Adelaide called Complete Pest Control. Since that time the Australian Environmental Pest Managers Association has written to the Opposition urging the introduction of legisla-

tion to wipe out improper practices by unscrupulous sections of the industry. The letter states:

> We are discussing here the protection to be provided against the ravages of termites for the largest single investment most people ever make—their home. It is like giving a triple antigen injection to a baby but not having any vaccine in the syringe. If a shopkeeper sells product at less than the stated weight or a petrol reseller has a pump which is supplying petrol at less than the stated volume they are prosecuted in court. Why should the same not apply to a pest control operator?

I know that the Minister is aware of these allegations against Complete Pest Control, which is widely regarded as being an unscrupulous operator. People are looking for some direction on this issue.

The Hon. M.H. ARMITAGE: It is very important to acknowledge that the quote of the Leader went on and referred to, among other things, 'protection against the ravages of termites'. If one looks at the substance of the question, there will be ravages of termites only if one does not give enough of the chemical. The health aspect of our legislation, most unusually, is that it does not matter whether you have too little of the material: it is when you have too much that there is the health problem.

I am more than happy to identify to the Leader of the Opposition that the Minister for Consumer Affairs, the Minister for Housing, Urban Development and Local Government Relations and I, as Minister for Health, are engaged in discussions as to how and where that can best be put. We are literally in the throes of discussion now, and I would expect an outcome in the near future. The dilemma with regard to the health aspect is that if people use too little material it is good for us.

The Hon. M.D. Rann: It should be under the building.

The Hon. M.H. ARMITAGE: That is exactly what the Minister for Consumer Affairs, the Minister for Housing, Urban Development and Local Government Relations and I are determining at the moment.

GRIEVANCE DEBATE

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

Mr LEWIS (Ridley): I am quite astonished, Mr Speaker—

Members interjecting:

The SPEAKER: Order!

Mr LEWIS: The member for Elizabeth has deliberately, it seems to me, missed the opportunity to apologise to the House for the misleading information provided to the House in Question Time during the last sitting week about whether there was a—

Mr CLARKE: On a point of order, Mr Speaker—

The SPEAKER: The Deputy Leader of the Opposition has a point of order. I would like to know under which Standing Order he is rising.

Mr CLARKE: The same as that noted by the Deputy Premier.

The SPEAKER: The Deputy Premier could not inform the House of the Standing Order, so there is no point of order. The member for Ridley.

Mr LEWIS: Obviously the Labor Party, led by this man who comes from the previous ministry which ran this State into great difficulty, thinks it is fair game to get up in here and attack any one of us on what is a total fabrication that bears no resemblance whatsoever to the facts. This not only brings down that member, the Party to which that member belongs and the leadership of that Party, but it also brings us all as MP's down. I think it is disgusting that she sees no necessity to apologise whatever, no remorse—nothing. We hear no attempt on her part to apologise. Indeed, we heard her interjection which simply said, 'Not likely,' during the course of Question Time today. I find that—

Mr FOLEY: I rise on a point of order, Mr Speaker. Standing Order 125 refers to offensive words against another member. I ask that the member refrain from referring to another member.

The SPEAKER: The honourable member is correct. The member for Ridley cannot comment on or impute improper motives towards another member. I ask him to bear that in mind or I will rule him out of order. The member for Ridley.

Mr LEWIS: One thing is certain, and that is that I will never be guilty of feeling the same sort of shame that some members opposite must obviously feel at what we have seen from her during recent days in this Chamber arising from that incident. It appals me and makes me wonder what will happen next.

I now turn to the matter that I raised in the course of a question directed to the Deputy Premier, and through him to the Attorney-General, today about the kind of scams which often come through the mail to our small businesses in this State, and perhaps elsewhere for all I know. Here we have a firm which purports to be an arm of government calling itself Australian Business Reports, with an address in Canberra and a telephone number that is disconnected or at least never answered, which I have tried to investigate over the past five weeks but regarding which I can get nowhere. The letter that was sent to my constituent reads:

> Re: The Consumers Business Register
>
> The Consumers Business Register is a compilation of suppliers, traders, manufacturers, retailers, licensed building traders, etc., currently conducting a business.

At this point I would ask the question: why did not the writer, Gary Solah, say 'which is conducting a business', meaning the consumers business register—that firm—or 'who are conducting a business', referring to the people or businesses included in the register he is supposed to be publishing? The meaning is quite different and, by implication, the results for readers, according to how they take it, can be serious. The letter continues:

> The increase in unlicensed and unregistered businesses is being displayed by the decrease in your business volume and profit margins. The register is aimed at singling out those unregistered operators. (You are required under section 5 of the Business Names Act 1963 section 7(1) and (8) to register any trading name that is not your own name) Quote Office of Consumer and Business Affairs/ Ministry for Fair Trading, August 1995. Fair trading laws are based on the principle of equity, fairness and honesty.

That is where I believe the letter is deliberately misleading, trying to con small businesses into paying the $165 and filling out a form which will provide the names of the people involved in the business, any mobile telephone numbers, fax numbers and postal address, the type of business they operate and the type of goods and services they sell, and it is then to be signed by somebody—and I would not sign a form like this for anybody. At the bottom, we see something that makes it look more official, 'Form No. Q73', and it is dated. It

strikes me that there is gobbledegook in this letter. It further states:

> By entering a business in the register, you will be recognised by Federal and State contractors and for reference by your suppliers who, by law, must commission licensed suppliers.

That is neither a statement of fact nor a statement of the law. It is deliberately misleading—

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

The Hon. FRANK BLEVINS (Giles): On 3 September 1992, the day I was elected Deputy Premier, I was interviewed by a journalist from the Adelaide *Advertiser*. The report of the interview caused quite a fuss at the time because, amongst a lot of other things, I said:

> None of our employers are geniuses, I can tell you, far from it. They are too stupid to cross the road, some of them. They need some intervention, some strong intervention.

Mr Deputy Speaker, you will recall that that caused quite a reaction. The reaction from the *Advertiser* was very adverse, with a pondering editorial on 5 September 1992 which stated, among other things:

> Mr Blevins simply leaves us stunned. It is one thing to be a mouthpiece for Left elements in the Party who feel they have been subjugated during the Bannon decade of bland pragmatism. It is another to offend, gratuitously, the very employers with whom one would have hoped this Government was about to embark on a concerted campaign of constructive rebuilding.

As you can see, Sir, the *Advertiser* was very concerned. In fact, it went on to say:

> Mr Blevins owes employers, and everyone else, an immediate apology. If it were not for the fact that his accession to Deputy Premier has been such a tightly stitched-up deal between the ALP power brokers, his indiscretion would be a sacking offence.

The *Advertiser* was very annoyed with my remarks. The South Australian Employers Federation, amongst a few other employers—not the A list of employers but more the B or C list—took exception to what I said. An article in the *Advertiser* of 5 September stated:

> The Employers Federation Executive Director, Mr Matthew O'Callaghan, telephoned Mr Blevins yesterday to seek clarification of his comments on employers.

As an aside, that did take place. I told him that I would be happy to debate it with him anywhere, but he backed off very quickly. Fortunately, the Employers Federation no longer exists. There was a great deal of consternation. The article further stated:

> Deputy Opposition Leader, Mr Graham Ingerson, yesterday demanded that Mr Blevins withdraw his slur on employers and apologise. 'Mr Blevins has revealed himself in his true form as a dinosaur still trying to breathe fire to revive old-fashioned socialism'.

I thought Mr Ingerson was guilty of a little rhetoric, but nevertheless we take his point. I was therefore quite surprised when I picked up the *Advertiser* of 16 November 1996, about 10 days ago, and saw the heading 'Minister raps bad bosses'. The article, by chief political writer David Penberthy in Canberra, states:

> Some Australian bosses were 'bastards' whose workers needed union protection against exploitation, the Industrial Affairs Minister, Mr Reith, said yesterday. Mr Reith—who has been accused of trying to destroy organised labour through his controversial industrial reforms—mounted a qualified defence of the union movement in an address to one of the nation's strongest unions.
>
> He told the annual conference of the Victorian branch of the AWU that unions had a valid role to play in defending workers. 'There is an important role for unions in this country in representing the legitimate interests of working men and women,' he said. 'Some employers are bastards. Some employers—especially larger ones—are not so much bastards as simply bad at dealing with individual human beings.' Mr Reith said bad employers were not found 'under every rock' but in a minority of workplaces. He said he supported the right of workers to join unions 'to give them advice and represent their interests, particularly in dealing with such employers.'

I was quite shocked at the language used by this Liberal Minister—far stronger than any I would use. I look forward to an editorial in the *Advertiser* condemning Mr Reith for, apart from his use of bad language, his comments on employers. Also, I would like some comments by the Chamber of Commerce on Mr Reith's remarks. Also, the Minister for Industrial Affairs, Mr Ingerson, ought to have some comments to make on Mr Reith's remarks, because my remarks were very mild about employers, compared to those of the Federal Liberal Minister for Industrial Affairs. If all the people who condemned me for much milder remarks do not condemn the Federal Minister, they are nothing more than a pack of hypocrites.

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

Mr CUMMINS (Norwood): I rise to congratulate the Carclew Youth Arts Centre for the Off The Couch project held last Saturday, 23 November, in Rundle Street East, which I attended. It was basically a group of bands, fashion parades and dancers in the East End, operating from such places as the Crown & Anchor Hotel, the Stag Hotel, the Exeter, the Producers Hotel and the Austral. It was some night.

Mr Clarke interjecting:

Mr CUMMINS: I am surprised that I did not see the Deputy Leader of the Opposition, because I know that he likes a drink. We did miss his company. I want to thank Rachel Warburton and Mathew Ho who showed me around the venues on that night. I congratulate Judy Potter, the Director of Carclew, because she was able to run the event with an amount of $4 000 which, to say the least, is an achievement. Also, I want to congratulate the 39 young volunteers from Carclew who were handpicked to help run the various venues.

The bands included Hone, Gelfling, Insikure, Cabinet, Gold Dust, Centaur, Spiney Norman, Benediction, Rookies of this Game and Solfaist. Bindi Blacher was a soloist, along with Kylie Wight and Paul Martin. Crowd Fern also performed. Other bands included Sway, Indeeka, Lewd, Delta Kain, Honeyfix, Roger the Band, Blue Jay, Swing High, Freak Therapy (a funk, acid jazz to heavy metal band), Amatol, Mindset, Snapperhead, Puck, Scrubby Rubbable, White Collar Carousel, Spazm, Kaleidoscope, Acid, Big John Doe, Anubis, Sound Generation (a sequential female duo performing pop, country and dance), Avignon, Jason Chalmers Trio, Mammals of Consequence, The Pod, Skunkbreth, Anomie, Wishbone, Disarmed, Lung Cancer, Furgus and Mr Fuzzy, as well as the indigenous bands Cornerstone and Onslaught. There was fashion by Amanda Karo and Georgia Stephens, with dance by Melissa Bettridge.

One of the significant things about this was that all performers went onto the internet at Ngapartji, a multimedia centre in the East End. The programs on the internet contained not only the performers, seeing and hearing them perform, but also a biography of all the participating bands. Through the internet, the performances went straight into organisations such as Virgin Records. These young people, some of whom were performing as newcomers, had the

advantage of being able to be seen by some of the major record companies in Australia.

As I mentioned, this was all done for the small amount of $4 000 and 'in kind' support of approximately $15 000 for such things as equipment. I should mention the support of The Rock Shop, *Rip It Up* magazine, Derringer's Music, ACE TV, Adelaide Audio Services, Ink Works Printing, Adelaide City Council Development Program, Off the Lip, K.C. Parksafe, ben nelson design, Macro Media, Spicers Paper, Secure Parking and the Crown & Anchor Hotel.

There is no doubt that Off The Couch was a great success because about 7 000 people attended, including my wife and I and some friends. It is unusual to have so many young bands all together. The venues indicated that music for young people is alive and well in South Australia. I think that augurs well for this State because there is no doubt that if we encourage contemporary music it will give this State great potential in terms of exports for that industry. It is an industry that to some extent has been overlooked. I congratulate Carclew Youth Arts Centre and Judy Potter, the Director of Carclew, for making this event happen.

Mr CONDOUS (Colton): I rise, yet again, on behalf of my constituents living at Fulham Gardens to bring up a matter of grave concern. They are threatened by the erection of the largest telephone tower in the metropolitan area, nearly 33 metres in height, housing three banks of antenna and three microdishes. It is to be erected on the Electricity Trust's substation site on Grange road. The residents of Fulham Gardens must put up with not only electromagnetic radiation from the existing substation but also emissions from the tower if it is erected.

The whole issue is one of health. The health of my community is threatened, mainly by Vodafone, aided and abetted by Telstra and Optus. All three companies are refusing to look at the alternatives which have been suggested to them. The arrogance with which they treat human beings is hard to comprehend. Their only concern is financial gain for their companies, yet none of us know what the long-term effects on the community will be. The triple antenna tower, 20 metres from homes, is a complete slap in the face and has total disregard for the residents and the children of Fulham Gardens.

Although recent talks with Vodafone in Sydney have indicated that the electromagnetic output of the tower is 1 000 times below the Australian standard and less than both television and radio waves, no written guarantees have been given by any of the telephone companies. I have written to all my local schools, telling them to disregard the letter which was sent by the Minister for Education and which suggested that the erection of telephone towers poses no threat.

I take the view that, unless concrete guarantees are given, all schools should not risk the lives of our children. I know that Federal law overrides any State law on the erection of towers, but I believe that it is up to the Minister for Infrastructure to advise the Federal Government and the three carriers that the State Government opposes the erection of a tower on the Grange ETSA substation site on the basis that it is a health threat to the people. The Minister for Infrastructure, who is playing an important role in this area, has advised me that ETSA opposes the erection of a tower on the ETSA site and will continue to do so. I look forward to that information being given to me in writing by the Premier after the next meeting of Cabinet.

By making the statement that we as a State Government oppose the erection of this tower, at least we will have made our position quite clear. The residents of Fulham Gardens will not accept the erection of this tower, which is scheduled to start on 2 December, without a fight. I certainly intend to be there to strongly support them. I make a last-minute plea on behalf of the people I represent in the hope that by giving that support we will avoid what may become a disaster of the future.

I am informed by the Minister that Vodafone has not been given any guarantee and has been given no chance of erecting a tower on that site. Vodafone now seems to be the front for Telstra and Optus. To say that Vodafone is arrogant is to treat it kindly. It has a total disregard for the grassroots person in the community and does not care for the possible health effects on our children. In 10 years this tower may be responsible for burdening the community with health effects similar to those that thalidomide caused to unborn children and the radioactive fall-out at Maralinga—two things which we were deemed to be safe at that time.

Mr FOLEY (Hart): Members would think that I was following another member of the Opposition as I rise to make some critical comments about the Government so freshly after the member for Colton doing likewise. It is obvious that we are in election countdown when local members stray from Government policy in an effort to appease their constituency. However, that is not why I rise; I rise today to talk about a very disturbing observation that I and others have made concerning the Government's deliberations about the site for the State's new 500 person maximum security prison.

The Minister, despite intense questioning from me during Question Time, refuses to rule out Pelican Point, Outer Harbor, as a location. During meetings of the Economic and Finance Committee, I have questioned intensively officers of the MFP who have indicated that they have shown officers from the Department for Correctional Services the site at Pelican Point, Outer Harbor. The proposed site at Pelican Point is in the process of being transferred from MFP care and control back to a Government agency. It fits neatly into a plan to build the next prison on this site.

I am not privy to Government decision making on this. I can only pull together a number of pieces of information that I gain from various contacts and senior sources that I have within Government. It all looks very ominous for the people of LeFevre Peninsula. Without doubt, we are one of the preferred sites for the new prison. As a vigilant local member of Parliament doing my job, I have decided not to wait until a Government decision is taken as to whether it will build a new prison in my electorate or in the Deputy Leader's electorate or somewhere else. I have decided to take direct action to ensure that my electorate makes it clear to the Government that we will not accept a prison within our community. I have rallied the local media, which are keen to ensure that the views of those who oppose the prison are made public.

During last weekend I distributed nearly 70 petitions to local shops and businesses in my electorate and today, going into the letter boxes of every household in my electorate, is a warning that the Government is considering Pelican Point, Outer Harbor, as the site of the new prison. Of course, the Government would not look at a Liberal electorate. It would not look at somewhere in the eastern suburbs. It would not look at the seats of Florey, Unley, Lee or Hanson. It wants to

look at a Labor electorate and, quite frankly, that is not good enough. I will stand up for my community—

Mrs Rosenberg interjecting:

Mr FOLEY: Did I hear the member for Kaurna interject to say that she wants the prison in her electorate? The member for Kaurna is offering her electorate as the site for a 500 person maximum security prison. Is that what the honourable member is saying? Yes: that is what the member for Kaurna is saying.

The DEPUTY SPEAKER: Order! Interjections are out of order.

Mr FOLEY: The electors of Kaurna will be as distressed as are the electors of Hart, because the electorate of Kaurna does not deserve a prison.

Mrs Rosenberg: Where will we put it?

Mr FOLEY: The member for Kaurna stands condemned in this Chamber for volunteering the electorate of Kaurna as the site for the new prison. She needs to explain why she made this extraordinary comment today. It is extraordinary that a member of Parliament is actively seeking the prison. The honourable member can have it, but I do not think her electors will like it. I certainly do not think that other prominent people in the electorate—

Mr Brindal: Where should we build it?

Mr FOLEY: Not in my electorate. I am proud to stand up with the people of Semaphore, Largs, Osborne, North Haven and Taperoo to argue against it, and I will continue to do so, because that is my job as their member of Parliament.

Mr ROSSI (Lee): The member for Hart put his mouth into gear before putting his brain into gear.

Mr FOLEY: On point of order, Sir, Standing Order 125 refers to reflecting on another member of Parliament. I ask that the member withdraw his comments.

The DEPUTY SPEAKER: There is no point of order.

Mr ROSSI: The member for Hart said that prisons are built in only Labor-held seats. There are prisons in Mount Gambier, Port Augusta and Port Lincoln—all in districts represented by a Liberal. The adviser to the previous Premier does not know what in hell he is talking about. I am constantly amazed by the campaign tactics used by the Opposition, which continually show its total and utter disregard for the truth in the name of sensationalism and exposure.

