

SOUTH AUSTRALIA

PARLIAMENTARY DEBATES

(HANSARD)

Fifth Session of the Forty-Sixth Parliament (1989)

Parliament, which adjourned on 14 April, was prorogued by proclamation dated 11 May. By proclamation dated 11 May, it was summoned to meet on Thursday 3 August, and the fifth session began on that date.

LEGISLATIVE COUNCIL

Thursday 3 August 1989

The PRESIDENT (Hon. G.L. Bruce) took the Chair at 12 noon.

OPENING OF PARLIAMENT

The Clerk (Mr C.H. Mertin) read the proclamation by His Excellency the Governor (Sir Donald Dunstan) summoning Parliament.

GOVERNOR'S SPEECH

His Excellency the Governor, having been announced by Black Rod, was received by the President at the bar of the Council Chamber and by him conducted to the Chair. The Speaker and members of the House of Assembly having entered the Chamber in obedience to his summons, His Excellency read his opening speech as follows:

Honourable members of the Legislative Council and members of the House of Assembly:

1. I have called you together for the dispatch of business.
2. It is with regret that I record the deaths of five Members of this Parliament since my previous address in this place.

Mr James Alexander Heaslip, Member for Rocky River from 1949 to 1968, died on August 13th 1988; Mr Leslie Charles Nicholson, the Member for Light from April 1960 to March 1962, died on August 31st 1988; Mr John Richard Ryan who represented Port Adelaide from 1959 to 1970 and then Price from 1970 until 1975, died on September 12th 1988; the Hon. Sir Lyell McEwin, who was elected in 1934 in a parliamentary career spanning some 40 years, died on September 23rd 1988; and the Hon. Sir Arthur Campbell Rymill, a Member of the Legislative Council from March 1956 until July 1975, died on March 27th 1989.

Mr Ryan was elected as Speaker of the House of Assembly in June 1973, a position he held until his retirement.

Sir Lyell McEwin became Minister of Health, Minister of Mines and Chief Secretary in the Playford Government, and held those portfolios continuously for more than 25

years, a record of service in this State. He was President of the Legislative Council from 1967 until 1975.

I know that you will join me in expressing sympathy to the relatives of these past Members. Each made a noteworthy contribution to the conduct of Parliament and Government in this State.

3. My Government is well-prepared for the demands which are emerging as part of the economic and social pattern which will shape all our lives into the last decade of the twentieth century.

4. It is aware of the mounting pressures; of the need to realistically assess South Australia's place in the national and international economies; of the concerns of many people worried about their ability to cope with changes in their family budgets.

5. My Government is working to achieve a confident, vibrant economy which reflects the interests of a progressive, outward-looking, multicultural community.

6. Essential in this development are industries tuned to the demands of an export culture, with workforce and management properly equipped with the skills needed to develop products for markets outside our State.

7. Four years ago a set of principles was established as the core for my Government's economic strategy. Those principles have served as guidelines for successful initiatives, which are now being linked into the next phase of economic development in South Australia.

8. Balanced against the need to stimulate development of long-term projects and enterprise in this State, are guidelines which clearly recognise the fragility of our natural environment.

9. Environmental issues continue to be a central concern of my Government and the community. This commitment, reflected in such measures as controls over native vegetation clearance, will be supplemented by new legislation covering pollution of the marine waters of our State and measures to provide for aquatic reserves for the ongoing protection of our State's valuable fish resources.

10. My Government recognises the value of rural land, and the immense problems caused by land degradation in our State. With an annual loss to South Australia of some \$80 million in agricultural production, land use has emerged as a crucial area of agricultural management. The Soil Conservation and Land Care Bill has been developed by my Government to assist in the control of soil, land and water

degradation throughout the State. A feature of the Bill is the active involvement of land holders and community groups in developing district plans for land management and conservation in their areas.

11. My Government, in concert with Federal Government plans, will be encouraging a much expanded rural and domestic tree planting programme.

12. In a wider area of development, my Government's work to realise the potential of the non-metropolitan regions of South Australia will be enhanced as part of a regional development policy this financial year. Regional development committees are being established with the aim of working with the Government to promote local economic development.

13. Again I am pleased to report on a very promising outlook for our agricultural sector. Wool prices have declined recently, but are still forecast to remain high, with increases for most crop, meat and dairy commodities.