My amazement relates to a number of key issues which affect my electorate of Lee and the State of South Australia and to Labor's track record as to how it has tackled these issues in the past. Full credit must be given to the Labor Party. It has managed to embark on a campaign of hypocrisy, hoodwinking and deviousness. Take, for example, the debate on aerial cabling. I applaud the resolve of various local government bodies in their attempt to convince telecommunications carriers to opt for the undergrounding solution. This is an example of what can be achieved with tenacity and a professional approach. Thankfully, within local government there are some who are more than mere Labor stooges.

Anyone who knows the history of this debate is aware that the Federal Telecommunications Act overrides all subsidiary policies and by-laws. This means that the State Government cannot force communications companies to place cables underground. My Government has stated categorically that telecommunications carriers should be required to comply with State planning, land use and environmental laws. The Government's submission to Austel on the draft revised telecommunications national code stated that the exemptions that carriers currently enjoy from State laws should be repealed. This line has always been paramount in the Liberal Government's debate.

Rather than working to find a solution, the Opposition has been quick to abuse its position to the point of absurdity. My office has been targeted by many lobby groups to promote underground cabling. Why has this happened, given that it is a Federal matter and clearly beyond my control? The answer is simple: it is an attempt to throw guilt. I can imagine that most people do not realise the tactics behind Labor's deception. They are probably unaware that it is a deception in the first instance.

The reason why overhead cabling can go ahead in this State is not that we want it to occur but that we are unable to prevent it. The Hon. Paul J. Keating and his Federal Labor cronies forced this upon us in 1991. Keating's Telecommunications Act was drafted so as to override State laws; it was drafted so that an assertive carrier could compete with Telstra in the shortest time possible; and it was drafted so that a Federal Labor Government could sell Telstra without too much fuss. The only thing Keating did not bank on in 1991 was losing government in 1996. How the tables have turned. Suddenly the Labor Party was lobbied to save Telstra; suddenly the Labor Party was lobbied to have underground cables. This is hypocrisy in its purest form. Fortunately, the Act is up for renew after 30 June 1997. This will allow us to place formally in legislation strict guidelines governing telecommunications. We will do this successfully without Labor's hindrance.

My next point of contention is Rann's complete back flip from the policies of his mentor, John Bannon. Prior to the Liberals' winning power, those opposite me were hell bent on closing hospital beds, wards and schools. The only thing that they are not closing is their mouth. Labor actively tried to pursue the sale of the Electricity Trust of South Australia and the South Australian Engineering and Water Supply Department in their entirety to private interests rather than merely outsourcing their operations. It had its unions talking for three years until the last election about how ETSA and the EWS could be amalgamated and sold. I know this personally, because I was an employee of the EWS for that period. The Opposition has managed to keep quiet its previous priorities. This I can understand: after all, it would not want people knowing that realistically it cannot credibly oppose any of my Government's policies.

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

The Hon. R.B. SUCH: Mr Deputy Speaker, I draw your attention to the state of the House.

A quorum having been formed:

LEGAL PRACTITIONERS (MISCELLANEOUS) AMENDMENT BILL

Received from the Legislative Council and read a first time.

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

That this Bill be now read a second time.

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

Leave granted.

This Bill makes minor, uncontroversial amendments to the *Legal Practitioners Act 1981*.

The amendment to Section 11 of the *Legal Practitioners Act 1981* was prompted by the recommendations of a Committee appointed by the Law Society of South Australia to review the professional indemnity scheme established by the Law Society. The Scheme run by the Law Society is the only provider of insurance for civil liability arising in connection with legal practice, and civil liability incurred by a legal practitioner in connection with the administration of trust funds.

The Committee recommended that the management committee of the Scheme, the underwriters to the Scheme and the panel of solicitors who undertake litigation should be separate entities to prevent an appearance of conflicting interests. While there are no suggestions of impropriety in the running of the Scheme, the current practices do give rise to an appearance of conflict. In response, the Council of the Law Society proposes to delegate its powers over the professional indemnity scheme to a company wholly or majority owned and controlled by the Law Society. However, section 11 of the *Legal Practitioners Act 1981* only allows the Council of the Law Society to delegate its powers to committees consisting of people the Council thinks fit, or to an officer or employee of the Society. Therefore, without amendment to the *Legal Practitioners Act 1981* the Council is unable to effect this delegation. The amendment will ensure that certain powers that need to be exercised with some independence, such as the running of the Professional Indemnity Scheme, will be independently administered by a company that is still accountable to the Law Society, yet does not have the appearance of creating a conflict of interest.

The Guarantee Fund established in Part 4 Division 3 of the *Legal Practitioners Act 1981* comprises money paid into it from various sources including the statutory interest account and a prescribed proportion of the fees paid in respect of the issue or renewal of practising certificates. This money can then be applied in accordance with the purposes listed in section 57(4) of the *Legal Practitioners Act 1981*. The amendment to section 57(4) will increase the purposes to which the money in the Guarantee Fund may be applied by including educational and publishing programs conducted for the benefit of legal practitioners or members of the public. This is consistent with the current purposes to which money in the Guarantee Fund can be applied, which can be generally categorised as expenses related to alleged and actual improper conduct or negligence of legal practitioners. It is anticipated that the intended educational and publishing programs will improve the standard of the legal profession by creating awareness of the misconduct or negligence of practitioners, and through training which will teach legal practitioners to deal with problems before they lead to misconduct or negligence.

Explanation of Clauses

Clause 1: Short title

Clause 2: Commencement

These clauses are formal.

Clause 3: Amendment of s. 11—Management of Society's affairs

This clause inserts a new paragraph into section 11(2) allowing the Council to delegate its powers (relating to the management of the Law Society) to a company that is a subsidiary of the Law Society.

Clause 4: Amendment of s. 57—Guarantee fund

This clause amends section 57(4) to allow money from the guarantee fund to be used for educational and publishing programs conducted for the benefit of legal practitioners or members of the public.

Mr CLARKE secured the adjournment of the debate.

RACIAL VILIFICATION BILL

The Legislative Council intimated that it had agreed to the recommendation of the conference.

Consideration in Committee of the recommendation of the conference.

The Hon. DEAN BROWN: I move:

That the recommendation of the conference be agreed to.

I will explain a number of matters resulting from the conference. As a result of the conference, it was agreed that the Bill as presented to this Parliament should now proceed through the Parliament. The main issue of the conference and the main issue unresolved between the Upper and Lower Houses was whether or not there should be conciliation and whether or not it was effectively covered by Federal legislation. It was found that it is covered by Federal legislation, but there is a problem with people in South Australia obtaining access to the Federal procedures because the office is in Sydney and there is no office in South Australia. Therefore, it was agreed that the Bill as presented to this House should be passed by the two Houses of Parliament in the original form. On behalf of the Government I agreed to read the following statement:

The South Australian Government will forthwith approach the Federal Government with the objective of delegating to the South Australian Equal Opportunity Commission jurisdiction in relation to the Federal Racial Discrimination Act as amended by the Racial Hatred Act which will provide for conciliation. If after 12 months the delegation has not occurred, then the State Government will review the operation of the relevant State law with a view to introducing legislation to provide for conciliation.

In making that statement, I stress that we had argued throughout that the Federal Racial Discrimination Act, as amended by the Racial Hatred Act, would apply. It turned out that there is a lower threshold level under the Federal Act than under the State Act and, as some lawyers in the deadlock conference pointed out, if they were advising any clients, they would advise them to go under the Federal Act rather than the proposed State Act because the threshold under the Federal Act is lower and therefore it is easier to get a determination than under the proposed State Act with the amendments put forward by the Labor Party and another House of Parliament. Commonsense has prevailed and the original legislation is to be passed by this Parliament. I appreciate the support of the deadlock conference in achieving this; and I appreciate the support of both Houses of Parliament. This is a commonsense approach.

The Hon. M.D. Rann interjecting:

The Hon. DEAN BROWN: In fact, it was agreed between the two Houses of Parliament. I realise that the honourable member does not have to agree to that but the Legislative Council agreed to this proposal and there was full support for the sort of statement I made—that we should now make sure that here in South Australia South Australians have access to the Federal law through the South Australian Equal Opportunity Commission. That is exactly what the State Government will now set out to achieve.

I stress that much of the responsibility for the future shape of South Australia rests with this Parliament, and today we can all take pride in the fact that we are part of passing the strongest racial vilification legislation in Australia. This is a major victory for our ethnic communities, who were part of the consultation which led to the drafting of the Bill. The South Australian Government will approach the Federal Government with the objective of delegating to the South Australian Equal Opportunity Commission jurisdiction in relation to the Federal Racial Discrimination Act.

Three of the distinguishing characteristics of South Australia have always been its sense of community, its respect for the individual and its acceptance of the responsibility to care for one another when needed. Those characteristics are embodied in this legislation and will add to our international reputation for legislation which focuses on individual rights and human liberty. One of the Government's key social justice objectives has been to make sure that all South Australians have full and equal access to Government programs and services. Another is that all South Australians receive a fair share of Government resources.

To achieve these two objectives, I recently asked the South Australian Multicultural and Ethnic Affairs Commission to undertake a full-scale evaluation of access and equity in the public sector of South Australia. I wrote to all Ministers requesting their support, and I must say I received wholehearted support. This is the first such major evaluation of access and equity in South Australia. Information is being gathered from Government agencies and non-government organisations as well as clients of public sector agencies and community groups. Issues of particular relevance to women are being addressed within the scope of this major review.

The South Australian Liberal Government has taken this step because we believe that the removal of language, cultural, racial and religious barriers is essential if all South Australians are to receive a fair go and a fair share regardless of their background. This Government values our cultural diversity as a community resource, and the promotion of cross-cultural understanding and relations between community groups through information programs and education campaigns is an ongoing priority. The Government has also set down a 10-year plan to lift the services and opportunities for all aged people regardless of their background. I am pleased that it takes into account the special needs of people from non-English speaking backgrounds, and $200 000 has been set aside specifically for care of senior members of the ethnic community.

South Australia faces increasing challenges in operating in a global marketplace. Our multicultural work force—including our indigenous people—will provide one of the longest and strongest bridges to other countries, spanning language, culture and customs and providing very distinct advantages. It is strengthened by the Government's establishment of the Council for International Trade and Commerce. The establishment of this council was an Australia-wide first and recognised the great marketing advantage of our diverse community.

Another social policy initiative aimed at ensuring equality of access has been the provision of the interpreter card, which now is issued to all non-English speaking newcomers to our State. It tells new settlers right from their arrival that we are pleased they have chosen to join our community; we want to be sure that any language difficulties or cultural strangeness will not stop them from accessing the services and help that they need.

As a Parliament, we should not overlook the importance of the step we have taken today and the message it sends to the world. If we can access other countries from our homes and offices within milliseconds, we cannot be selective about what is or is not our responsibility, at least on a moral and human level, around the world. Equally, we should not overlook what message our behaviour sends to the world. We are all well aware of recent damage to our image overseas and that makes this legislation all the more important and the fact that it enhances the image of South Australia. Modern technology and the shrinking of the world expands our opportunities and responsibilities. This says to the world that South Australia now has tough laws to protect individuals and organisations from racially motivated attack or threat. It is a very strong message that South Australia values and will strive to protect the principles of multiculturalism.

I acknowledge the support of the Opposition in another place and the Australian Democrats in allowing this legislation to be enacted and I assure all South Australians that the Government will continue to lead the way in creating an open and accepting society in which everyone has equality of access and participation regardless of their culture, religion or racial background.

The Hon. M.D. RANN: As someone who has been a strong supporter of racial vilification legislation, I can only say how disappointed I am that there was not a better spirit of compromise and decency regarding this piece of legislation. The Labor Party introduced legislation prepared by Paolo Nocella, Michael Atkinson and me based on the best available model of racial vilification in this country—that which applies in New South Wales. We strongly supported provisions to involve the Equal Opportunity Commission in South Australia in the administration of the legislation to try to prevent the high cost of people who have been racially vilified having to go to court and spend money, which would only pour into lawyers' pockets rather than achieving a decent outcome for decent people.

I was prepared to say publicly that parts of the Premier's Bill were better than my Bill, but parts of our Bill were better than the Government's Bill. In a spirit of bipartisanship I suggested that we take the best bits out of both Bills and have the best possible piece of racial vilification legislation not only in this nation but also internationally. Our position was supported by the ethnic communities, who urged the Government to incorporate our amendments. We were prepared to work with the Government to prepare a great piece of legislation, but this Premier, who is concerned about his leadership and the ambush that is being prepared against him for next week, basically decided that, no, he could not tolerate compromise; he could not bear to say that he was not the repository of all wisdom on this issue. And so they stuck to their guns, even though the ethnic communities in this State went to see the Government, wrote to it and wrote to us, saying, 'Please incorporate the best parts of both Parties' legislation.'

Sometimes being a Premier involves leading, which we do not often see, and sometimes being a Premier involves seeking a compromise and putting the State's interests ahead of Party political interests. That was not the case in this regard, and we will be passing legislation today which is inadequate, which is substandard but which is better than nothing—and that is about all you can say about it: better than nothing.

In my electorate in Salisbury and Parafield Gardens a few weeks ago we had these thugs, these scum, from National Action going out and picketing a school, harassing and abusing young primary school children of Asian background. How low does someone have to go in this community to be condemned, when someone is prepared to harass, abuse and threaten primary school children—and that is how they get their kicks. It is important for us in this Parliament to send the clearest and strongest message possible in order to put National Action where it belongs, which is with a concrete lid over the top of them.

I am disappointed that, even in the face of that action by this organisation, even in the face of the sorts of things that the Pauline Hansons and others have been saying—and we remember the attacks on multiculturalism in 1988 by John Howard—we did not have a Premier or Government in this State that had the decency to say, 'Yes, there are parts of our legislation that are better, but there are parts of your legislation that we could combine in a productive and constructive way in order to achieve the best outcome for people in this State.' It is incredibly disappointing that this Premier is not big enough, that he cannot take that step up of putting the public interest ahead of his Party interest. So, we now have

a situation where we are today passing legislation that is better than nothing—and that is about all you can say for it.

I hope that in the future we will see a Premier—and I understand there might be changes in the next week or so—who is prepared to sit down with us and review this matter, and knock out something that is in the interest of all South Australians, so that we can send a clear message to the likes of National Action out in my electorate what we, as the leaders of the community, think of what they are doing. The primary job of any Government is to protect our children and to protect the elderly. When we have a situation in this State where primary school children are being abused and threatened—and the people in question have come out and marked my electorate office and other things around the State—we have to send them a clear signal about where we stand.

And what a great pity there could not have been bipartisanship on this. The Premier wants bipartisanship in terms of the Adelaide City Council. Well, he will get nothing from the way he conducts his business, because he does not know what he wants, does not know where he is going and does not know what his reasons are, and the same applies to this Bill.

Mr CUMMINS: The Leader of the Opposition has once again shown his total ignorance of this issue. It is not unusual for him to do that. I remember that about three months ago I asked him what he thought of the national competition policy legislation, and his response to me was, 'What's that?' There has been a conference of both Houses, and both Houses have obviously decided that the path we are taking is the best one to take.

The Leader of the Opposition, one assumes—although he did not mention it—is aware of section 18C of the Racial Discrimination Act, which is an amendment to the Federal Act. He talks about his legislation adopting the 1989 New South Wales legislation—that is, his amendments and the amendments that were proposed in the Upper House. Well, that is true, it does; but, of course, the difficulty with that is that that legislation was prior to the amendment to the Federal Act, which is called the Racial Hatred Act.

There is absolutely no doubt, when one reads the Federal legislation, that, as the Premier said, it has a lower threshold than the State legislation, including our amendments and the amendments proposed by the Upper House, because the act in question must be in public, it must be likely to offend, insult, humiliate or intimidate an individual or group. Our legislation goes a lot further than that, because the activity must be serious and it must incite racial hatred. So, it has a lower threshold.

What the Leader of the Opposition is proposing, in his ignorance, is a test which will not in fact capture a lot of behaviour that one would call racial vilification. The Federal Act clearly does that. The Commissioner for Equal Opportunity, Linda Matthews, was asked, for the benefit of the conference, to express her view on the interrelationship between the Commonwealth legislation and the proposal of the Labor Party and the Democrats in the Upper House in relation to amending the legislation and giving jurisdiction to the Commissioner for Equal Opportunity. Her response was very simple: 'Don't want it.'

The reason, as the Premier rightly points out—and one of the reasons discussed at the conference—was that, if you sit down as a lawyer and advise someone as to whether they should proceed under the proposed amendments of the Labor Party and the Democrats in the Upper House or whether they should proceed under section 18C of the Federal Act, it is patently obvious that a lawyer would advise them to proceed under that Act. However, you have a fatuous situation whereby if, in fact, the Commissioner for Equal Opportunity in South Australia were seized of jurisdiction under the proposed Labor and Democrat amendments and also seized of jurisdiction under section 18C by way of delegation, you would have parties in that jurisdiction having to elect which procedure to take. It would create a fatuous situation and it would create total and complete confusion, and that is why the action that the Government has taken is the correct one.

In relation to the Federal legislation, there is power to make a declaration. There is a power to require that acts be taken to redress the situation. There are unlimited damages, unlike the proposal by the Democrats and the Labor Party in the Upper House, where the damages are limited. So, it is very broad legislation.

The commonsense of the Government has been that it will wait 12 months and see if the Equal Opportunity Commission has delegated the jurisdiction under the Federal Racial Discrimination Act. Once it has delegated jurisdiction—and one would think that it will get it because it has it in other areas under that Act—the problem is solved, because once it has jurisdiction any action that needs to be taken can be lodged in South Australia with the Commissioner for Equal Opportunity. In addition, people who have been subject to severe racial vilification and vilification inciting can bring criminal proceedings.

Further, if it is more serious racial vilification they can bring a civil action in the courts in South Australia. I would have thought that one could not argue with a situation whereby you can bring criminal proceedings in the courts in South Australia, where you can bring civil proceedings in the courts, and when in fact the Equal Opportunity Commission in South Australia has delegated the power under the Federal Racial Discrimination Act and you can actually bring proceedings under section 18C of the Racial Discrimination Act in South Australia. I would have thought that was a very good result.

In the event, the Equal Opportunity Commission does not have delegated powers given to it by the Commonwealth Government but, as the Premier said, the Government will look at the issue of conciliation. What more does one want? I would have thought that was a superb result and I am very surprised that the Opposition in this House does not agree to it. I am more surprised because the Opposition and the Democrats in another place did agree with it. In relation to all this, the Commonwealth legislation has a lower threshold. It is far easier to access and prove a case under the Commonwealth legislation and the section 18C of the Racial Discrimination Act than it is under the proposed amendments by the Labor Party in the Upper House.

Mr Atkinson interjecting:

Mr CUMMINS: I hear a voice on the other side: it is someone who purports to have a law degree but who has never practised. I think that this is a superb result for South Australia and, with the combination of the Federal legislation, we have in this State, in my view, the best legislation and the best access—once the delegated power has been given to the Commissioner for Equal Opportunity—of any State in Australia and probably of any country in the world. I support the Premier.

Motion carried.

PAY-ROLL TAX (SUPERANNUATION BENEFITS) AMENDMENT BILL

Returned from the Legislative Council without amendment.

TAXATION ADMINISTRATION BILL

Returned from the Legislative Council without amendment.

STATUTES AMENDMENT (TAXATION ADMINISTRATION) BILL

Returned from the Legislative Council without amendment.

WATER RESOURCES BILL

Adjourned debate on second reading.

(Continued from 13 November. Page 543.)

Mr CLARKE (Deputy Leader of the Opposition): I am not the lead speaker; the member for Taylor will be the lead speaker for the Opposition. The Opposition's position on this Bill will be known more fully at the end of the Committee stage. There are a number of observations that members of the Opposition will be putting to the Government and, in particular, to the Minister in the Committee stage. Our shadow Minister (Hon. Terry Roberts) in another place will also be going through the process of consultation. Our final position will be determined after we have gone through that exercise. However, there are some points that I would like to make in what will be a comparatively brief contribution.

There is a general worry not only among members of the Opposition but also among other members of the community that, in terms of raising revenue, this Government is seeking to shirk its responsibility to be open and accountable for its decisions to raise revenue from the general citizenry. We have had a succession of revenue raising measures since this Government was elected, but they have been through the back door rather than through the front door where the responsibilities can be sheeted home to the Government of the day. Basically, that has resulted from the Premier's commitment before the last election that there would be no increase in taxes or new taxes introduced.

The Hon. D.C. Wotton interjecting:

Mr CLARKE: The Minister does not want to get too excited: I realise that this could be his last Bill. His final act may well be to sign the death warrant of 2 000 koalas. That is really something for a Minister for the Environment and Natural Resources to go with as his epitaph; that is really something to be proud of! Returning to this Bill, the concerns of the Opposition are that the Government continually shirks accepting its proper responsibility with respect to increasing Government revenue. A series of measures have been introduced increasing charges, levies and imposts. All sorts of language is used rather than that dreaded word 'tax', because that was something that would break the cardinal rule of the Premier that he would resign in the event of an increase in tax or in a new tax being introduced.

Instead, we have seen Minister after Minister going through contortions to increase revenue and trying to find any word to describe them other than as taxes. However, as we all know, if the Government has its hand in your pocket and is relieving you of money that you had to spend on something else, that is a tax, no matter which way you describe it. That raises a philosophical point that the general public has every right to know. If the Government is going to have its hand in the taxpayers' pockets they ought to know that it is actually the Government that is doing it and that the Government is not trying to divest its responsibility through sleight of hand by giving it to other non-elected bodies, such as water catchment bodies and the like.

There may well be laudable reasons why extra revenue needs to be raised. In so far as the cleaning up and control of our water resources is concerned, that may very well be one such laudable objective. If it is such, then the Government ought to be able to proudly stand up and accept responsibility for it and say, 'Yes, we are increasing our rate of tax for this reason, and it is for the overall good of the State, not only now but into the future', and accept that responsibility, rather than trying to duck shove it down to these non-elected bodies such as the water catchment bodies or through local councils and the like, which is increasingly the tendency of this Government in all matters of revenue enhancement. I think that the overall objectives of the Bill head in the right direction. However, I was concerned about the second reading explanation where it states:

> I was greatly assisted throughout the review process by a committee of members of Parliament.

The committee comprised the member for Chaffey and the member for Mawson (who is also the Minister's Parliamentary Secretary and who no doubt is thirsting after the job of Minister; I am sure he is waiting for the Minister to sign the death warrant for the koalas so that he can seize his job) and the members for Light, Newland, Ridley and Custance. I assume that this is a Government backbench parliamentary committee. It is certainly not a committee elected by this Parliament as a whole because it includes no Opposition representation. The Minister had that range of parliamentary members assisting him from the Government side—and I do not know whether the word 'assisting' is as accurate a description as it might otherwise be.

The Opposition has concerns about the clauses of the Bill which deal with how the new taxes are to be raised. I use the word 'taxes' because it is an accurate description of what this Bill is about in terms of funding the necessary measures under it and the establishment of water catchment management boards and the like beyond those which already have been approved specifically by Parliament.

I note that in clause 138, which provides for the imposition of taxes by constituent councils, there are a variety of ways in which that money can be raised. It can be based on the capital value of rateable land; a fixed levy of the same amount on all rateable land; a fixed levy of an amount which depends on the purpose for which rateable land is used; the area of rateable land; or the purpose for which rateable land is used and the area of the land.

It seems to the Opposition that one of the few areas of progressive taxation left to State Governments is to base any tax in this area on the capital value of rateable land rather than simply by the imposition of a flat rate tax. I can imagine some of the arguments that certain members of this Government might put to try to counter that argument. I note the member for Mawson nodding his head in agreement that he supports a flat rate tax and, if that is the case, I can understand it. The ideological position of the member for Mawson would be such that he would oppose any progressive taxation measure whatsoever in support of capital. The Opposition

believes that the taxes to be raised should be based on the capital value of the rateable land, and if that is to be departed from it would have to be for very exceptional and defined circumstances. Our final position on that will very much depend on the Minister's answers to a number of questions in that area, but that is the initial view of the Opposition with respect to this threshold question of the imposition of taxes.

I am pleased to see that the Bill also provides for the establishment of further water catchment management boards. I recall a similar debate with the Minister with regard to the establishment of the Patawalonga Water Catchment Board and the River Torrens Catchment Board in that you can have the absurd situation where, because of a line drawn on a map, one side of a street is caught within the catchment area and has to pay the tax, whereas if you happen to be fortunate enough to live on the other side of the street you do not pay it. There is the general issue of being responsible for the upkeep and proper management of our water resources no matter where we live.

As I understand it, the Bill provides for the establishment of additional water catchment management boards which no doubt will assist in that objective. The Opposition supports the second reading of the Bill but will ask a number of questions during Committee. Our final position on the Bill will very much depend on the answers that are supplied by the Minister in these areas and the consultation that our representatives in another place will have with a number of interest groups which have contacted us of late with respect to this Bill. I do not expect the legislation to pass before Christmas, so there will be ample opportunity for us to engage in that consultation before Parliament sits again in February next year.

Mr ANDREW (Chaffey): I support the Bill. As the director of a private company which is an irrigator, I declare my interest in the legislation. I believe that the degree of consultation with respect to this Bill has been very significant. Over the past 12 months there has been more consultation with respect to this Bill than there has been with respect to almost any other Bill which has come into this place since I was elected. The consultation covered a range of aspects that were initiated by an issues paper in September last year (1995), followed by a discussion paper in March 1996 and a draft Bill in late May.

I was the chairman of the Government's backbench committee that worked on the Bill. The meetings, forums and groups which met to discuss the Bill were wide ranging and included the Farmers Federation and environmental and irrigator groups. As well as the backbench committee's work, I know that staff of the Department for the Environment and Natural Resources worked very actively and diligently and had many meetings. Over the past few months I think that close to 100 meetings were held to consult on this Bill.

One of the overriding aspects that has come out of the consultation process—and this has not been surprising—has been the overwhelming interest in water resources management. This has been reflected in many areas: some have been pretty obvious and some not so obvious. First, we are all aware of the old cliche that South Australia is the driest State in the driest continent. Notwithstanding that it is always easy to say that, the Bill demonstrates that it is time to move on and to indicate that action is taking place, and that it is taking place as a priority in this regard.

Water resources are very much limited in South Australia and arguably, in some areas, they have been abused. We need to reverse that. There also needs to be greater integration with respect to water resources management in all areas and a recognition that in some cases the resource is being used relatively inefficiently. Over and above this, for further growth and development in South Australia, the current management of our water resources is limiting that growth, whether it be by quality or quantity. I emphasise that in my electorate in the Riverland, where the Murray River is so important, that growth is being limited by our water resources, so, for no other reason, I am particularly keen to make sure that the Bill progresses what I see as its advantages in respect of water resources management.

This legislation has come about in response to those needs to which I have alluded as well as to respond to the broader picture throughout the whole of the nation at the moment, and I refer to the Council of Australian Governments agreement. That process has been working through all the States on a strategic framework for water management over the past four years, and some agreements have come to pass in that time to fully implement specific reforms by the year 1999. Included in the issues involved in these types of COAG agreements is a consumption-based, full cost recovery pricing system for our water resources with transparent community involvement.

There is a need for comprehensive water allocation systems. The issue of trading and water entitlements has been addressed by the COAG agreement, as well as performance monitoring and benchmark delivery with respect to water resources. There is recognition in the agreement for greater public education and consultation, the need to incorporate stormwater use and re-use in this agreement, as well as incorporating ground water management. All of these reforms have been agreed to and are part of this consistent agenda with other States.

As distinct from what should be done with issues of water management through this Water Resources Bill, it effectively addresses and provides the overall framework for how these needs can be brought about and implemented more efficiently and more effectively. The principles that make up the backbone of this legislation include the following: the aspect of community participation in the broadest context in two areas—first, with respect to community bodies having greater policy input as well as management responsibility of a particular water catchment area; and, secondly, having community participation via greater responsibility and accountability in sourcing funds from the community, other users or from beneficiaries of a particular water resource, and having a significant input as well into how those funds are spent. Also, integrated planning and management of our natural resources is another major aspect of the Bill.

The principle of integrated catchment management is the understanding and recognition that, as every natural resource and catchment has an input on all other associated resources within a catchment area, it should be managed in an integrated fashion. This will require closer cooperation from a range of bodies, and this is brought about in the mechanism of the Bill, whether it be catchment management boards and local government or, in rural areas, soil boards and pest plant boards. The Bill moves to increase this degree of integration.

The Bill also recognises and addresses transparency in the decision making process and the need for greater accuracy and accessing of more data; and, importantly, it also designates legal rights and responsibilities relating to water itself. All land owners and occupiers will be granted statutory water rights, and also property rights will be provided by both a

licensing system and a legislative system. Fundamental to this is the necessary separation of water delivery from water resources management itself.

The Water Catchment Act is to be repealed and contained in this new Water Resources Bill. I note from the very good feedback of my city colleagues that the Patawalonga schemes and the Torrens boards operating at the moment are working very well. Noting this, the Crown, in the interests of the whole State, must be able to coordinate and control the use of all water resources, whether it be water courses, lakes, channels, underground sources, run-off, irrigation and drainage water, stormwater and waste water.

This legislation must—and I believe it does—provide the flexibility for the mechanism appropriate to manage the vast diversity of water resources within our State. Some might say it is too broad and too much of a demand to be put under one piece of legislation, but I do not agree because I believe the framework set up will allow specific areas to be managed as part of an overall integrated planning system, particularly with the use of water plans.

I want to mention this framework with respect to the water plan approach, because water resources in this State as designated by the Bill will be managed by water plans applicable at different levels. They will be prepared and regularly reviewed through a process of consultation, and it is proposed that there be a Statewide plan setting out the State's strategic plan for water resource management throughout the whole State. There will also be a mechanism available to provide plans of particular areas of responsibility with respect to the catchment management boards developed from, developed for and I believe developed with local communities. All these will include specific local water plans and also, where appropriate, water allocation plans for the specific use of the water resource. Importantly, the plans will be given legal status and effect.

As part of the planning framework, it is important and appropriate that it employs a system of property rights for water licences, and I mentioned this earlier. This system of water licences will allow full transferability of both the licence and water allocation which will be endorsed on the licence. In doing so, there is also the creation of a register of licences through which third party interests of water licences—for example, mortgagors—can be protected. Importantly, this will facilitate a market in water allocation, and it will streamline the specific transferability process currently in operation.

I believe this is a fundamental and necessary requirement for maximising the development opportunities and also for responding to the specific environmental needs in a particular area. As an aside, I particularly condone the mechanism in the Bill with respect to the power to cancel a licence or allocation, especially where legal action is taking place. I cite the example where irrigation is used for drug propagation these days, and this is a very strong and appropriate power within the Bill to combat that problem in our society.

Time will not permit me to go through all the detailed changes, but I will use the Committee stage as appropriate. I want to mention that, since the draft Bill was introduced at the end of May, there have been a number of what I believe are very responsive changes to the legislation, and one is the decision to include a South Australian Water Resources Council, because the original consultation did not provide for a peak advisory body. During the consultation phase there was significant support from a range of organisations including local government, Mines and Energy South Australia, the Natural Resources Council of South Australia, the South Australian Farmers Federation and a range of conservation bodies. An independent advisory group charged with specific functions should be able to provide a useful role in advising the Minister on a range of water resources matters.

I want to raise the issue of the make-up of catchment management boards, because this is one area that is certainly of real concern to me and I know to a range of groups in the community. My concern comes from two specific areas: first, from local government; and, secondly, from sections of irrigator groups, particularly with respect to the proposed River Murray Catchment Management Board.

I endorse the principle that boards need to be skilled or expertise based, and I do so because I believe that effectively they will be fundamental to the successful implementation of the Bill. The boards will be charged with handling millions of dollars. At times they will need to make decisions across broad parameters, and the issues must be over and above that of sectional interests. If specific groups are represented as distinct from areas of expertise, it is likely that they could become lobby groups for their specific area of interest, and it will only encourage other groups to demand representation and seek greater lobbying interests for their particular area. I do believe that only a ministerial decision will give that balance that is required to make up the final composition of these catchment management boards.

Expertise in local government is a recognised skill under the Bill, and the fact that local government may be collecting a levy is not in itself justification for representation. Possibly some in local government see some of their control being taken away by catchment management boards. However, arguably, the existence of the authority and, I believe, the boards will take some control from the State Government as well. That is appropriate, because these boards, in effect, will be providing the mechanism for greater integration in the decision making process of water resource management. I acknowledge genuinely the concern of irrigators that they will be paying a significant contribution to the catchment environment levy and I understand their desire to have a significant say in how the dollars are spent. Both the Riverland Horticultural Council (and its irrigation subcommittee) and the South Australian Farmers Federation—neither of which, I believe, can claim to represent fully all irrigators up and down the river—have put forward a determined claim that a representative selection panel be legislated for, and the former group has requested that three members of the River Murray Catchment Management Board be practising irrigators.

The suggestion involves the legislative creation of a River Murray Catchment Management Board selection panel formed by the Minister from nominations received from a number of organisations such as the Farmers Federation, the Horticultural Council, mid and lower Murray irrigators, Government highland irrigation boards or other interest groups. I have had a number of discussions with and made a number of representations to the Minister in this regard. However, I have not yet been able to convince him or my colleagues that this should be legislated for. With six or eight catchment management boards being formed over the State and with the legislative framework that is being provided, I do understand the reasoning that it is not practical or appropriate to put such an option regarding that sort of specification into legislation.

I acknowledge that the Minister's response has generally been in regard to some of the other reasons to which I have alluded on the basis that it is not appropriate to have membership of bodies with such a high degree of responsibility as these boards dictated or influenced by selected interest groups. The types of skills, experience, and local knowledge and understanding required will differ with each region, and the Minister believes that ministerial discretion will be necessary to select the best people for these boards.

As I have indicated, I believe that the membership of these boards is fundamental to the success of the program of community management of resources, and the Minister is indicating his determination to maintain this form of selection. Notwithstanding this response, I have sought assurances from the Minister that the interest of irrigators, as major players in the Murray River, will be adequately recognised, and he has given those assurances. He has also assured me that he will seek input from irrigator bodies as appropriate. Given that the Bill will not provide that structure, I will raise this issue again in Committee to have that confirmation reaffirmed.

I support the Bill and I endorse the move for a more integrated and accountable approach to water resource management in this State. I also acknowledge the need to roll over the urban catchment management boards that are presently operating. This need is particularly urgent in terms of not only water resource management in this State but also my personal passion to have this legislation passed to ensure the improved management of the Murray River in South Australia. The River Murray Catchment Management Board is a top priority requirement and I know that other areas are keen to have boards formed as well. Unless action is taken, the whole length of the Murray River can only deteriorate further. Water quality will deteriorate to a point where the cost of filtering will increase and there will be further threats of blue-green algae and salinity problems, with a resultant reduction in productivity, whether urban, commercial or agricultural.

We need a River Murray Catchment Management Board as soon as possible and this legislation provides the teeth and the mechanisms to determine fully the priorities for Murray River projects and to get improvement under way. We urgently need a River Murray Catchment Management Board to work closely with the Murray-Darling Basin Commission to achieve appropriate strategies up the ladder of action for reducing nutrient levels and salinity, improving irrigation practices, providing improved flow management strategies and ensuring adequate water for this State. We need a board in place as soon as possible to facilitate the Murray-Darling 2001 Project initiative. The Murray River clean-up, appropriately led by Premier Dean Brown, has been accepted and endorsed by the Prime Minister, as the Federal Government will be a major player, with Federal funds of up to $460 million going into the Murray-Darling clean-up.

We need a board for the Murray Valley as soon as possible to capitalise on the financial commitment of the other States, the cooperation of which has been indicated already, and for the additional funds that will be provided to support South Australia's financial commitment by water users and the State as a whole for domestic, commercial and irrigator users of water. I will refer to specific aspects in Committee but at this stage I wholeheartedly support this Bill on the basis of the need for improved water resource management and quality in this State.

Mr BROKENSHIRE (Mawson): I am delighted to support this Bill and to be able to follow on from the member for Chaffey, who chaired the extensive Government working party, as the parliamentary secretary to the Minister, Hon. David Wotton. Both before entering this place and after becoming a member of Parliament, I have heard much about the importance of Government in three main areas: economic, environmental and social. I put to this House that in recent times no other Bill has been absolutely responsible in terms of those three issues.