14. Wheat production continues as the major grain enterprise in South Australia, with our State producing around 13% of the national crop. Legislation will be introduced during this session to enable the Australian Wheat Board to compete in intra-State trade, in line with the deregulation of domestic wheat marketing arrangements across Australia.

15. At this stage the outlook for agricultural production in South Australia is promising, with good opening rains in most districts.

16. During this session of Parliament two important Capital Works relating to water quality will be commissioned—Stage One of the Happy Valley Water Filtration Plant and the Finger Point Sewage Treatment Works. Happy Valley will bring the benefits of filtered water to 400,000 people in suburban Adelaide, while Finger Point will enable Mount Gambier's domestic and industrial wastes to be fully treated.

17. New laws will ban the use of substances harmful to the ozone layer, in line with agreed international and national standards. There will also be new regulations covering controls of chemical spray drift and the sulphur content of petrol.

18. My Government is concerned to clarify the assessment process where development plans involve environmentally sensitive areas.

19. To this end, amendments will be introduced to the Planning Act to update the assessment process and to help ensure that sound developments can play a role in expanding our State's economic and employment base.

20. Home ownership remains a realistic goal for South Australians, due to a number of factors including the orderly release of land and the continuing comparatively low cost of housing compared with other States. My Government will continue to assist families experiencing difficulties as a result of high interest rates or other economic pressures through the Interest Rate Protection Plan and the Mortgage Relief Scheme. My Government is also currently negotiating details of the Commonwealth/State Housing Agreement with the Federal Government.

21. My Government is addressing a number of concerns associated with the application of the law, and the ability of Police to effectively perform their duties.

22. The power of Police to apprehend people who have committed serious crimes will be enhanced by an amendment to the Summary Offences Act 1953. This will enable Police to establish road blocks when they believe they have reasonable grounds in searching for a person suspected of having committed a major offence.

23. A Bill to make amendments to the Crimes (Confiscation of Profits) Act 1986 will be introduced. The Bill will significantly increase existing powers relating to the confis-

cation of the proceeds of crime. The Bill will include provisions relating to restraining orders, money laundering, and notoriety for profit.

24. A Bill to amend the Children's Protection and Young Offenders Act 1979 will enable the Children's Court to sentence children to perform community service as a sentencing option in its own right. For example, children who damage school property may be required to participate in a work project at the school involved.

25. The Wrongs Act, 1936, will be amended to provide that where a court is satisfied that the acts or omissions of the parents of a child under 15 have materially contributed to the criminal conduct of the child, parents will have to pay a proportion of any loss or damage caused by their child.

26. As a matter of urgency, my Government will introduce a Bill to amend the Sentencing Act to settle beyond doubt that it has been Parliament's intention, since enactment of Section 302 of the Criminal Law Consolidation Act, that a court, when sentencing an offender, can take into account the remissions an offender is likely to earn.

27. My Government remains strongly committed to the thorough examination of corruption allegations aired publicly in various forums. An office of the National Crime Authority has been established to investigate these allegations, and the alleged corruption of public officials, including Police Officers, also will be the subject of investigation by the new Anti-Corruption Branch of the Police Department.

28. Access to personal records and the protection of individual privacy are important Government achievements. Since July 1, this year, South Australians have had access to their personal records held by Government agencies. The Government's adoption of information privacy principles which bind all State public sector agencies also covers the gathering, storage, use and disclosure of personal information. A Privacy Committee will monitor implementation of the privacy principles, deal with complaints, provide information generally on privacy matters and oversee access by researchers to information held by Government.

29. The influence of the work being done by my Government's Social Justice Unit will increasingly be reflected in changes to regulations and new laws. The Unit, established as part of the Cabinet Office in 1987, has worked with Government agencies in identifying areas in need of special funding and attention. The Unit has been particularly concerned with assessing family responsibilities, developing employment opportunities, and improving services for Aborigines.

30. This State continues to reflect its concern in many areas of social concern, from children in difficult family situations to the problems facing our elderly community. The Department for Community Welfare is receiving special funding to help young people at risk through abuse, neglect, family breakdown, or homelessness. Nearly 200 community members have been recruited and trained as part of the Intensive Adolescent Support Scheme. These helpers act as informal counsellors to provide intensive support in areas where children are experiencing difficulty.

31. My Government continues to respond positively to the problems facing our elderly population, clearly recognising that this State has the country's oldest population. It is concerned that our community develops a sympathetic and responsive attitude to the elderly, incorporating services which are relevant and targeted. Having established the first Commissioner for the Ageing in 1984, my Government has now appointed South Australia's first Minister for the Aged, and passed the Retirement Villages Act. This session it will

introduce new regulations that will make it mandatory for prospective residents to be given full disclosures about their rights and obligations in dealings with retirement villages. My Government has also announced its intention to introduce legislation to amend the Equal Opportunity Act to make it unlawful to discriminate on the basis of age.

32. My Government will reintroduce a Bill to amend the Equal Opportunity Act, 1984 to make it unlawful to discriminate against a person on the grounds of intellectual impairment in the fields of employment, education and the provision of goods, services and accommodation.

33. My Government has upgraded the status of the South Australian Ethnic Affairs Commission by creating a new Office of Multicultural and Ethnic Affairs to strengthen the focus on economic, social and cultural issues. Appropriate legislative amendments will be introduced in this Parliamentary session to reflect the proposed broader charter for the Commission. My Government has also approved the consolidation of the Office's Language Services Branch at one location. This will permit more effective scheduling of permanent staff and improve productivity.

34. For very young children and their families, my Government is pleased that agreement with the Federal Government will provide a major expansion of child care over the next three years. Some 1,700 places in out-of-school care are to be provided, against a backdrop of significant increases in children's services during the past financial year.

35. My Government continues with a progressive plan covering the demand for health services within our State. Construction of the new \$18 million Noarlunga Hospital and the \$21 million theatre complex at the Royal Adelaide Hospital has commenced, along with major redevelopments at the Riverland Regional Hospital at Berri and the Child Health Research Institute. This financial year will see work begin at the Port Pirie Regional Health Service, at the Marion Community Centre, at Hillcrest Hospital, the Adelaide Medical Centre for Women & Children, and a major upgrading of the Queen Elizabeth Hospital.

36. Metropolitan hospitals have been given a major funding boost of \$46 million over four years, with the first instalment aimed at upgrading equipment and meeting increased demand. This financial package will also ensure that our State hospital system maintains its reputation as the best and most efficient in the country.

37. My Government will continue its programme of revision and modernisation of health professional registration Acts. Changes are planned to legislation governing chiropractors, physiotherapists, pharmacists and psychologists.

38. My Government welcomes the continuing development at the Australian Submarine Corporation headquarters at Port Adelaide, where construction of the first submarine in the current programme is expected to begin next month.

39. Major benefits will flow to our State's defence industry sector with the awarding of the ANZAC Ship Contract. Both major consortia have estimated that work in the order of \$500 million will be placed in this State, regardless of which group wins the contract.

40. My Government is continuing, with the Federal Government, in developing plans to commercialise the Woomera Instrumented Range. It is expected that a viable business plan, involving many aspects of civil and aerospace technology, will emerge from studies by industry during the next twelve months.

41. The supply of natural energy continues to highlight exploration and development programmes in South Australia. Discoveries of natural gas at the Katnook 2 and

Ladbroke Grove wells south of Penola may enable gas to be distributed to Mount Gambier and surrounding centres.

42. As an important component in ensuring provision of energy supplies, my Government has negotiated new gas contracts with the Cooper Basin producers which guarantee South Australia supply of gas for the next five years, and provide for ongoing contracts to be achieved by the end of 1991.

43. A major development in the whole area of natural resources was the official opening by the Premier on November 5th last year of the Roxby Downs project. Since then a steady stream of product, including copper, uranium, gold and silver bullion, has been exported from South Australia.

44. My Government recognises the increasing importance of sea links, and the need for our State to increase its competitive edge in cargo handling. Consistent with recommendations from the National Enquiry Into The Waterfront, my Government is continuing to implement a range of initiatives to improve efficiency. As well, the Department of Marine & Harbors, working closely with the Chamber of Commerce & Industry, has helped increase the frequency of calls by container ships between Port Adelaide and Europe. It is expected that a new service between East Asia and Port Adelaide will be introduced in the coming year.

45. At the heart of my Government's initiatives in helping expand the scope and potential of South Australian enterprise is a commitment to a broad vision of education. A key goal in these State-wide strategies is the development of a stronger relationship between schools and industry. The development of Australia's first School of the Future at Technology Park will ensure that students have access to the latest developments associated with industry demand, while an increasing number of mainstream schools are developing study programmes more strongly linked to the workplace.