Water is such a fundamental resource for the future of this State that this issue should have been considered a long time ago. This Bill is not a knee-jerk reaction; it was not rushed into the Parliament because this was a warm and fuzzy time to do it; and it does not have a life of a year or two. This Bill is about setting up a sustainable future for the whole of South Australia. It ties in with the Murray-Darling Basin 2001 initiative, of which most South Australians would be well aware—an initiative driven by the present South Australian Liberal Government. It is an initiative that is fundamental not only to South Australia but also to the whole of Australia. In particular, it is fundamental to South Australia because, as the member for Chaffey well knows, the Murray River, which runs through his electorate right down to Goolwa—an area I know very well—is the main artery of South Australia. It is the blood supply for South Australia. We live in the driest State in the driest continent in the world, and it is no longer acceptable for people to think that a water resource will be here forever. All South Australians, and, in particular, members of the Government and the Opposition—and I include the Democrats as well—have a responsibility to ensure that we sustain our most important resource.

I am delighted with the amount of consultation that has occurred. As the member for Chaffey has said, consultation started more than 18 months ago. Ongoing consultation has been occurring within the community, within Government and within agencies. I congratulate all those who have been involved in that process. There has been energetic involvement by all those players, who have shown enthusiasm in supporting this Bill. The Bill is a complex piece of legislation which took all members some time to work through but, I believe, at the end of the day we have a very responsible and balanced Bill.

The Bill introduces a new dimension to environmental responsibility in South Australia. The accolades for the Government with respect to the overall environmental picture that this Government has painted ever since it was elected are not sufficient. In fact, before it came to office, this Government laid down a policy which clearly stated that it would be responsible in terms of the environment, one which, by and large, has definitely painted this Government green. That does not mean to say that we can please all people at all times who have an interest in the environment. As a Government we have to look at balance and responsibility right across the board. This piece of environmental legislation is certainly designed in that way.

It was interesting to listen to the Deputy Leader of the Opposition, the member for Ross Smith, talking about this Bill. I shut my eyes for a moment and I could have sworn that I heard that same speech about 2½ years ago when we were debating the formation of the catchment management boards, which are very successful. The Deputy Leader always talks about taxes. There are no taxes in this at all: it is nothing about taxes. There is a big difference between a levy to sustain a resource for economic and environmental opportuni-

ties for a State and a tax. The problem with the Deputy Leader is that he knows damn well that, should he get a chance at government in the next eight or 12 years, he will go back into that regressive situation we had for 11 years under a Labor Government, namely, tax and charge the people of South Australia, spend, do not save and do not be responsible. The idea was, if you want to give them something give it to them and then tax business and primary producers, and inevitably forgo the sustainable future that this Government is all about.

It is about time the Deputy Leader of the Opposition and other Opposition members realised that there are no taxes under this Bill. It is all about levies and user-pays. It is a pity that members opposite did not have the intestinal fortitude that one of their previous Ministers had when it was realised that it was important that people be involved in the user-pays principle. That Minister was rolled in the Labor Cabinet and we can see the resultant debacle since then.

People right across South Australia have a responsibility to ensure that they can enhance and protect that most vital resource to which I have referred. Every user in the metropolitan area is paying a 1¢ a kilolitre levy towards the protection and enhancement of that vital resource. Not one constituent in my electorate has complained about that 1¢ a kilolitre levy. They have certainly complained to me about the quality of the water. They have been worried about the blooms that come down the river in February and they are worried about the colour of the water and so on, which we are now fixing, but in the metropolitan area people are definitely not complaining about the 1¢ a kilolitre levy, because they know they have a responsibility. Farmers are also concerned about water quality and salinity. As a farmer, I am certainly concerned about that. I want to ensure that farmers have a sustainable resource. The majority of farmers support that.

I have looked at this Bill from the viewpoint of local government, because there has been some to and fro discussion with local government on the collection of the levy and local government involvement, as the member for Chaffey said. I would like to see the formation of the Onkaparinga catchment management board, as that is the only way to ensure the required water quality and protection of the general environment in the south, as it takes in six or seven councils. Even with amalgamations, it will still take in three or four councils. The District Council of Willunga is one example. That council recently had an audit of basic infrastructure and environmental issues that urgently need addressing in its area alone. The audit shows that between $8 million and $10 million worth of urgent works is needed. You do not have to go far from the District Council of Willunga to see other councils with a backlog of environmental maintenance work which is worth millions of dollars and which is fundamental to the sustainable future of our generation and, more importantly, future generations. I cannot understand the angst of local government, as this will provide additional money to free up some of the 10 to 15 year council plans—some have audits but they do not a plan for addressing the issue—without taxing and charging people out of existence.

I encourage people to read carefully part 6 of the Bill relating to administration, as that is where the checks and balances are. I challenge anybody to say that the checks and balances and the opportunities for input and direction right across the board are not available in that area. This Bill is designed to ensure that checks and balances and opportunities are there. This Bill at page 36 indicates what I mean. It provides for the management of all water resources through water management plans, and we certainly need that. There is the opportunity to build on the success of the existing catchment water management boards, which have been a success. People can look at the Patawalonga to see what is happening. One only has to fly into Adelaide and see the working being done on the Patawalonga to recognise that the catchment boards have been a resounding success, and there is a lot more to come yet.

Other issues worth highlighting include the establishment of a water resources council, comprising representatives of stakeholder groups, to advise the Minister on issues of a strategic nature. It deals with property rights, the orderly reallocation of a water resource in particular circumstances and emergency measures where the state of a resource requires extraordinary intervention. Some people have spoken to me about that. I am happy to have on the record that I do not have a problem with any of that: it is good. The Bill deals with explicit recognition of the environment as a user of water both for planning for resource management and for making formal allocations.

There have been some significant amendments to this Bill since it was laid on the table. I cannot think of a better way of getting people to have a say than to lay a Bill on the table, show the general direction and then allow people direct input.

I refer to something that affects my electorate, namely, the 180 millimetre option. It is not spelt out in the Bill, but clearly the absolute majority of people in the Willunga Basin are very concerned—and this is why we need a water resources Bill—about what is happening with the water table in terms of both quality and quantity in that area. This Bill will provide opportunities to ensure a sustainable future in an area such as the Willunga Basin. In my part of the Willunga Basin, which suffers more than any other part of the Basin from a decline in both quality and quantity, this Bill is fundamental if we are to make sure that we protect the resource.

The economic growth in our area in recent times has primarily been around water supply, which allows diverse and extended horticulture and viticulture. I have a responsibility, as do all members, to ensure that I protect these resources for the future. Because the 180 millimetre option has been recommended and accepted by the Southern Vale Water Resources Committee does not mean that people who will lose some of that allocation will not have the opportunity for a catch up. I have looked at six of seven significant points on which we are working to offset those reductions in allocations, and I believe that 95 per cent or more of those people will be satisfied. Because of the way the Bill is drafted, because of the flexibility and commonsense in it, we are able to look at providing alternatives and flexibility in the whole water resources area.

Levies are different from taxes. Taxes go into general revenue—into Treasury—and are spent across the board. They are used in a holistic approach to expenditure in all portfolio areas of Government. The levy goes back specifically to the area from which the money is generated to correct problems. I will probably have to spend some money on levies sooner or later and I do not mind that because, when one considers the money tied up in that asset and the importance of one's cash flow, if people are generating a cash flow on a farm of $100 000 to $150 000 or perhaps $200 000, then paying a levy of $800 or $1000 to protect and enhance that cash flow—knowing that their kids will be able to come home to the farm and carry on the family tradition—then I

see it as a cheap investment. I have been strong in arguing from day one that the levies collected should stay in the catchment board area from which they were collected, and I have heard no-one object to that.

I now refer to the effort made to set out the Bill in a manner understandable to lay persons. Often we pick up legislation and, unless we are Philadelphia lawyers, we really do not have the capacity to understand it. However, this is one of the best drafted Bills I have seen, because it is user friendly and anyone like myself can pick it up and see clearly the issues involved and what are the rights and responsibilities of everyone concerned with water resources. I commend all those people in the agency, the Minister and everyone else involved in the Bill's composition and drafting, because they have done so in such a way that people will be able to work with the measure. Indeed, it is about time we had more user-friendly Bills like this being brought into the Parliament.

During the initial stages of the Bill's preparation I was privileged to attend some public meetings, and I have to say that at the meetings I attended I could not believe how positive people were across the Fleurieu Peninsula in relation to this Bill. Farmers, environmentalists and Fleurieu Peninsula townspeople were there in large numbers totalling as many as 100 to 150 on occasions. If we are getting that number of people having positive input into the direction of such a measure, it has to augur well for the Bill's future. If we look at the Christies Creek catchment area, and what has been done there, we see that the people concerned have been strong drivers to see a Bill like this put in place, and I commend all those people committed to being Friends of the Christies Creek. I particularly commend Rex Manson for the way in which he has come into my office and worked through the Bill with me. He has been one of the energetic and driving forces in the local area to see the development of this measure.

The Noarlunga Hills Landcare Group, which is now up and running and conducting regular training sessions, is looking to protect the beautiful hills face area in my electorate, and I understand that it is also interested in the Bill because it wants to see the silting and other degradation problems occurring in the area addressed. They want to see expertise put in, as well as the opportunity being provided for community involvement. That is another great feature of the Bill because, first and foremost, the composition of the boards is based around expertise. It is about time we went that way because, unless we initially have that expertise and understanding, it is difficult to get a firm handle on the issues that need to be addressed by these boards.

Again, changes were made after consultation and I congratulate those people who had input into the Bill during the consultation phase. It is good to see not only that they had input but also that in those areas where they could justify the need for amendment those amendments are included in the Bill. I want to reinforce the fact that this is ground-breaking legislation which seeks to provide an opportunity right across South Australia so that, whenever we have to look at water resources, the Bill will allow us to do that and get on with the job. There will not be any more stagnation when it comes to an issue, whether it be on the extreme Far West Coast or down in the Lower South-East: the Bill is all about looking at the whole of the State's water resources.

I have learnt a fair bit about water resources and environmental and natural resources generally since coming into the Parliament, and I am pleased that I have had this opportunity, but I now scratch my head and ask why all this did not happen 20 years ago. Successive Governments—both Liberal and Labor—have not been able to do what we have been able to do with this Bill. That is because we have been able to look in summary at the responsibility that a Government should have to the environment, to the economy and to social issues. We have to be able to provide people with a sustainable water resource so that more jobs can be created.

In today's *Advertiser* editorial we see a good news story, which was not highlighted by too many members in the Parliament today, about the income now flowing from flowers and more particularly vegetables, horticulture and viticulture, indicating that value added food is the way to go for South Australia. We are the bread basket for Asia and South-East Asia, whose population will get hungrier and hungrier and we have to provide those people with clean, green food. However, we will not be able to do that unless we have a sustainable water resource, and that is exactly what this Bill is about. I am pleased to be a part of this measure and involved in this debate, and I commend the Bill to everyone in South Australia.

Mr BUCKBY (Light): I also support the Bill, because I know how pleased people are in the Gawler River catchment management group to see this Bill finally in the House. You, Sir, and all other members will be aware of the flooding problem that has occurred along the Gawler River, particularly in the Two Wells-Virginia area, and only recently we had minor flooding again in the Two Wells area. The member for Taylor and I are seeing a delegation of farmers this Friday who have suffered losses of up to $500 000 in total in that area. This Bill will develop a water catchment management plan for the North and South Para and Gawler Rivers, and I can assure the House that the legislation is welcomed by the local councils of the area.

A pleasing aspect has been the level of public consultation allowed with the Bill. We have had a number of public meetings both in the Riverland and in the Lower Murray areas to ensure that people with irrigation interests have their concerns about a water catchment management plan addressed in the Bill. Likewise, the consultation period with other groups has been long and the feedback received from the various areas and from local government has been very good. It has enabled us to try to cover all aspects of water management in the Bill and deal with all concerns raised at the same time so that the Bill could have a smooth transition through the House.

I am pleased to see that the requirements for members of the boards that will administer the water catchment plan include, first, people from the local area and, secondly, people with water management skills. That is particularly important, because this specific issue requires people to have such skills from both an irrigative perspective and a flood management perspective. The areas suggested are large. The area which the Gawler River catchment management group covers goes from the North Para down to Barker Inlet, and I am pleased to say that about 11 local government bodies are involved in that area. It is good that they have all come on board and are supportive of the area, the water catchment management plan and the ideals set out in the Bill. I am sure that those people will be involved in a lot more discussion to settle the finer details but, in essence, they see the benefits of the Bill.

That it is such a large area means that the board may not have expertise from each area represented on that board. Again, one of the good things about this Bill is that it allows

for subcommittees to be established so that they can feed into the board and supply material and evidence to it in the preparation of the catchment management plan, and so they can have a direct input to the board to ensure that their voice is heard and also that the water management issues in their sector of the area are catered for and considered by the board.

As the member for Mawson mentioned, one of the highlights of this Bill is that the money that is raised by the board within the area will be spent within that area, so that the people who are paying the levy will see their money being spent in their own area on improving water and flood management there. That is an extremely important part of this Bill: people within an area will not be paying their levy only to see that money spent in other areas of the State and their own either area being overlooked or not addressed sufficiently.

The board also has the ability to look at both above ground water management and below ground water management, which again, in my area, that of the member for Taylor—in particular, the Virginia area—and also that of the member for Napier covering Angle Vale, is particularly important due to the fact that the Adelaide Plains water table, as we all know, is under significant pressure. The Government's policy of establishing the Bolivar pipeline will ease the pressure on that water table but, again, it is still one which is particularly sensitive, and in the development of a water catchment management plan those areas can be considered along with the matter of water management.

Another particularly important area that the management board will have to look at in the development of a plan is that of the Barossa Valley and the water requirements of vignerons there. The only matter, I would say, that is withholding economic development of expansion of vineyards in the Barossa area is increased water allocation. So, a particularly large challenge to the board will be in allocating water to that area and looking at other ways in which water can be trapped—whether it be by the construction of another dam, for example—and more water supplied to the Barossa to ensure that it can develop in economic terms along with other wine areas including McLaren Vale and the South-East.

As I have said, this Bill has been a while in coming. The Gawler River catchment management group was formed approximately 18 months ago and has had a number of meetings. It is absolutely raring to go on this measure. It was only this afternoon that Dr Eastick, the previous member for Light and Chairman of that management group, telephoned me to ask if the Bill was in the House and what stage it had reached, and I told him that it was now before the House. That group is particularly keen to get on with calling for board members and settling down to developing a catchment plan for the Gawler River.

Finally, I would like to commend, as have the members for Mawson and Chaffey, all those people who have been involved with the drafting of this Bill. It is a particularly good Bill to read, one that is easily followed, and I commend both the Minister for taking the time to listen to the large number of people who have approached him and had an input and the committee for its work in incorporating the various provisions embodied in this Bill. I am very happy to give the Bill my support.

Mrs ROSENBERG (Kaurna): I rise to support the Bill and to add some comments regarding the area of the Willunga Basin which is adjacent to my electorate. I think the fact that this Bill has found its way into the House at long last is a reflection of the requirement that the State has had for some time to change our attitude about how we view stormwater and underground water as a resource rather than something that we need to get rid of. I think it is fairly true to say that in the past effluent water and stormwater have been treated as waste materials and have been headed towards the coast through stormwater drains as quickly as possible—and, in the case of the Murray, have been headed into the Murray as a drain. I think it is well accepted in the community that that time has now well passed and that we are now looking down the track, as most members who have spoken have said, acknowledging the requirement for sustainable development.

Sustainable development in the area which I represent depends almost entirely on the need for adequate water supply. As this place would know, our Parliament has moved to protect the Willunga Basin from future housing development, as opposed to the attitude of the previous Government, which intended to put 70 000 people in the Willunga Basin. It is now protected, in conjunction with the council, as a rural area for the foreseeable future, and I hope that it will remain a rural area forever. For this to happen, it will have to be economically viable to conduct agriculture in that area, and the one thing that could perhaps cause a problem in that regard would be water availability.

As the member for Mawson indicated previously, some of the areas under the Willunga Basin are under stress. The Department of Mines and Energy has conducted a series of well testing in that area for some time—albeit ineffectually until fairly recently—where the bores in question were expanded to take in some private bores and also some additional Mines and Energy bores. The issue of the Willunga Basin is a very important one for us to consider as part of the Bill and, in terms of the control on expansion of agriculture, anybody who moves down south will see that recently a lot of the Willunga Basin is being planted with vines. Obviously, those plantations are there with the expectation that there will be water available to water those vines, and I would imagine that the long-term hope of those people doing the current plantings is that they will have an underground or a stormwater supply rather than have to continue, as they will do in the beginning, buying that water through SA Water.

So, the use and control of the underground supply is important, as is the sustainability of that underground supply. The member for Light referred to the fact that this Bill now expands the ability of water resources committees to take into consideration both underground and above ground water supplies which, as a previous member of the Southern Vales Water Resources Committee, I can tell the House was one of the biggest frustrations of that committee in terms of the inability to control stormwater and what happened to it.

The issue of the Willunga Basin and proclaimed areas has also been referred to by, I think, the member for Light and perhaps other members. The issue of proclaiming areas in the past has been an important one. In terms of the Willunga Basin, the proclamation was done on the basis that it was not well understood at that stage how the underground supply was coping with the removal of water—and the removal of water which had no limit. Obviously, if you had a bore down you took as much water as you needed.

I think that the days of taking as much water as you need have perhaps gone, but I need to qualify that by saying that it is a question of what we regard as the need. We have to be careful that we are talking about using water that is needed in the process involving the crop being grown on that soil type, as opposed to the need that people might believe they

have to obtain the yield they perceive as being necessary on that plot.

When the Southern Vales Water Resources Committee was first set up—and, as I mentioned, I was one of the founding members of that committee—it was decided that we would determine the amount of water needed in the Willunga Basin for various crops by doing some research into crop use on particular soils and particular crop types. That research was ongoing when I decided to step down as a member of the committee, and I understood that that would continue. However, it has not done so and there has been a decision, as the member for Mawson pointed out, that the water resources allocation for the Willunga Basin will therefore be 180 millimetres across the board. I must express some disappointment in the fact that the research into crop use was stopped. As a biochemist and a person who believes in doing things scientifically, I would have thought that that research was really the right way to go to determine water usage for each crop on each soil type before an overall figure of 180 millimetres was decided on. I will discuss that further later.

The water resources committee performed a very important role, that is, to research the status of underground supplies, which is ongoing through Mines and Energy. That is important because those landowners in the Willunga Basin who may disagree with having a limit put on an underground supply need to have proof put before them that the supply is under stress and that, if it is, it is to their long-term advantage that some controls be put on the usage of that water. The other important issue that the water resources committee took some time to discuss was the research into aquifer recharge, which will become an extremely important tool for water resources in South Australia into the future.