46. During this financial year my Government will continue to fund employment and training programmes to assist those most disadvantaged in the labour market to gain employment. Apprenticeships and traineeships have shown steady growth, and these programmes will continue to provide major points of entry for young people into the workforce. The expansion of group training schemes into the southern suburbs and the mid-north of the State will continue my Government's commitment to providing employment opportunities for young people throughout the State.

47. My Government has continued its emphasis on ensuring the prevention of injury and disease in the workplace. This will be further reflected in regulations to be laid before both Houses to control occupational health risk due to hazardous substances.

48. In the area of road safety, my Government will cooperate with the Federal Government in implementing new national legislation to control the standards of vehicles entering the Australian market. Heavy vehicle safety is recognised as a matter of public concern, and attention will be given to further ensuring that heavy vehicles are maintained in a safe, roadworthy condition.

49. Tourism is now one of South Australia's most important industries, with the value of capital investment in this State at its highest ever level. My Government will sustain the increased level of domestic tourism advertising and promotional activity begun in 1988 and will capitalise on opportunities associated with increased international air access to Adelaide. Sixty per cent of major conferences and conventions are now held with parallel exhibitions. My Government has responded to this demand by building an

Exhibition Hall to supplement the Adelaide Convention Centre. Construction will be completed early in the new year and first bookings have been taken for March 1990.

50. Adelaide will be the centre of sporting attention in October with the Second Australian Masters Games. About 6,000 mature-age athletes are expected to attend. This event further demonstrates how the development of first-class facilities in South Australia is being recognised in other States and by international sporting groups.

51. I now declare this session open and trust that your deliberations will be guided by Divine Providence to the advancement of the welfare of the people of this State.

The Governor retired from the Chamber, and the Speaker and members of the House of Assembly withdrew.

The President again took the Chair and read prayers.

[Sitting suspended from 12.49 to 2.30 p.m.]

PETITION: BRIDGEWATER RAIL SERVICE

A petition signed by 49 residents of South Australia praying that the Legislative Council urge the Government to establish a rationalised rail service to Bridgewater with the aim of providing an effective commuter facility, plus support for the tourism industry in the Mount Lofty area, was presented by the Hon. M.B. Cameron.

PUBLIC WORKS COMMITTEE REPORTS

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

Adelaide Entertainment Centre,
Princes Highway (Taillem Bend-Poltallock Plains)—
Upgrading and Reconstruction,
Roseworthy Agricultural College—Library Resource
Centre,
Science Park Adelaide,
State Transport Authority—Expansion of St Agnes Bus
Depot, South Road—Upgrading and Reconstruction,
Castle Street to Daws Road.

PAPERS TABLED

The following papers were laid on the table:

By the Attorney-General (Hon. C.J. Sumner)—
Industrial Relations Advisory Council—Report, 1988.
Rules of Court—
District Criminal Court—Local and District
Criminal Courts Act—Pre-trial Conferences.
Local Court—Local and District Criminal Courts
Act—Forms.
Interlocutory Judgment.
Supreme Court—Supreme Court Act—
Interest Rate Review.
Motion to Quash and Subpoenas.
Professional Conduct.
Juries Act 1927—Rules—Trial by Judge.
Justices Act 1921—Rules—Witness Fees.
Workers Rehabilitation and Compensation Act 1986—
Workers Compensation Appeal Tribunal Rules—
Deputy President.
Acts Republication Act 1967—Schedules of Altera-
tions—
Children's Protection and Young Offenders Act
1979.
Correctional Services Act 1982.
Cultural Trusts Act 1976.
Police Act 1952.

South Australian Heritage Act 1978.
State Transport Authority Act 1974.
Regulations under the following Acts—
Boilers and Pressure Vessels Act 1968—Fees.
Classification of Publications Act 1974—Sydney
Tramway Museum.
Criminal Law Consolidation Act 1935—Witness
Fees.
Dangerous Substances Act 1979—Fees.
Electoral Act 1985—Return Date.
Explosives Act 1936—Fees.
Financial Institutions Duty Act 1983—Funds
Transfer Services.
Harbors Act 1936—Grand Prix Power Boat Race.
Local and District Criminal Courts Act 1926—
Unsatisfied Judgment Summons.
Marine Act 1936—Certificate of Competency
Exemption.
Occupational Health, Safety and Welfare Act 1986.
Commercial Safety—Fork Lifts, Construction
Safety—
Fees.
Fork Lifts.
Earth Leakage Protection.
Industrial Safety—Fork Lifts.
Registration of Workplaces—Fees.
Police Act 1952—Rank, Qualifications and
Appeals.
Superannuation Act 1988—Commutation of Pen-
sions.
Trustee Companies Act 1988—Returns.
Worker's Liens Act 1893—Fees.