The member for Mawson mentioned the Onkaparinga catchment board, which he is very keen to set up. I share that keenness, although I must admit that we are a long way down the track with the interim Onkaparinga and Southern Coast Catchment Board, which has been going now for many months. It started as a public meeting, which I called in my electorate, of interested people. I am pleased to acknowledge that some of the Minister's staff attended that meeting and gave encouragement to that community to go ahead and start an interim group, which they have done. They have now brought on board representatives of the councils from the whole of the catchment area, and there is ongoing discussion. They are extremely keen to be an effective group in the community.

I applaud the work that has been done so far but also must say that I support the parts of the Bill that will mean that the future Onkaparinga catchment authority, whatever it may be called, will comprise people with particular expertise. I know that some members of that committee already will probably qualify adequately to stay on it, because of past work that they have done within the Onkaparinga River and estuary areas. It is extremely important that these committees not be seen as token local groups. They must be groups that have proper expertise to carry out what is an extremely important job.

I wholeheartedly support the role in the Bill of setting up a whole of catchment authority. For some time the fact that the most effective way to manage water resources in Australia or in the world, for that matter, is to take into account the whole of catchment effect of water has been ignored. There is absolutely no point in collecting the water by the time it gets to the coast, putting in a few drains and sending it to sea as quickly as possible, as we have done in the past. It solves nothing. Everyone in that catchment area contributes to the pollution; therefore, everyone in that catchment should pay.

With regard to other water uses within the Willunga Basin, I have said a bit selfishly in the past that, if it does not happen in my electorate, it probably does not happen. The Aldinga treatment plant is an example of the changed attitude of this State and certainly of this Government. With the Aldinga treatment plant (which will be totally land based) now being set up, no effluent will be pumped to sea from that treatment plant and clean water will be available for agriculture within the Willunga Basin. This is an indication of a change in attitude, which is extremely important and which is recognised by the wording of the Bill and what it tries to achieve.

I would like to expand on the issue I raised before about the 180 millimetres in the Willunga Basin, because there is an important issue in terms of consideration of irrigation on various soil types with water drawn from the underground supply, which has a range of water salinities. Obviously, various plant types on various soils with different sorts of management techniques can maintain supply of crop with a range of ability. It has been well researched and documented and I do not need to read all the research or even to suggest where to go looking for it. I simply say that it is extremely well documented already that the effect of salinity is quite poor on plants if the salinity level builds up to such an extent that it starts to have an effect on yield.

The Willunga Basin could then become an uneconomic place in which to grow a certain range of crops, and that would be a disaster. This has been well recognised. Plenty of research has been done by Mines and Energy, which has already measured the drill holes in the basin. The effect of salinity on land and crop is well documented. I would like to put into *Hansard* some comments that I think I need to put in terms of the 180 millimetres, because it is important. Although it is not specifically covered in the Bill, the Minister has indicated that some consideration (and I think the member for Mawson also referred to this) will be given in the future to possible compensation. I prefer that that compensation be considered more in terms of water usage than in terms of money. That is something that will be considered in the future.

Irrigation salinity can develop in such a way that it raises the watertable and allows salts in the ground water to be brought up to the root zone. Salts can then enter the plant by the roots from the irrigation of water. Salts that are applied with the irrigation water are absorbed by the roots in small amounts and translocated through the plant. Water that is used for irrigation can vary greatly in quality—and it certainly does in the Willunga Basin—therefore it varies in the amount of dissolved salts it adds to the soil at that time. Obviously the salts, which are carried with the water to where it is used, will contribute to the salinity of the soil if they are not adequately flushed out.

A range of soil properties will affect whether or not salinity builds up during the irrigation period, and a range of management techniques can be used to overcome the build-up of salt. The important issue for me to raise (which I will discuss further during the Committee stage) is the management of different soil types and water of varying salinity being used for irrigation. Research fairly well documents that various soil types and different types of water salinity will build up salinity levels in the soil if there is inadequate flushing to leach the salts away from the root zone.

I want to put on the record that I have some concerns about what is the easy solution of choosing 180 millimetres across the board, regardless of soil type and water salinity. I have accepted the arguments that have been put forward in reverse of that—that 180 millimetres is sufficient—but I want it on the record that I have some grave concerns about the figure of 180 millimetres. I do not have grave concerns about the need for control of the underground water supply or that we have to set a limit on the amount of water that people withdraw from that underground supply, but at this stage I have grave concerns about the scientific basis of choosing 180 millimetres in the Willunga Basin.

[Sitting suspended from 5.56 to 8 p.m.]

Mr LEWIS (Ridley): The legislation before us, as other members have pointed out, is to enable us to come to terms with the necessity to protect many aspects of the most valuable elements of this State's natural resources. There are the natural waterways, which the Government previously has not been able to properly administer because of the indeterminate fashion in which the law, much of it common law, has left us without the ability to deal with the problems that can arise through no management or mismanagement of those natural waterways, whether they be streams, creeks or rivers (call them what you like) or just simply water courses which are very flat, wide and shallow.

We have to be able to control flooding. We have to be able to control the fashion in which dams are erected and the structural integrity of those dams. We also have to control the practices of irrigators, not only on natural waterways but, in the context of my remarks now, certainly along natural waterways, and we need to understand the implications of the ancient meaning of riparian rights, which were really about retaining for the land owner the right to take fish from the streams passing through their land, whether ephemeral or permanent streams.

All those issues are dealt with under this legislation, in the first instance by the definitions, and then in its other forms further on, as to what the individual, whether a natural person or a body corporate, can do which will have an impact on those natural waterways and coastal waters, which is the next category of concerns we have as a State over which we have had insufficient management control. The consequences for those waters where we have not responsibly managed the discharge from the natural waterways has already been horrible. If we do not address that question, we put at risk the prospect of developing quite substantial industries in aquaculture, in the mariculture environment: that is, the salt water species that can be produced in those in-shore waters will be subject to substantial pollution of one kind or another unless we give ourselves the power, such as this legislation does, to control given activity where it will have an impact on those coastal waters.

More important, or at least as important I would have to say, is the impact on the marine environment of human activities of one kind or another which are not necessarily directly related to or directed at the coastal waters but which inevitably have a substantial impact. As a scuba diver, I was dismayed at the destruction that has occurred through stormwater discharge into the area around the Noarlunga reef, for instance, where the sediments contained in the rapid run-off from the adjacent paved areas has destroyed part of that reef ecosystem.

The next category to which I refer is the protection of the underground waters, the aquifers—who can have access to them, under what conditions they can have access to the waters contained in those aquifers and what other activities that may impact on the quality of water may be undertaken immediately above them or in the areas of recharge of them. In addition, we also need to examine, indeed to protect, water tables, which are the surface aquifers, if you like, where perched water tables can build up over a semi-pervious or impervious layer just beneath the surface. We have seen what can happen through salination of farm lands from mismanagement, ignorance or any other cause. We only have to look at what we are trying to rectify in the South-East from areas as far south as Lucindale to points even north of Salt Creek across more than 160 kilometres of this State in an area many times larger than the metropolitan area to see what soil salination can do to what has previously been very productive land.

All those things mean that we need to clean up our act and guarantee the integrity, as far as it is humanly possible to do so, of what happens with those water resources. This legislation provides for that. It is not just for the sake of the fish, birds and other aquatic life lower down the food chain in that environment: it is for the sake of our capacity to continue to occupy this continent and derive our living from it in a sustainable way in perpetuity. This means we must now pass this legislation.

Therefore, this legislation provides us with a means of doing that by requiring that those people who have most to lose pay a greater contribution than those who have a little less to lose—but, nonetheless, whatever they might lose, it is significant. Those with most to lose are those who depend on surface water of one kind or another for their potable supplies of water, and 1¢ a kilolitre is by no means too much. It is barely 1 per cent of the total cost paid by citizens in this State for their water—the driest State in the driest inhabited continent on Earth. Of course, Antarctica is a continent but it is not inhabited; indeed, it is drier than Australia. So, 1¢ a kilolitre or $10 a megalitre is not a lot to pay to ensure that in perpetuity we have a reliable, dependable supply of potable water from our traditional sources.

Equally, those other people who directly depend upon fresh water are irrigators, and they, too, must make a contribution. At present, irrigators dependent on the riverine corridor channel called the Murray River will need to pay about .3¢ a kilolitre. Indeed, that is the figure I have strongly argued for ($3 a megalitre) just to clean up the river. The 1¢ a kilolitre from potable water users and .3¢ for irrigators along the Murray River will provide, at least in the first instance, an adequate revenue stream for a catchment management board in the Murray to deal with the problems immediately confronting it and to get on and do that job where there is already consensus.

I pay credit to the work done by the Minister and, particularly, the member for Chaffey, who chaired the consultative committee which engaged in consultation with large numbers of people in different venues up and down the length of the State in determining what was an appropriate structure—an appropriate framework, if you like—for the law in dealing with these matters.

I will now become more parochial in my remarks. That does not mean that I do so to the exclusion of good science or the interests of others elsewhere in South Australia. Indeed, the economy of the whole State will depend upon the good sense we display in development of the water resources

that we have in the electorate that I represent—the underground water, the lower Murray and the estuarine lakes.

Let us also look in the course of these remarks at the underground water in the Murray Basin, underlying the Mallee area of South Australia and extending across the border into Victoria. At present, this State's water resources bureaus charge over 90¢ a kilolitre for the water derived from various sources for potable use when it is supplied to those potable users through a meter. As it stands though, obtaining potable water supplies from the underground sources in the Mallee costs less than 15¢ a kilolitre. I believe that is appropriate for the State—indeed, for SA Water and the Government—to forgo further control of that underground water resource where it is used for the delivery of potable water supplies to towns in the Mallee such as Pinnaroo, Lameroo, Parilla and Geranium. I believe that that task ought to be handed over to a local board charged with the responsibility of determining who gets what from that underground basin, whether for potable use reticulated to householders, businesses and enterprises in the area which do not use it for irrigation or to those other enterprises which do use it for irrigation and fish farming.

That board could then decide how to allocate the resources, hundred by hundred, across the total area in a more sensible way than is otherwise possible at present. Whilst the committee that exists at present to deal with those matters has done a good job within the constraints of grossly inadequate legislation, it is no longer relevant for that committee to continue. It cannot deliver anything like the sort of future management regime we need in that area. Whatever it is that takes over from it—and I strongly advocate a board—needs to have total control of that resource, whether used for potable purposes, fish farming or irrigation.

I believe that the underground aquifer and its development for human use ought to become a pilot trial for the rest of the State, as well as a means of providing security to the people who live there now and who could go to live there. There is no question about the fact that if the underground water resource in the Mallee is sensibly and responsibly developed through the framework of this legislation, and if adequate revenue is provided from that water resource by the people who wish to have access to it to the board which will have control of it, then it can provide the capacity for this State to support an additional 14 000 people without any difficulty at all.

After all, it has been decided that 47.5 gigalitres (that is 47 500 megalitres) of water is available from that underground resource annually. Even though it is terribly inefficient at present, if members look at the way in which we use the water resources along the riverine corridor taken from the main channel of the Murray, it supports over 55 000 people and about a quarter of that amount taken from the Murray Basin would easily support an additional population, over and above those who currently live there, of, modestly speaking, 14 000 to 15 000.

We need to ensure that we can give a measure of security for long-term crop irrigators for perennial crops such as vines, olives and tree fruit, but not an exclusive access in perpetuity to water just because they started pumping it. I criticise in this observation the practice which has emerged around Keith, for instance, of flood irrigating vast areas of land using practices which are not particularly efficient, and no more efficient or less efficient than the same practices of flood irrigating the Lower Murray swamps. If all those people were required to meter the supply they use and, in so doing, assess how they might derive greatest value for the water that they are using from the crop on which they put it or the purpose for which they put it in the case of fish farms, they would re-examine completely the kinds of purposes for which they would use it. No longer would they flood irrigate. They would use what are called lateral or line-ahead irrigation systems and no longer spend money, which I believe now to be wasted money, on laser levelling of their paddocks or swamps that they propose to flood irrigate. It is not necessary to do that.

With lateral, line-ahead irrigation, and drop lines to spray heads close to the ground, evaporation is minimised and maximum benefit is derived from the water applied to the soil and the crop upon it by ensuring that no more is applied than is necessary to replenish the levels of water in the root zone of the crop over which it is being spread somewhere close to field capacity. Water which is applied to soil which exceeds the field capacity of the root zone on which the crop is growing is water which is irresponsibly wasted, because it permeates below the root zone by the natural course of gravity in a matter of hours. By definition, soil scientists say it is within 24 hours.

Field capacity is the upper limit to which we should aim to take our soil water levels. I discovered that in the experiments with which I was involved in conjunction with the people from the Netafim Kibbutz in Israel, as well as from ICI, in 1966, 1967 and 1968. That was 30 years ago; yet some people still think that the truth which came from the examination of what was going on in those lysimeters which we used here, in Victoria and in Israel is irrelevant to their irrigation practices. I have got news for them. They belong to the flat earth society, and it is about time they recognised the truth of good science.

In the Mallee we need to provide a pilot study of how best to manage those things by enabling changes to occur and having free trade in the licences after they have been bought for a limited tenure. That limited tenure could be a term of five or eight years. There needs to be a tender process each year in which 20 per cent, in the case of five-year tenures, or 12.5 per cent in eight year licence tenure, of the amount of water available from the aquifer is put on the open market by the board for tender. The revenue derived from that tendering process must be kept by the board, and not go to the State Government, for the purpose of providing the essential monitoring wells, the meters, the maintenance of those meters, and other essential infrastructure to ensure that the district can develop at the maximum possible rate.

It is stupid to otherwise apply the water to the land according to title because it then affects the local government rates by affecting the value of that land, and it also affects land tax in certain instances. That should not be the case. It ought to be separate and tradeable as certificates. Just like fertiliser, it should be treated as an input to production, as any other input is treated as an annually recurrent cost. Moreover, with the system that I am advocating, the cost of obtaining the water depreciates on the certificate as time passes and can be written off against the income derived from the use of that water on the crop to which it is applied, or, in the case of fish farms, to the production of the fish which will then be sold on the world markets. Equally, those same things need to be taken into consideration in the Lower Murray areas and the lakes. All water withdrawn from the river needs to be metered, and that must be the primary concern of the board responsible for the management of the riverine corridor and its tributaries as soon as it is established in the Murray.

Back to the Mallee area, let me point out to anyone interested in reading these remarks or hearing them now that, in Murray Bridge, $9 million worth of horticultural production comes out of a small quantity of glasshouses. All the water used is paid for at the rate of almost $1 000 per megalitre a year because it is taken out of the metered, potable town supply. No-one can tell me that irrigators cannot afford to pay a reasonable amount, something considerably less than that, for the purpose of obtaining access to irrigation water, when that $9 million worth can come off such a very small area of land.

There is no reason why, in the same latitudes, in the same Mediterranean climate, the same quantity of income cannot be derived from the more sensible use of the water available elsewhere in the Lower Murray or out in the Mallee drawn from the Murray Basin. We need to have trading in licence rights. At present, they trade in the Murray system for $700 in perpetuity. That trading needs to be possible, both up and down the river in the Murray-Darling Basin system, and the Minister and this Government have gone a long way in securing that.

Moreover, I point out again that flood irrigation as a practice is a thing of the past. You only have to look at the results of the way in which flood irrigation was used in Mesopotamia and other parts of the Middle East and Far East 2 500 years ago, where perched water tables and soil salination were built up which destroyed the production derived from the soils irrigated by flooding and also the very societies themselves were wiped out because they lost that valuable food resource. More recent experience in what is known as the Murrumbidgee irrigation area early this century proves that point yet again.

The supply has to be metered and allocations must be traded, or at least it should lawfully be possible to trade them, to ensure that we get the best possible value from that water, in the same way as we do from any other resource available to us in our society to produce income for the people who do the work, and the export income for the entire nation that has a limit on this scarce resource. I commend the Bill to the House; I commend the Minister for his guts and determination in getting it through; and I commend the people within the bureaucracy who have helped us in the process of consultation to produce the legislation in this groundbreaking form.

Mr VENNING (Custance): I rise in support of this Bill and in so doing congratulate the Government and the Minister on bringing to this House a Bill dealing with a very complicated, controversial and difficult matter. I commend the Minister for having the courage, fortitude and patience to bring in this Bill, as it has been a long haul, involving a 12-month consultation period. I congratulate my colleague the member for Chaffey who, as we would expect being a Murray River dweller, has taken over the role of 'Mr Water' from the previous member for Chaffey (Mr Arnold). As Chairman of the Minister's committee he has played a major part in the formulation of the Bill. It has been a long job and certainly the Bill before us today is a credit to those concerned.

I have a strong empathy with this Bill. I proudly represent both the Clare and Barossa Valleys, both of which regions are very reliant on water for their future. Both the Barossa and Clare Valleys have massive potential in the world's most improved industry—the wine industry. I do not need to remind you, Sir, that our industry is the growth and boom industry of Australia and, when other countries in the world are pulling their vines, in Australia we cannot grow enough.

The only thing holding back the two regions I have the honour to represent—the Barossa and Clare Valleys—is water. We have plenty of wine but not enough water, and that is the single most limiting factor in our key industry. If we get the water our industry could go on producing and boost our economy to such a high degree. We have a premier world recognised industry and it is a pity that water is the only thing keeping us back.

We also have a problem with water salinity, and this Bill addresses that matter where possible. It is another problem we will have if not now in the future. I went to Israel earlier in the year for the express reason of studying irrigation, particularly dry land irrigation. The member for Ridley has just referred to his visit to Netafim many years ago. I was honoured to visit the kibbutzim of Netafim and of Naan. Both will shortly have an Australian presence, because this is a multimillion dollar industry and can mean so much to us in Australia. We share so many of the problems that Israel has in regard to a dry climate and productive soils. The Israelis have the drip irrigation and computer systems down to a fine art. I was very keen to learn of the detail to which the Israelis go to ensure that they utilise every drop of water.

Not only do they use the water from household effluent but they also recycle and re-use all industrial water wastes. No drop in Israel goes to waste. I was also interested to see how things have changed in water use, efficiency and monitoring, which this Bill is all about. We know about measuring and monitoring soil moisture by the electronic process that many of our companies now use; the electronic monitoring of soils is now commonplace, so we know when they have had enough water. We now see plant monitoring technology using scientific measures to check stress levels in plants and are finding that some plants do better if stressed at certain times in their life. The Israelis have done so much work on this that they are one jump ahead of us.

I am very pleased that both these companies will be in Australia, particularly Naan, which I am confident will be in South Australia. This was the company that was first involved with drip irrigation and is very prominent. This is an important area for us and I was very pleased to be able to go to Israel and to learn about it at great length. They looked after me well, and I certainly will be writing a very good report, which will be in the library very shortly.

Constituents often come into my office with disputes, particularly in relation to the damming of our rivers. Some growers have had their dam there for many years and all of a sudden the neighbouring grower constructs a dam across the river just through the fence. It has been very difficult to determine who has the right to use that water. It is extremely difficult to know who has rights and who has not, and this Bill puts down those guidelines. Until now we have been asked to sit in judgment with very few guidelines at all, so I welcome that provision. I also welcome the provision for proclaimed areas, particularly for underground water. Once again, this is a very controversial move, but the days of taking as much water as you want are over, whether or not you own the bore. Nobody is entitled to suck water out *ad nauseam*; it is a valuable, finite resource and our water tables are falling.

Particularly in the Clare and Barossa Valleys we are seeing a significant depletion of the water table. When that happens we also inherit some salinity problems. Our underground water exploration and control measures come under

the jurisdiction of Mines and Energy South Australia, involving the ministerial portfolio of which I am honoured to be the parliamentary secretary, and currently this is administered by the Department of Environment and Natural Resources. I have some concern about that: I do not believe that DENR should have control of this but that it should be handled by one department. I know that this has been a controversial issue but, with all due respect to the Minister, no user—no grower or vigneron—will want to have to deal with DENR for their rights to explore, find and then use this water. We ought to clarify this issue very soon.

In respect of the issue of water in the Barossa, the current Gawler River catchment board has done a lot, and I have been very interested to meet with it and inspect areas with it several times. Our irrigators are now recharging the aquifer. I went to the vineyard of Mr Leo Pech, who has his own dams and water system. When the rivers are running and the waters are plentiful he recharges the aquifer and puts water down the tube so that he can then credit 80 per cent against his later water usage. That is certainly a move in the right direction, but much more needs to be done, because this area is very technical and there is debate as to whether the water that goes down can be reused and whether the right place is recharged.

I would certainly welcome a lot more Government resources being used in that area. The people in my region are continually looking for other resources, particularly the people in the Barossa, whom I know well. They hope that the Bolivar pipeline will eventually reach the Barossa Valley. It will not be far away, and we would be much better served financially if it did, because much more money can be recovered from watering vines than from watering potatoes. You do not need to be a good mathematician to work that out, particularly at current prices, and I am told that we could see at least a further five to seven years of buoyant grape prices.

Secondly, there has been discussion in recent years about reservoirs in the Barossa Ranges. Just the other day we saw a report and recommendations on catchment areas that could be built in the Barossa hills to hold water collected in the wet season in the winter. That water could be either collected there or pumped there and held for use during the summer months, particularly during those months when the vines badly need water. I have not read the report in detail, but I will obtain a copy of it and inform the House of its findings. Thirdly, I refer to the use of existing reservoirs in the region, particularly the Warren reservoir. Water in the Warren reservoir is deemed unsuitable for human use because of its colour which has been permanently stained by undergrowth. That water could eventually be used on vineyards, and the possibility of that has also been discussed by water resources people.

Further consideration could be given to putting more water down the existing pipeline from Swan Reach to the Barossa. There is still some potential to do that, because I hope that by this time next year that water will be filtered. Indeed, the Minister assures me that there may be special deals for vignerons to use that water if they use it off peak and take the water after hours. So, all is not lost. The Minister responsible for water resources would be well aware of the debate that took place. The vignerons were upset about the filtering of water from Swan Reach because they wanted to use dirty water on their vineyards. They wanted the filtration plant to be built in the Barossa itself so that the dirty water could come from Swan Reach in the pipeline, get to the Barossa and be taken off before the filtration plant. In that way, the growers could use the dirty water on their vineyards and then the water could go through the filtration plant to be used in the towns of the Barossa. There were problems with that scheme because all the communities along that route would have missed out on the clean water. So, the decision was made to install the filtration plant at Swan Reach. Considering all the issues involved, I think that is the correct decision.

The fifth matter involves the transfer or sale of water licences. The Bill deals with that in detail. People cannot sit on unused quotas, which has been the case for many years. Just because someone has had a quota and has not used it does not give them a divine right to keep that quota. So, water licences will be transferable. The system must be managed much better than it has because most unused quotas went out to sea, and that is a shame. Water quotas are now a business chattel: there is a price on them; they can be transferred and sold. Indeed, properties are bought because of water quotas. I believe quotas could or should be transferred across State borders.

Again, this brings me to my favourite subject concerning Murray River water. New South Wales growers use the Murray River to water rice and cotton. One megalitre of water raises about $70 on rice, but when it is applied to a Barossa Valley vineyard about $3 000 is raised. So, when the user pays system comes in we will find that water licences will be transferred quickly to vignerons, who will be able to pay a much better price. And so it should be, because this is a business that works correctly. It is run on a user pays principle, and it is a business. I welcome that, even though I understand it is controversial.

I am also involved with Murray River irrigation, because my electorate includes Morgan, Cadell, Blanchetown, Walker Flat and Mannum. As mentioned by the member for Ridley, I am also very aware of the amount of water that can be wasted by flood irrigation. I shudder when I see water flowing back across roads into the river as a result of over watering. The biggest concern is not that the water is flowing back to the river but what it is taking with it, because it is taking back to the river substances such as nitrates, fertilisers and phosphorous from the farmers' land. This practice must be resisted.

I believe that all water used in this way should be metered. I know that will take a long time, but people can then be charged for what they use. Also, in the future those who own land above a water catchment area must have rights to the water, even if they are not currently using that water. Many people who live alongside vineyards are very nervous about this Bill because, even though today they do not have a vineyard, they might have one tomorrow, and they wonder about their rights ever to have the water that is under their property. Some people from the Clare Valley have spoken with me about that matter.

Water around Watervale is at an absolute premium because there is no articulated water; it is all ground water. Wolf Blass is involved in the expansion of vineyards, as is Taylor's winery. Water is at an absolute premium. It is a complicated and an emotive debate, as land owners feel they own the water in their bores and dams. That is not necessarily the case, and it has been very difficult for some owners to accept that fact. Fees and levies will be applied under this Act to manage this resource properly. Irrigators from the Murray River will be charged a fee, and people in Adelaide and Whyalla will pay extra fees not only to make the resource work but also to clean up the Murray River.

I note that some people from the Murray-Darling Committee are present tonight. The setting up of whole of catchment management bodies is to be welcomed. Currently, two boards are in place covering the Patawalonga and the Torrens River. Hopefully, boards will soon be set up to cover the Barossa and the Murray River, which is likely to have more than one, and the Onkaparinga. I am told that these boards will not be forced on the communities and that all these appointments will be skills based. I welcome the setting up under this Bill of the State umbrella body, the Water Resources Council, which will comprise at least five members, including one representative from the Farmers Federation, one from the Local Government Association, one ministerial appointment, and one member must be from the Water Catchment Board.

I congratulate the Minister for his long period of consultation and the meetings that have been conducted across the State, several of which I have attended. It has been a long period, and the Minister and the member for Chaffey need to be highly commended for tackling this issue. Many other Governments have looked at this matter, but they have not had the courage, the commitment or the time to pursue it. All constituents will not be happy initially but, in the long term, I am sure that this measure will be for the benefit of their industries and the State generally. I am completely sure that this is a very worthwhile Bill, and I congratulate all those who have had anything to do with it. I commend the Bill to the House.

Ms HURLEY (Napier): As one would expect, all members who have spoken tonight have indicated how important the Water Resources Bill is not only to the State but particularly to their electorate. I suspect that that would apply to every member of this Parliament because, as many speakers have pointed out, water is absolutely crucial to development in this State, not only the development of agriculture and horticulture but also industry and the general development of our regional towns and cities. So, it is a very important Bill and it is very important that we get it right.

I congratulate the Minister and the Government on making some attempt to integrate the way in which we manage our water resources in this State, and I am pleased to see an emphasis on community-based management and control of water resources, because it is an incontrovertible fact that people in the local community, with their particular interest in maintaining the best quality water and the best management of the water, have the best feel for what should happen in their local area. There is, as is proper, a good deal of ministerial and Government involvement in that as well, so that the Government maintains some overall control of what happens with water resources in this State. I suppose that begs the question of how well it will work in practice, and we will tease this out a little in the Committee stage in terms of how the committees will interact with each other in practice.

A very critical aspect of the Bill, as the Deputy Leader has mentioned, is the question of how levies will be charged in various areas of the State. The Opposition would like to point out and emphasise again and again that the levies have been introduced by a Government which committed itself to no further taxes or charges. We have seen levies raised in a number of areas and now we see it again. The management of water resources in this State is, after all, basically a Government responsibility.

The Government has required the water catchment boards to impose levies on people in areas of the State whether or not they use water directly, and these levies will be imposed to pay for the management of water resources in this State. Not only has it required these levies to be imposed but it has also required that they be collected by local government. This means that apparently the Government will be at arm's length from the raising of this form of taxation and, no doubt, by this device it hopes not to be blamed for an increase in costs to people in this State. I think it is something that consumers and residents of this State will not be fooled by, and that would be particularly so if a flat charge were levied by one of the water catchment boards.

The Opposition, of course, opposes this form of flat taxation and would not like to see any provision allowed in any way for this sort of flat levy imposed on residents in a particular area. However much we might like to see Governments not only taking responsibility for management of water resources but being seen to take responsibility through the levying of taxes to pay for this, we nevertheless support more expenditure on the management of water resources in this State. I certainly—and I think I am at one with the member for Ridley in this—would like to see a lot more research done which is taken through to a practical application, so that we have a more effective use of our water resources in this State and so that we know a bit more about how water cycles around and how it flows through our underground systems and, indeed, our surface water, so that these catchment boards have a bit more knowledge of what is happening in the environment in relation to water use and so that the users of that water have more knowledge about what happens.

I would like to see that supported and propagated through this legislation. It is not explicitly stated, but I hope that that will happen in practice. Members who have spoken on this Bill have also canvassed a number of concerns. It is interesting to note that, while local members started off supporting the Bill in very glowing terms, when it comes down to the nitty-gritty of their own area they have expressed considerable reservations. There are several areas in which there have been notable problems: the Riverland, the Willunga Basin and the South-East.

Mr D.S. Baker interjecting:

Ms HURLEY: The South-East has not been mentioned: I was about to come to that. We have not had any speakers from the South-East. The Riverland, with heavy users of water from the Murray River, has a significant contribution to make in this Bill and should really have a very significant say in what happens to its water and how it is managed. I believe that Riverland residents have some concern about their representation on the various boards and committees that have been proposed under this Bill, and I respect that concern and will be asking the Minister questions, as will the member for Chaffey, as to exactly how this will operate. No doubt people in the Riverland will be very concerned about the sorts of levies they might be paid, how it will operate and whether there will be a fair and equitable system, given that they are not entirely happy with the sort of representation they might get.

Secondly, we have had two members cover some concerns of growers in the Willunga Basin. There seems to be a competing interest between the vignerons in the Willunga Basin and other growers of crops such as almonds and stone fruits, in terms of their water allocation. The 180 millimetres limit has been raised, and I understand that there are still significant concerns down there about the apparent iniquity, because grape growers can get by with the 180 millimetre limit but the growers of crops such as almonds and stone fruits will have significant trouble getting by on that sort of

allocation. In fact, I understand it is almost impossible. So, this Bill will face great problems in resolving these sorts of issues.

Wherever you get any change in these sorts of critical areas, it is very important to reconcile the differences between groups and to ensure that people do not suddenly lose their livelihood and the value of their crops and lands. Certainly, I expect the local members in the area to be strident in their representations. I understand that the South-East has some problems with this Bill as well. The Opposition certainly has some sympathy with the concerns of residents of the South-East. We understand that those concerns have more to do with the administration of the Bill and the way that it might work on the ground rather than the provisions of the Bill as such; that there might be a conflict, for example, between the ground water administration and the surface water administration. So, we hope to ask a number of questions about these sorts of issues in the Committee stage and obtain some resolution.

There are other practical considerations with the way this Bill might work, and I have had a number of representations from councils that feel that there is not sufficient integration of the management. They appear to be confused about the way in which the various boards, committees and regulations might interact with their own responsibilities under the Local Government Act and as representatives of the local area. These are very important considerations, because councils are responsible for much of the planning and development of their own area, and it is very important that that sort of interaction with that tier of government be got right, otherwise we may see significant conflicts and differences on the ground.

As I see it, the complicated structure of this new water management proposal means that it will be critically important that people work well together and cooperate with each other, and that the skills and acts of the people on the boards and committees be at a very high level. If we begin to see an unwillingness of people to go on boards and committees in local areas because of these conflicts and difficulties with their representatives of their local communities, then there is no doubt that this management plan will fall into difficulties. Rather than having an integrated management system, we will see it fall apart.

In my own electorate, I have the northern Adelaide Plains, and other members have mentioned how critical water is in that area, where market gardeners and growers use underground water supplies that are very much under threat. The value of land and the potential value of farming there depends very much on the availability of water and what sort of water is available. Properties, even the five acre hobby farms in the area, are very much dependent in their value on whether a bore is able to be sunk. We see, in a very practical way, the application of the importance of water to the area. It has an effect not only on land values but also on the potential value of the crops.

The member for Custance mentioned the possibility of treated water from Bolivar being used in that area, and that is something that everyone on the northern Adelaide Plains around the Virginia and Two Wells area looks forward to with great interest. That pipeline has been about 30 years in the coming, and it is still not finally signed off. We will all rejoice to see that happen, and I hope it happens very soon. However, it raises an interesting question that I have not discovered in the legislation as to how treated waste water will be covered, whether it will fall under the auspices of this Bill and how it will be managed by the water catchment authorities. Of course, treated waste water is becoming a more important issue as people look to ways to reuse waste water as is proposed at Bolivar.

The bores involve a number of very tricky issues that have previously been the province of perhaps local councils and usually State Governments. They are now being charged with the responsibility to resolve those issues, many of which have been longstanding and have not been able to be resolved by successive Governments. It is important that proper representation be obtained for those committees. Given the controversy there has been about the representation and various stakeholders in the process being concerned that they have been left out, it is important that the Minister resolve these issues.

I understand that there has been some change in the Bill in response to this. There are a number of major groups—the Natural Resources Council, the South Australian Farmers Federation, Mines and Energy South Australia, the Local Government Association and the Australian Conservation Foundation—that have all had a strong interest in the Water Resources Council, in water resources, and would like to continue their involvement. In later questions in Committee, I would like to ensure that they are able to continue meaningful involvement in the management of water resources.

As many members have mentioned, this is a very complicated Bill and has been controversial, not least within the Liberal Party, I understand. Although the draft Bill has been out for consultation for some time, there have been some substantial amendments to the Bill currently before us. The Opposition is still consulting on those changes as well as consulting very widely on the Bill. Although we are supporting the passage of the Bill through this House we look forward to debate in another place when we will have an opportunity to get the results of that consultation and possibly move some amendments to improve the management of the water resources plan for the State. We will be very interested in the Minister's responses at the Committee stage and we will be very interested to hear further comments from Government members who have an interest in this Bill through their own local interests. We will consider those responses carefully and integrate them into our final response.

I wish to re-emphasise that we support integration of water resources, as indeed we support the integration of water with other resources in its management in this State. It appears to be the only way to go in terms of getting not only effective administration but also effective management of our very important natural resources in this State. Not only is it important in ecological terms but also for our continued development and sustainability. With the strong caveat that we oppose the way in which the Government has gone about raising the money to do this work, we very much support the work of the Bill and hope that, in practical terms, it achieves what it sets out to do.

The Hon. D.C. WOTTON (Minister for the Environment and Natural Resources): I thank all members of the House who have spoken on this major piece of legislation. It is significant legislation. It has been referred to as groundbreaking legislation. I am delighted with the support provided by members in this debate. I will make a few comments about some of the matters raised by my colleagues on this side of the House and also by the member for Napier and the Deputy Leader of the Opposition. First, I refer to the comments made by the Deputy Leader. It was expected that the Deputy Leader

(as he has previously) would go down the track of expressing concern about the matter of raising revenue. It was expected that he would claim that the Government was shirking responsibility in raising revenue through levies and catchment boards. That is not the case.

The Government is fulfilling a very strong commitment made prior to the last election when it indicated it would give a very high priority to the cleaning up of the waterways in this State which have been neglected for decades. That is exactly what it has done. The fact that the Government has been able to achieve the support of the community in what it is doing is totally appropriate. There is general community support in regard to the establishment of the catchment boards and the levies, which are very transparent because all the money raised goes back into that particular catchment and there is no opportunity for the levies to be used in any other way. Because they are so transparent and because people can now see improvements taking place within their catchment areas these levies and catchment boards have been strongly supported by the vast majority of the community. That is very much the case concerning the catchment boards that have been given the responsibility of cleaning up the Torrens and the Patawalonga.

The Deputy Leader referred to the work that had been carried out by the parliamentary committee that I established to assist with the consultation process in regard to this legislation. I will do so later again, but I would commend the Chair of that committee, the member for Chaffey, and all members who served on that parliamentary team, because they gave a significant commitment to the work of the committee. They put in an enormous amount of time and consulted with a large number of people. I would commend them for the support they have provided and for their broad representation. I will say more about that later.

In regard to the levies, I am a little concerned by the comment of both the Deputy Leader and the member for Napier—that they are opposed to a flat rate levy and would rather support a levy on the capital value of rateable land. That is what has happened in the metropolitan area, but if we were to go that way in the rural areas, particularly with the Murray, we would have significant difficulties. In all the public meetings held in the Riverland and other rural areas, the point has been made very clearly that people are strongly opposed to having the levy based on the capital value of rateable land. I will be interested to have further discussions with the Opposition in regard to that matter.

The member for Chaffey has referred to the consultation that has taken place, and it has been very extensive. First, we brought to the notice of the general community the fact that we intended bringing in new legislation and amending the Water Resources Act as we know it now. We did so by issuing a series of papers last year, and then in September last year we brought down a major report, 'Your Water, Your Future', in response to the commitment made prior to the election when we said that a future Liberal Government would bring down a water plan for the State of South Australia. That is exactly what we have done.