By the Minister of Consumer Affairs (Hon. C.J. Sum-
ner)—

Regulations under the following Acts—
Births, Deaths and Marriages Registration Act
1966—Fees.
Builders Licensing Act 1986—
Fees.
Indemnity Exemption.
Indemnity Insurance.
Sumitomo Aust. Ltd.
Commercial and Private Agents Act 1986—Fees.
Commercial Tribunal Act 1982—Fees.
Consumer Credit Act 1972—Fees.
Consumer Transactions Act 1972—Fees.
Fees Regulations Act 1927—Places of Public
Entertainment Fees.
Goods Securities Act 1986—Fees.
Land Agents, Brokers and Valuers Act 1973—
Fees.
Real Estate Institute.
Liquor Licensing Act 1985—Fees.
Places of Public Entertainment Act 1913—Fees.
Second-hand Motor Vehicles Act 1983—Fees.
Trade Measurements Act 1971—Fees.
Travel Agents Act 1986—Fees.

By the Minister of Corporate Affairs (Hon. C.J. Sum-
ner)—

Regulations under the following Acts—
Associations Incorporation Act 1985—Fees.
Business Names Act 1963—Fees.
Co-operatives Act 1983—Fees.

By the Minister of Tourism (Hon. Barbara Wiese)—
Animal and Plant Control Commission—Report, 1988.
Lyell McEwin Health Service Superannuation Fund—
Report, 1987-88.

Forestry Act 1950—Variation of Proclamation—
Hundred of Talunga—County of Adelaide—Mount
Crawford Forest Reserve—Resumption of.

Regulations under the following Acts—
Controlled Substances Act 1984—
Drugs of Dependence—Pentazocine.
Poisons—Pentazocine.
Prescription Drugs—Pentazocine.
Drugs Act 1908—
Chiropodists.
Pentazocine.
Fisheries Act 1982—
Aquatic Reserves.
Coorong Mulloway Fishery.
Exotic Fish, Farming and Diseases Permit.
Fish Processors—Registration Fee.
Lakes and Coorong—Licence Fee.

Licence Fee.
 Marine Scale Fishery—Licence Fee.
 Recreational Net and Pot Fee.
 Restricted Marine Scale Fishery—Licence Fee.
 Sales and Protected Fish.
 Gas Act 1988—Examination Fees.
 Health Act 1935—Nursing Home Staffing.
 Mines and Works Inspection Act 1920—Fees.
 Mining Act 1971—Mining Register and Claims.
 Physiotherapists Act 1945—Registration Fees.
 Psychological Practices Act 1973—Registration Fees.
 Soil Conservation Act 1939—Districts and Voting.
 South Australian Health Commission Act 1976—Adelaide Medical Centre for Women and Children.
 Government Hospital Revocation.
 Onkaparinga District Hospital.

By the Minister of Local Government (Hon. Anne Levy)—

Flinders University of South Australia—
 Report, 1987.
 Amendments to Statutes.
 Research Report, 1987.

Director-General of Technical and Further Education—
 Report, 1988.

Senior Secondary Assessment Board of South Australia—
 Report, 1988.

Teachers Registration Board of South Australia—
 Report, 1988.

Planning Act, 1982—
 Crown Development Report—St Agnes Bus Depot.
 Rules—Planning Appeal Tribunal—Appeals.

National Trust of South Australia Act—Rules—
 Postal Ballot.

Racing Act, 1976—Rules—
 Trotting—
 Appeals.
 Claiming Races.
 Compensation and Suspensions.
 Fees.
 Servicing.
 Greyhound Racing—Appeals.

Regulations under the following Acts—
 Bills of Sale Act 1886—Fees.
 Clean Air Act 1984—Licensing and Transfer Fees.
 Crown Lands Act 1929—Fees.
 Dog Control Act 1979—Councils and Registration.
 Fees Regulation Act 1927—Water and Sewerage Fees.
 Industrial and Commercial Training Act 1981—
 Mechanical Services Plumbing.
 Local Government Act 1934—Land Use.
 Metropolitan Taxi-Cab Act 1956—
 Fares.
 Temporary Licence Fees.