We have had a series of draft Bills. The major one has been floating around since May. There has been plenty of opportunity for people to make themselves aware of what that legislation is about, and it has formed the basis of many public meetings throughout South Australia. Almost 100 public meetings have been held in different parts of South Australia. The member for Chaffey also referred to the significant interest that is now being taken generally in the community in regard to water resources. That is totally appropriate because, as all members have recognised, water is the most important resource that we have in South Australia, and it is vitally important that we recognise its true value.

The honourable member also talked about integration and referred to the need for integrated resource management. Nobody supports the concept of integrated resource management more than I. Very soon after coming to office, in my capacity as Minister responsible for water resources, I went to New Zealand to determine how integrated resource management worked there. Upon my return I asked the Natural Resources Council to prepare a paper on that subject. I am delighted that at a recent round table meeting organised by the Natural Resources Council it was able to expand on the consultation it had already conducted in that regard.

The honourable member also referred to COAG's involvement, and it is totally appropriate that that should be the case. Again, it is encouraging that at a Federal level there is interest in water management. The honourable member referred to the make-up of catchment boards and to the need for people with special skills. It is totally appropriate that that should be the case. I am pleased that local government recognises what we are attempting, because we need its help to ensure that people on these boards have specific skills and are not there just because they are owed a job for one reason or another. Generally, that has been recognised.

There are a number of other issues to which the member for Chaffey referred, in particular the need for the River Murray Catchment Board to be established as a matter of priority. Commitments were made to ensure that that happened. I regret that it may not be possible for this legislation to be dealt with before Christmas. A number of commitments were made that this legislation and the River Murray Catchment Board would be in place by the end of the year. It is imperative that that board be established as soon as possible to give strong support to the Murray-Darling 2001 Project, which, of course, has been a priority of this Government and, in particular, the Premier.

The member for Mawson, also a member of the parliamentary committee, gave an excellent speech. He said that this Bill is not a knee-jerk reaction, that there has been significant consultation and that it is about the sustainable future of South Australia. Of course, as far as this legislation is concerned, that is the bottom line. The honourable member referred to the policy commitment made prior to the election with regard to our water plan, and so on, and the fact that levies are strongly supported in the community. The member for Mawson referred to the very complex issue in the Southern Vales relating to the 180 millimetre option. This matter, which was raised by a number of contributors to the debate, will have to be worked through.

The member for Light was keen to see the legislation implemented as quickly as possible, particularly as it relates to the establishment of a Gawler River catchment board. I have had considerable representation from people in that part of South Australia and I know that they are very keen to see the establishment of that board so that it can implement the legislation. The member for Kaurna, a founding member of the Southern Vales Water Resources Committee, has significant expertise in this area. She drew attention to the 180 millimetre issue and to the importance of underground supplies, saying that the supply is under stress. As far as landowners are concerned, we need to do more about that. The honourable member referred to the importance of aquifer

recharge, an area in which significant gains have been made in recent times but in which we still have a long way to go.

The members for Ridley and Custance also made significant contributions, the member for Ridley giving considerable detail about the issues that the Government will need to work through with him. The member for Custance referred to significant issues such as aquifer recharge, the importance of water to the Barossa and, of course, the overall importance of the Barossa to South Australia. The fact that water is such an important resource is well recognised. He also referred to the opportunity that will now be available under this legislation regarding the transfer of water licences.

The member for Napier stressed the importance of this Bill and talked about integration and community based management and indicated that that was welcomed while, at the same time, there was significant control and, I believe, adequate control on the part of Government to ensure that Government had that responsibility in such an important area. The honourable member also referred to the need to ensure that the legislation worked well in practice and, of course, that is what we are all aiming for. The honourable member also made the same comment as the Deputy Leader about the levies, indicating that levies were imposed on people to pay for water management in this State. I have already explained that the fact that the vast majority of people support those levies and support the establishment of the catchment board speaks for itself.

The honourable member mentioned that local MPs were expressing concerns about the Riverland, the South-East and the Southern Vales. I am not aware of those concerns. I take the point that the member for Chaffey has made and will be dealing with that in more detail in Committee. Having attended two public meetings in that area, I know that there is very strong feeling that the representative groups in that area should be able to have some say about the people who are selected to represent the board. I am perfectly happy to refer to that in some detail during the Committee stage.

The South-East has always been a difficult area as far as water resource management is concerned, and I believe that we will be able to deal with that matter quite adequately. As far as the Southern Vales is concerned with the 180 millimetre option, the Bill enables that to happen but does not refer directly to that particular option. I believe that, as a result of the work which is being carried out within the agency, we will be able to deal with that matter adequately.

The honourable member also talked about the need for integration with local government, and the need for us to watch very carefully the issue of availability of water in the northern Adelaide plains and the value of that water. She also referred to the Water Resources Council and I am very pleased that the draft legislation has been amended to provide for that council. Originally, it was intended that we should have a panel made up of the chairs of catchment boards throughout the State. However, the decision was made that we needed to have a council which was very specific as far as its tasks and responsibilities are concerned.

The honourable member also commented about the fact that they were now out consulting. I might say that I am a bit disappointed to hear that they are only now out consulting because the draft legislation has been around since May. Significant changes have not been made to the Bill since that time and I would have thought that there was ample opportunity to carry out appropriate consultation.

In conclusion, I believe that this is significant legislation. I am very excited about it because it is very important for this State that we recognise the value of water as the most important resource that we have. It is ground-breaking legislation and I thank the members who have contributed through the parliamentary committee. I also thank the officers from the department, particularly the Water Resources Branch, who have worked so hard to ensure that this legislation was adequate. I believe that the legislation will serve the State very well and I commend the Bill to the House.

Bill read a second time.

In Committee.

Clauses 1 to 5 passed.

Clause 6—'Object.'

Ms HURLEY: Subclause (2)(a) provides that the Minister, the Water Resources Council and boards must act consistently with and seek to further the object of this Act. I wonder about that wording, 'consistently with', given that a number of Acts impact upon this legislation and given that local government must conform with a number of Acts, for example, the Public and Environmental Health Act. Will the Minister explain what the mechanism will be for all those groups to be consistent with each other and other Acts?

The Hon. D.C. WOTTON: It really means that, as far as the planning process is concerned, we need to take into account these other pieces of legislation. As I said during the second reading stage, we received strong representation with regard to integrated resource management, and it was felt absolutely essential that we were able to take into account those other areas of responsibility. I do not see any difficulty in being able to achieve that. I do not know whether the honourable member wants me to be more specific.

Ms HURLEY: What if there is a conflict with another Act, and that must always be a possibility? For example, if the Public and Environmental Health Act were in conflict with one of the provisions or the directions of the Water Management Board, which Act would be given precedence and how might that conflict be resolved in the scheme of things?

The Hon. D.C. WOTTON: I cannot imagine that there will be conflict with this other legislation. As is always the case, if there is conflict between two Ministers or between two pieces of legislation, that issue is taken to Cabinet and Cabinet considers it. That is the usual practice. It is a matter of using this method as far as planning is concerned if there is conflict. I do not imagine there will be, but if there is the ideal way to resolve it would be before Cabinet.

Ms HURLEY: So, the Minister is saying that any conflict must be resolved at ministerial level, even if is one between a local council and a water catchment management board?

The Hon. D.C. WOTTON: It has been suggested that if there is conflict between local government and an agency it may be necessary for a PAR to be set up, but I do not see it. Surely there can be informal discussion between a local government authority or council and an agency. I do not see a need to have anything written into legislation to deal with that issue.

Clause passed.

Clause 7—'Right to take water.'

Ms HURLEY: Subclause (5)(b) relates to water taken by the occupier of the land for domestic purposes and watering of stock. Why was it seen necessary to protect small farmers in this way, if that was the reason?

The Hon. D.C. WOTTON: It is a common law right and is already in the current legislation. There is nothing new in that subclause.

Ms HURLEY: Subclause (7) provides for the rate at which water is taken not to exceed the rate prescribed by regulation. It seems a strange way of describing something. How will the Minister impose that sort of rate and put it in regulations? I gather he is talking about drinking.

The Hon. D.C. WOTTON: It is a matter of putting a cap on how much water can be used. In the example given to me, if you are camping by the Murray River you are not required to take out a water licence. It is a practical situation. I am told that the amount is not more than a kilolitre a day, although I am not sure how it is monitored.

Clause passed.

Clauses 8 and 9 passed.

Clause 10—'The relevant authority.'

Ms HURLEY: Subclause (1) refers to a licence and subclause (2) to a permit. Further down it talks about authorisations and notices. What is the difference between them and why does different terminology appear in various parts of the Bill?

The Hon. D.C. WOTTON: The authorisation is a power carried over from the current legislation, and that is self-explanatory. As far as the licence is concerned, it is actually a licence to take water. A permit is required if you are building a dam or some construction, so it was necessary to use the three terms in that way.

Clause passed.

Clause 11 passed.

Clause 12—'Activities not requiring a permit.'

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

Page 14, line 29—Leave out 'or an environmental authorisation' and insert ', an environmental authorisation or a clean-up order'.

This amendment will ensure that clean-up orders issued under the Environment Protection Act, as well as the environment authorisations and orders already mentioned in this clause, are recognised for the purposes of the one-stop shop system for environmental authorisations provided for by this clause. During preparation of the consequential Bill an omission has been noticed in regard to this clause. It is a straightforward matter of consistency: the clause should apply not only to an environment protection order but also to a clean-up order. I commend the amendment to the Committee.

Amendment carried.

Ms HURLEY: A number of areas are listed where a permit is not required where authorisation has been granted under another Act, including the Development Act, the Pastoral Land Management and Conservation Act and the Soil Conservation and Land Care Act. What cross checks will be provided to ensure that opposing developments are not authorised under the two separate Acts?

The Hon. D.C. WOTTON: Again, there are three areas. The three areas that are dealt with in this clause are consequential amendments in regard to consultation, continuity or consistency in planning, and also a new schedule for the referral of development applications.

Clause as amended passed.

Clauses 13 and 14 passed.

Clause 15—'Minister may direct removal of dam, etc.'

Ms HURLEY: Subclause (2) provides that compensation is payable in relation to the removal of various objects but that no compensation is payable for any modification of any dam, etc. Given that the modification of a dam, embankment or any wall could have a significant impact on farming or other activities and that extensive modification may have almost the same effect as removal, why is compensation not payable in that case?

The Hon. D.C. WOTTON: Compensation is paid because the removal is a fairly significant step to take. If someone is told that they can build a dam and it is then removed for one reason or another, one would anticipate the payment of compensation because it would be a major action to take. With any renovation that may be needed, it is not felt that it would be necessary to compensate in those areas. Some examples come to mind where renovations may be required, but they would not be of a major nature, and I do not believe that compensation would be required in those circumstances.

Ms HURLEY: Subsection (1) does not talk about renovation, improvement or anything like that but about removing or modifying 'a dam, embankment, wall or other obstruction or object that collects water'. It might be possible that a dam would have to be modified so that it is halved in size or modified in such a way that it significantly affects a farmer's operation and his or her ability to run the amount of stock they previously had. I do not read the Bill as meaning simply renovation—there might be significant modifications ordered under this provision.

The Hon. D.C. WOTTON: It has been brought to my notice that this provision is a move forward. Under the current legislation there is no compensation at all. I do not think that I can add much more. I take the point that the honourable member makes. If 'renovation' means that three quarters of a dam is removed, that might be more of an issue. I am happy to give further consideration to that matter. The provision is a step forward and it is an advance on the current legislation. The removal of a dam would bring about a greater loss of value on a property than would be expected in the case of a modification.

Clause passed.

Clause 16 passed.

Clause 17—'Duty not to damage watercourse or lake.'

Ms HURLEY: Subclause (1) refers to the duty of the owner or occupier of the land 'to take reasonable steps to prevent damage', etc. What would happen where ownership of the land is not clear and there is no occupier of the land? Who would then take responsibility for that watercourse or lake if damage occurred?

The Hon. D.C. WOTTON: I cannot imagine a situation where ownership would not be clear. Land is always owned by someone: it is owned either by an individual, an organisation, local government, the State Government, the Federal Government or the like. I cannot imagine a situation where the ownership of a section of land was not known.

Ms HURLEY: A constituent has advised that there is land along the Torrens where there has been an ongoing dispute dating back to the time of the Tonkin Government as to whether that land is owned by councils or the State Government.

The Hon. D.C. WOTTON: If we are being specific, as far as the Torrens River is concerned, some of it was purchased for the—

Ms Hurley interjecting:

The Hon. D.C. WOTTON: No, I understand that. Some of the land was purchased by the Government for the Torrens Linear Park and some is the responsibility of local government. I do not know who brought this matter to the attention of the member for Napier, but I think there would be very few occasions for uncertainty or where the owner of a property was not recognised.

Clause passed.

Clauses 18 to 49 passed.

Clause 50—'Membership of the council.'

Ms HURLEY: The Water Resources Council did not exist in the original Bill. The Minister felt that he did not need a Water Resources Council, but in his contributions to this Parliament he has said that he was persuaded by representations to reinstate a Water Resources Council. I ask the Minister: what were those persuasive reasons for re-forming a Water Resources Council?

The Hon. D.C. WOTTON: As I said in my second reading explanation, those who were advising me and I felt that it was appropriate that we have a panel of people with whom we could consult, and that that panel would best be made up of the chairs of catchment boards across the State, because we felt there would be very broad representation in enabling that to happen. I have also been concerned about the way in which the current Water Resources Council is and has been functioning. It is a very large council, and the representation I received, from both members of that council and those who were involved with it, indicated that it was not being used appropriately, that it was unwieldy, and that we really needed to look at how we could improve the situation.

I received representation from the South Australian Farmers Federation, the Local Government Association and the Conservation Council. The Farmers Federation made particularly strong representations about this matter and, when I considered it, I felt that, provided we could be very specific about its responsibilities and the Water Resources Council could be focused, then it would be appropriate to have that body audit the State plan once every 12 months, for example, as well as undertake its other responsibilities. I believe that amendment to the draft legislation is totally appropriate, and I am pleased that the majority of people and organisations with whom I have spoken have welcomed that change.

Ms HURLEY: Some strong views were expressed by the Australian Conservation Council, the Local Government Association and the South Australian Farmers Federation about the desirability of their being represented on the council, and it is probably a reflection of the professionalism and persuasiveness of those bodies that the council has been reinstated. I just wonder whether the Minister queries the professionalism of those bodies, in that he has chosen to appoint them from a panel of three persons submitted by the representative groups—that is, the Local Government Association, the Conservation Council and the Farmers Federation. Why has the Minister chosen to do it this way rather than relying on the judgment of those bodies to nominate their desired person? How is that panel—and it is an unusual construction—of three persons to operate? Will those organisations put forward a long list from which the panel of three persons is then chosen by the Minister, or will it be three people only, and will there be priorities on those three people?

The Hon. D.C. WOTTON: This is common to a number of other pieces of legislation—the Soil Conservation Act comes to mind. I know that it was a requirement of the previous Government that most professional bodies, like those that are referred to in this legislation, were required to provide a panel of three people—I do not think we should place much emphasis on the panel part of it, but they were required to place three names before the Minister. I know that in some pieces of legislation that I have responsibility for I have altered that slightly, in that I have asked perhaps for two males and two females so that we can work through the gender balance. I do not question the credibility of these organisations. As I say, this practice has been going on for many years. I know it was a practice when I was Minister previously, and it has been carried on by Governments for more than a decade.

Clause passed.

Clause 51—'Functions of the council.'

Ms HURLEY: The clause refers to things that are done at the Minister's direction. Given the nature of the proposed council and the independence and expertise of the members of that council, I wonder why there has been no provision for the council to raise matters of concern that it can investigate.

The Hon. D.C. WOTTON: I will make it quite clear to the council that I would want it to have that opportunity. I do not see that it needs to be written into the legislation. Again, I can refer to a couple of pieces of legislation that are my responsibility where it is not spelt out in the legislation that they have that right, but it is recognised that it is there. I would be very surprised if any statutory body did not recognise the opportunity to provide independent advice to the Minister.

Clause passed.

Clause 52 passed.

Clause 53—'Further provisions relating to the council.'

Ms HURLEY: Clause 53(4) provides that the assets and liabilities of the board will vest in or attach to a council, the Crown, or any other person or body. What would happen if the situation were such that only net liabilities arose out of the board's actions and would, therefore, a council or controlling authority or any other person or board nominated be responsible for the liabilities of that board?

The Hon. D.C. WOTTON: You cannot force them to take liability. It will be only with the consent of the council or any other person or body. There is no opportunity for any person or organisation to be forced.

Clause passed.

Clause 54 passed.

Clause 55—'Nature of boards.'

Ms HURLEY: Here again we have the issue of who levies the charges and on whose behalf. In the nature of the boards it makes clear that the board is an instrumentality of the Crown and holds property on behalf of the Crown. That makes very clear that these are the Crown's responsibility but, nevertheless, the Bill provides that local government will collect the levies. Will the Minister comment on what appears to be an anomaly?

The Hon. D.C. WOTTON: I do not think it is a matter of the State Government forcing local government to do anything. It is local government collecting a levy from the local ratepayers, and it is appropriate that that should be the case. If we look at what is happening currently with the Patawalonga and the Torrens River, the State Government puts funding into those boards, so I do not see any problem.

Clause passed.

Clauses 56 to 58 passed.

Clause 59—'Other members.'

Ms HURLEY: Clause 59(1)(b) lists the qualifications of the people who are to go on the boards. It seems to cover a fair range of the skills that the Minister has said are required for the boards, and I recognise that people on the boards need to be very skilled people. Under those provisions where the Bill talks broadly and vaguely about such things as knowledge of and experience in local government, it may be possible, for example, for a board to be constituted with no members who are, say, practising farmers within the catch-

ment area; a local government elected member or officer within the catchment area; conservationists from within the catchment area; or business men or women from within the catchment area. Has the Minister not made these provisions a little too loose, which means that local people and representatives of those sorts of groups will miss out on being elected to the board?

The Hon. D.C. WOTTON: That is one of the reasons why we felt that before a board was selected it would be a good idea for the names being considered to go before the Water Resources Council. In that way independent advice would be sought. There is a representative from the South Australian Farmers Federation who, in consultation with the local area, would be fairly sure of the type of person that they would want there, as would the person representing local government and as would the person representing the Conservation Council. That has provided an appropriate balance and the appropriate independent advice to ensure that that happens.