Motor Vehicles Act 1959—
 Licence Classifications.
 Mass Limits.
 Registration and Licence Fees.
 Search Costs.
 Towing Fees.

Pastoral Act 1936—Fees.
 Planning Act 1982—Mount Gambier Development.
 Real Property Act 1886—
 Land Division Fees.
 Registrar's Fees.

Registration of Deeds Act 1935—Fees.
 Roads (Opening and Closing) Act 1932—Fees.
 Road Traffic Act 1961—
 Central Eyre Peninsula Hospital.
 Declared Hospitals.
 Flagstaff Road.
 Inspection Fees.
 Mass Limits.
 Reversible Lane Flow (Amendments).

Sewerage Act 1929—
 Connection and Examination Fees.
 Restrictions on Pipes.

State Transport Authority Act 1974—
 Conduct of Passengers.

Strata Titles Act 1988—Fees.
 Summary Offences Act 1953—
 Mass Limit Infringements.

Surveyors Act 1974—
 Fees.
 Survey.
 Tertiary Education Act 1986—
 Institute of Language Revocation.
 Water Resources Act 1976—Fees.
 Waterworks Act 1932—
 Connection and Examination Fees.
 Meter Testing.
 Restrictions on Pipes.
 West Beach Recreation Reserve Act 1987—
 Definitions, Vehicles and Waste.

Corporation By-laws—
 Noarlunga—
 No. 12—Playgrounds.
 No. 29—Repeal.

Port Lincoln—No. 19—
 Bathing and Controlling the Foreshore.

Renmark—
 No. 35—Dogs.
 No. 43—Poultry.

Walkerville—
 No. 7—Bees.
 No. 9—Garbage Bins.

District Council By-laws—
 Blyth-Snowtown—No. 30—Dogs.
 Meningie—No. 29—Camping.
 Robe—No. 27—Dogs.

By the Minister for the Arts (Hon. Anne Levy)—

Art Gallery of South Australia—
 Reports, 1985-86, 1986-87, 1987-88.

Northern Cultural Trust—
 Report, 1987-88.

South East Cultural Trust—
 Report, 1987-88.

South Australian Museum Board—
 Report, 1987-88.

QUESTIONS

COUNCIL BOUNDARIES

The Hon. M.B. CAMERON: I seek leave to make a brief statement before asking the Minister of Local Government a question about the Henley and Grange council.

Leave granted.

The Hon. M.B. CAMERON: It was indicated on about 20 July that the Minister had before her recommendations concerning submissions affecting the Henley and Grange, Woodville and West Torrens councils.

The recommendations have not been made public. Certainly, the Minister appears reluctant to disclose those recommendations, unlike the haste with which she dealt with the Mitcham proposals.

The Minister said that she had deliberately tried to get the recommendations on Mitcham to Cabinet quickly because a lot of people were asking when they would get a Government decision on the proposals before the commission. My questions are:

1. When did the Minister receive the report of the Local Government Advisory Commission in relation to the Henley Beach boundaries?

2. Will the Minister explain why she felt obliged to present the Mitcham proposals to Cabinet post haste and then have them proclaimed and announced and yet has failed to act with the same haste on Henley and Grange?

3. What is the difference between Henley Beach and Grange? Why was there a delay in making those proposals public? The Minister appears to have had them for about the same period.

4. Will the Minister table the recommendations on Henley and Grange forthwith so that the people of that area may know what is proposed so that they may respond appropriately to those proposals?

The Hon. ANNE LEVY: I cannot recall the exact date on which I received the report from the Local Government Advisory Commission in relation to the Henley and Grange

proposals. However, I can assure the Council that I followed exactly the same procedure as I followed with the proposals regarding the Blackwood area; in other words, I read the report and promptly sent it off to the Cabinet office.

Considerable concern was expressed a few days later regarding the proposals relating to the Blackwood Hills. I became concerned that the controversy building up in the Blackwood Hills area was such that any new City of Flinders would be starting off with a great deal of divisiveness in the community, and that was hardly likely to be productive in terms of the establishment of a new city council.