Mr ANDREW: Earlier this evening, I raised the issue of the make up of the Catchment Management Board. The Minister would also be aware that, with respect to the proposed formation of the Murray River Catchment Management Board, the irrigators along the Murray River would be significant suppliers of the funds that would be raised through the environment levy. For this reason, the irrigators genuinely feel that they need to have appropriate, fair and reasonable representation to make sure not only that the funds are appropriately expended in areas where they see them as being a priority and significant but also that they have an appropriate say in the management of the Murray River resource itself.

I have made this request from one perspective—from the Riverland Horticultural Council and the Farmers Federation. It was the federation's desire that this be legislated to give it formal representation. I have made the Minister aware of this, and I have made appropriate representations to him. As a backbench committee, we have discussed and noted that request. In a more formal sense, I seek further assurance from the Minister that he appreciates the significance of irrigators involved with the proposed Murray River Catchment Board and the significance irrigators see in their role on this board. I ask that the Minister give further assurance that that representation be respected and recognised with regard to what he ultimately sees as being appropriate for the Murray River Catchment Management Board.

The Hon. D.C. WOTTON: I am more than happy to give that commitment. As the honourable member would know, I gave that commitment to at least one public meeting that I addressed in the honourable member's electorate. I have not yet worked out whether I will set up a panel or ask the Water Resources Council to establish a subcommittee to ensure that there is local representation to enable a wide cross-section of input from irrigators particularly. The honourable member has referred to the Riverland Horticultural Council, SAFF and the irrigators. Given the importance of the Murray River, we must ensure that we have those groups well and truly represented, and I am very much aware that the irrigators need to be represented.

I was not prepared to have that included in the legislation because I do not believe that it is necessarily appropriate with every water catchment management board that will be established for that procedure to be adopted, but because of the significance of the River Murray Catchment Board and the important work it will need to carry out, it is totally appropriate for that to happen and I am very happy to provide that commitment to the member.

Ms HURLEY: It is good that the Minister is prepared to give that commitment to the Riverland people, but I am sure that, when the boards are established, special interest groups in other areas would like a similar undertaking and I wonder how the Minister will manage that.

Mr Andrew interjecting:

Ms HURLEY: I did mention in my second reading contribution that I recognised the significant contribution made by the irrigators and that therefore they deserved good representation, but the growers in the Virginia area have been very cooperative and have gone to great lengths to facilitate the Bolivar pipeline. They might also want some special consideration, given that they have been so involved with water in their area.

The Hon. D.C. WOTTON: I am quite happy for that to happen. I think it would be appropriate. Where there are requests or where it seems sensible in that situation I would be very happy to seek independent advice. To be quite frank with the honourable member, recognising the significance of these boards and the responsibility that they will have, it is not a task which I am necessarily looking forward to because it will be a huge responsibility, particularly a board such as the Murray River Catchment Management Board or some of the others. I have no difficulty whatsoever in saying that, in the majority of cases, I would look at seeking that independent advice to help me with that responsibility.

Clause passed.

The Hon. D.C. WOTTON (Minister for the Environment and Natural Resources): I move:

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

Motion carried.

Clause 60 passed.

Clause 61—'Functions of board.'

Ms HURLEY: I referred in my second reading contribution to treated waste water and mentioned that there are now a number of proposals to use treated waste water for irrigation and other purposes. An example is the Bolivar pipeline, which is expected to be up and running pretty soon in the Virginia area. Will the management of treated waste water come under the function of these boards or will it be treated differently?

The Hon. D.C. WOTTON: It will have to be in the board's management plan but, as far as the Virginia pipeline scheme is concerned, the Bill offers the opportunity for managing the use of effluent where necessary, and that is under clause 9, but it would need to be in the management plan.

Ms HURLEY: The question about the use of treated waste water is particularly relevant, given that there are some proposals, as I understand it, for private companies to treat waste water, and it may actually be a profit making activity in the future. Under clause 9 to which the Minister has referred, will there be the ability for the boards to have some direction over the activities of private companies?

The Hon. D.C. WOTTON: It can be controlled through a permit system if necessary, but I cannot see any major problem if a private company is making a profit.

Ms HURLEY: I have no problem with that. I just wonder whether it can be managed by a water catchment board in the same way as are others?

The Hon. D.C. WOTTON: Yes, it can. There are no difficulties with that.

Clause passed.

Clause 62—'Board's responsibility for infrastructure.'

Ms HURLEY: This clause provides that a board may assign its responsibility for maintenance or repair to the owner or occupier of the land on which the infrastructure is situated. What do the provisions relate to, is there any need for compensation to be paid for that maintenance and repair of the infrastructure, and what sort of consultation might occur with the owner or occupier of the land?

The Hon. D.C. WOTTON: It is by agreement. The board may enter into a contract with the local government authority if it relates to the cleaning out of a trash rack or something like that.

Ms HURLEY: It actually provides that a board may assign its responsibility and does not say 'with the agreement'. The board may simply assign without the agreement of that party.

The Hon. D.C. WOTTON: It has to be there legally. Without subclause (3), it could not happen, even with agreement.

Clause passed.

Clause 63—'Powers of boards.'

Ms HURLEY: Subclause (2)(l) allows the board to acquire land pursuant to a contract with the owner of the land. I presume that that includes all sorts of land. Again, there seems to be no provision for agreement or consultation.

The Hon. D.C. WOTTON: Obviously, it is best if this can be done through a private contract, but it can happen only with the Minister's agreement in any case. I am not sure what the honourable member is getting at.

Ms HURLEY: It is with the approval of the Minister but perhaps not necessarily the owner of the land. Is there consultation?

The Hon. D.C. WOTTON: We are dealing with the Land Acquisition Act.

Ms HURLEY: So there need not be any consultation.

The Hon. D.C. WOTTON: No.

Clause passed.

Clauses 64 to 67 passed.

Clause 68—'By-laws.'

Ms HURLEY: As I understand it, this clause allows by-laws made by boards to automatically override an elected council's by-law. I raise the issue of consultation and I wonder whether there is any mechanism for dispute resolution if the council objects to a by-law made by the board.

The Hon. D.C. WOTTON: This clause allows a board to make by-laws that relate exclusively to water infrastructure which is under the board's control. It enables a board to exercise effective control over land and so on under its care, control and management, for example, the rights of public entry, dogs on leads, littering, etc. The power is not wide ranging: it is narrow. It is limited to the type of by-laws that might have been made by a council under the Local Government Act on the same subject matter. Of course, the board is required to consult relevant councils before the by-law is made.

Ms HURLEY: In what way is the board required to consult? Where does the legislation stipulate that? What happens if that consultation does not bring about a resolution to the issue? It is conceivable that an issue may arise even under the narrow definition of the by-laws relating to water. This clause would not be included if there were not the possibility of something arising in conflict with the council requirement.

The Hon. D.C. WOTTON: The board needs to make by-laws to protect its properties just as do councils or any other instrumentalities. That is set out under clause 68(5).

Ms HURLEY: I repeat: what if there is no agreement between the council and the board? Is there any dispute resolution procedure?

The Hon. D.C. WOTTON: No.

Clause passed.

Clause 69 passed.

Clause 70—'Staff of board.'

Mr ANDREW: Although this clause is headed 'Staff of board', indirectly it relates to the function, role and powers of the board. In terms of the discussion and consultation that has happened during the past few months, and while I would certainly agree with the Minister's earlier comments that there is a general acceptance of the principle of the requirement for the levy, the absolute amount was sometimes under question or needed to be justified. The question that developed was: how much or what proportion of this levy would be spend 'on the ground' in terms of projects and specific needs for environmental improvement as distinct from and in contrast to sheer administration costs?

The concern in the public arena and, to a large extent, those contributing via a levy is that there is a maximisation of conversion of that levy to meet the environmental improvement programs as distinct from administration fees. I ask the Minister whether there are any specific targets and whether he believes that there will be an ability at ministerial level to place some control and limitation on the amount of funds that finish up in administration as distinct from environmental improvement programs?

The Hon. D.C. WOTTON: This issue was raised very early in the life of both the Torrens and Patawalonga Catchment Boards. There was a concern in the community about the funding required for administration and it is something that we have watched closely. As far as those matters are concerned, the costs must be in the management plans and must be approved by the Minister. Any appointment of staff must be approved by the Minister. Obviously, because of our commitment to carry out the work that is on the ground, I would suggest that any Minister would be very keen to limit the amount spent on administrative costs, whether through appointment of staff or other costs that may be associated with the administration. These costs are very transparent and there would be considerable concern caused in the community if it was felt by those people who were paying the levy within a particular catchment that too high a percentage was going into administrative costs rather than being spent on the ground.

Clause passed.

Clauses 71 to 76 passed.

Clause 77—'Appointment of body established by or under another Act.'

Ms HURLEY: This clause allows the Governor on the recommendation of the Minister to appoint a body established under another Act to be a water catchment management board. Given the Minister's express concern about the level of qualifications, his obvious concern about who might go on the board, the control of that board and how it might operate, what does the Minister have in mind for that provision?

The Hon. D.C. WOTTON: Reference was made earlier to any problems that may be recognised in the South-East. This clause will enable the South-East issue, which relates to

a body in charge of surface water and another in charge of ground water, to be easily resolved if acceptable to the local community. It could also be used with soil boards in the Far North. For example, it could be used on the condition that the new board sets up a specialist water advisory committee to assist it.

Clause passed.

Clauses 78 to 85 passed.

Clause 86—'Responsibility of councils and controlling authorities.'

Ms HURLEY: Subclause (3) provides that a council or a controlling authority must, when performing functions or exercising powers under the Local Government Act, have regard to the catchment water management plan of the board. Did the Minister mean to be so broad and sweeping when he said that any officer, including the dog control officer and the librarian, of a council or controlling authority should have regard to this legislation?

The Hon. D.C. WOTTON: We are certainly not talking about librarians and dog catchers. We are talking about people who have a direct responsibility in the aims of this legislation, and I do not think that the dog catcher comes into that.

Clause passed.

Clauses 87 to 90 passed.

Clause 91—'Amendment of the State Water Plan.'

Ms HURLEY: This provides for the State Water Plan and raises issues about the interaction between the Minister, the Water Resources Council and the boards. Along with some subcommittees, they have a hand in developing plans and putting forward proposals. How will they fit in with the State Water Plan and how will there be adequate consultation with all those different groups?

The Hon. D.C. WOTTON: It is a matter of ensuring that all the less important plans are consistent with the major plan. It is important that that should happen.

Ms HURLEY: Given that the State Water Plan is being amended, why is there a specific requirement for consultation with all those lesser bodies in any such amendments?

The Hon. D.C. WOTTON: It is identical to what is required in the planning strategy. There will be general consultation. I do not see a necessity to have that written into the legislation. We have indicated why it needs to happen, and I would have thought that it would be commonsense to ensure that such consultation takes place.

Ms HURLEY: As I said in my second reading speech, a lot of this depends on the goodwill and skill of the people in the boards. Any legislation must bear in mind that that might not always happen. I have been asking a number of questions about consultation and interaction because I am not sure that it is clearly specified what status the various plans have in relation to each other, where they might conflict or overlap or where there may be difficulties marrying them. There does not appear to be much strategy for dealing with that sort of thing, or any provision for dispute resolution systems or stated hierarchy in the plans.

The Hon. D.C. WOTTON: The planning provisions that follow state quite clearly which plans have to be consistent. As the Minister responsible I will ensure that there is consultation to ensure that this happens. With such complex and significant legislation as this, both the Opposition and I as Minister are keen to ensure that it works appropriately, and it would be my intention that it would be reviewed after 12 or 18 months to ensure that that occurs. However, this clause is commonsense. I, and I imagine any Minister, would be keen to ensure that it works.

Clause passed.

Clause 92—'Catchment water management plans.'

Ms HURLEY: I presume that catchment water management plans include the management of flood water plans.

The Hon. D.C. WOTTON: Yes.

Clause passed.

Clause 93—'Proposal statement.'

Ms HURLEY: This is a very complex Bill. Why is the complexity increased by requiring the board to prepare a proposal before it has had a look at a draft plan? It seems that this is overly complex. What is the advantage in what seems to be stating a position before you come forward with the draft plan?

The Hon. D.C. WOTTON: The board needs to consult with the communities in the preparation. The proposal statement will set out the proposed content of the management plan and any additional processes of consultation over and above those provided in the legislation during preparation of the plan.

Clause passed.

Clauses 94 to 107 passed.

Clause 108—'Local water management plans.'

Ms HURLEY: It seems that we have plans coming from all directions—plans, proposals, PARs (plan amendment reports)—and by-laws being developed. It seems very complex and difficult to integrate. We also have local water management plans being developed, and it seems to me that it might be better coordinated and put together. Will the Minister comment on that and say why it was necessary to include this level as well?

The Hon. D.C. WOTTON: It is really a matter of providing local government with the opportunity to get involved. Local councils have the option in the first place of preparing water management plans, and those local water management plans will be the basis upon which the council performs its functions, if any, under the Act.

Clause passed.

Clauses 109 to 121 passed.

Clause 122—'Declaration of levies by the Minister.'

Mr ANDREW: I refer to the principle of the declaration and application of levies. I note that subclause (1) provides for the taking of water, and a subsequent subclause refers to the Minister's levying on behalf of local government. I want to confirm my understanding that no land holder—in this case an irrigator—will be required to pay a double levy on the basis that, presumably if a land holder is licensed, he would be required to pay a levy on his allocation but he would not be subject to any levy designated under the subsequent section of the Bill with respect to capital value or otherwise.

The Hon. D.C. WOTTON: I give that commitment that a person paying a division 1 levy will not pay a division 2 levy.

Clause passed.

Clauses 123 to 134 passed.

Clause 135—'Contributions.'

Ms HURLEY: Subclause (1) provides that the councils will pay an amount to be determined by the Minister under subclause (2), and subclause (2) provides that the councils will pay an amount specified by the board's plan and increased by the Minister's assessment. For example, if the board requires $1 million and there are $200 000 worth of rebates and water based levies, the council must contribute $1.2 million to the board. Therefore, should subclause (1)

also tie in to a later clause, 136, which refers to a reduction in councils' share?

The Hon. D.C. WOTTON: There is no need to link the clause with any other. It is a substantive position which sets out what needs to be paid. The clause sets out how that is to happen. I do not think there is a necessity to link the two clauses as suggested.

Clause passed.

Clauses 136 and 137 passed.

Clause 138—'Imposition of levy by constituent councils.'

Ms HURLEY: During the second reading debate, the Minister indicated that Riverland people who attended the public meeting expressed significant problems with the payment of a fixed levy rather than a progressive levy based on capital value. What are those problems, and why is it difficult to impose a progressive levy in those areas if not in other areas?

The Hon. D.C. WOTTON: As we have said all along, it is important that the community should be involved and consulted regarding the basis of the levy. That is the whole purpose of providing options in the legislation as it is not appropriate to look just at a land based levy. Capital value has worked reasonably well with the Patawalonga and the Torrens, but it was made clear, particularly in meetings in rural areas, that that just would not work.

Ms Hurley: Why not?

The Hon. D.C. WOTTON: We would have some properties paying a considerable levy and others paying less.

Mr Andrew interjecting:

The Hon. D.C. WOTTON: Yes. I think this is totally appropriate. We gave a fair bit of consideration to this issue. It should be up to the local communities. Flexibility exists in the board. It is necessary for the board to consult, and it is totally appropriate that the board and the local community should determine how the levy should be based. Provision is made for that in the legislation.

Ms HURLEY: The Minister states that it should be totally up to the local community, but this clause specifies the sorts of options that exist. So, it is not the local community who decides. As I understand it, that has led to one of the problems in the Willunga Basin where grape growers have outvoted almond and stone fruit growers and imposed a system that is not suitable for some of those minor interests. The Opposition seeks to protect some of those people who are not powerful or strong enough to force through the sort of system they want. The very fact that a fixed levy is mentioned in the options indicates that the Government approves of this sort of a levy.

The Hon. D.C. WOTTON: To some extent, it is the same. In one case, we are talking about licensed allocations with a 180 millimetre option in the Southern Vales as against, in this case, levies.

Ms HURLEY: I repeat that the Opposition believes that those who have larger and more expensive properties are perhaps more able to pay than those who have smaller and less valuable properties, and that it is an inherently inequitable system to impose a fixed levy, particularly regardless of water usage. That sort of a system might be imposed on some small growers who do not have the strongest voice in the community.

The Hon. D.C. WOTTON: This Bill is about providing flexibility. This Bill is about providing more opportunity for local communities to have a say. There is flexibility in the legislation. We were very keen to ensure that that happened. I will not be in a situation where I will direct boards as to how or on what basis the levy should be raised. It is totally appropriate for that to be determined by the local community.

Clause passed.

Clauses 139 to 145 passed.

Clause 146—'Compensation.'

Ms HURLEY: This clause provides for a catchment management board to pay compensation but, as I understand it, it does not allow the board to pay compensation to a local council pursuant to damages. If that is the case, will the Minister comment?

The Hon. D.C. WOTTON: Will the honourable member repeat the question?

Ms HURLEY: It seems to me that the board does not necessarily have to pay compensation to a local council for damages that might have been incurred.

The Hon. D.C. WOTTON: I am not sure what we are talking about. Damages for what? I cannot see the logic of the question or the damages that will be caused.

Ms HURLEY: I am talking about damages listed in clause 146(1)(a): for example, the right to take water from a watercourse or a lake—the sort of compensation that is provided for here. I am advised by some people that this does not apply to councils, and I wonder whether the Minister will comment?

The Hon. D.C. WOTTON: Clause 146(10) provides:

> Compensation is not payable under subsection (1), (3) or (5) to the Crown or an agent or instrumentality of the Crown or to a council or controlling authority.

Ms HURLEY: I am asking why that is so, I suppose.

The Hon. D.C. WOTTON: The circumstances where compensation is paid are very limited, and the advice that I have received is that compensation should not be payable to a council or to any other section of the Crown under those circumstances.

Clause passed.

Remaining clauses (147 to 158) passed.

Schedules and title passed.

Bill read a third time and passed.

ADJOURNMENT

At 10.43 p.m. the House adjourned until Wednesday 27 November at 2 p.m.