In consequence, I announced at the same conference that I was referring to the Local Government Advisory Commission a proposal regarding the Blackwood Hills area and that, at the same time, I was referring the Henley and Grange proposals back to the commission so that it could reassure itself that sufficient consultation had occurred also in that area.

The Local Government Advisory Commission has, since its establishment, delivered 34 reports prior to the report on Mitcham. It has followed exactly the same procedure for its deliberations in relation to those 34 matters. However, obviously in relation to the Blackwood area, there was a feeling amongst a number of people that there had not been sufficient consultation and that they had not had an opportunity to express their views, or had not taken advantage of opportunities to do so. I felt that, if we are looking at the question whether sufficient consultation had occurred, that exactly the same procedure should apply to the proposals regarding the Henley and Grange council.

The Hon. M.B. CAMERON: I seek leave to make an explanation before asking the Minister of Local Government a further question about the City of Henley and Grange.

Leave granted.

The Hon. M.B. CAMERON: I have received a copy of a document which forms the City of Henley and Grange council's response to proposals by the cities of Woodville and West Torrens to extend the external boundaries of their municipalities. I will read some of the document because I think it gives some indication of why the people of this area would like to see exactly what is proposed. The document reads:

The cities of Woodville and West Torrens have proposed to the Minister of Local Government that the City of Henley and Grange be abolished. The city is to be divided along the line of Henley Beach Road, the northern portion going to Woodville and the southern portion to West Torrens. The proposal is neither an adjustment of boundaries nor an amalgamation as such. However, it has the characteristics of an amalgamation in that the whole of the existing local government structure within the City of Henley and Grange will need to be liquidated and the functions absorbed into the existing structures of the cities of Woodville and West Torrens. However, unlike an amalgamation, there will not be the creation of a new council in which a former local Government authority in effect works cooperatively with one or more other authorities amalgamated in a new council area.

Woodville and West Torrens do not propose to amalgamate but to remain as separate councils. There will therefore be a loss of the local government structure to which Henley and Grange has been used to for over 70 years which will not be replaced by a new council in which Henley and Grange would be a 'partner'. In these special circumstances great weight should be given to the views of the residents of Henley and Grange. These views are also a guide to the strength of the community of interest. Since the City of Henley and Grange submitted its proposal in February 1988 it has undertaken a postal survey of all households in its city. . . . It is significant that of the 33 per cent that returned the questionnaire, 77 per cent opposed the City of Henley and Grange being absorbed by Woodville and West Torrens councils. . . .

The Minister did not answer my previous questions in relation to the report, so I will ask them again: why have not the recommendations in relation to Henley and Grange

and the other councils been made public? Surely the best way for the people of Henley and Grange to be able to comment and for information to be received from them is for the recommendations to be now made public. Is the Government, by some chance, sitting on this report because of the controversy that might occur in a marginal Labor seat?

The Hon. ANNE LEVY: I have already indicated that the proposal relating to decisions of the commission in respect of the Henley and Grange proposals—and there was not just one proposal; there were three different proposals relating to that area—have been referred back to the commission.

The Hon. M.B. CAMERON: Why don't you refer them to the people?

The PRESIDENT: Order!

The Hon. ANNE LEVY: They have been referred back to the commission along with the proposal relating to the Blackwood Hills. I did not feel that it would be correct to treat one area of metropolitan Adelaide differently from another area of metropolitan Adelaide. Furthermore—and I am sure the honourable member would understand this—any proposal that I receive from the Local Government Advisory Commission cannot be released publicly until it has been to Cabinet. The Henley and Grange proposal has not been before Cabinet. It has been referred back, in the same way as the proposal in respect of the Blackwood Hills has been referred back, to the Local Government Advisory Commission.

The Hon. M.B. CAMERON: I have a supplementary question. In view of the Minister's statement that one area should not be treated differently from another area, does she not agree that there is already a difference in treatment because at least the people of Mitcham know exactly what will happen to them? In line with what the Minister just said, would it not be fair if she now disclosed to the public exactly what the proposals are for Henley and Grange so that it might be treated on an equal basis and have some idea about what it is putting forward proposals on?

The Hon. ANNE LEVY: The proposals—and there are three different proposals—relating to the Henley and Grange area have been referred back to the Local Government Advisory Commission, as has a proposal relating to the Blackwood part of Mitcham council. Until the commission reports to me, there is no proposal to take to Cabinet, to make public, or to do anything else with. The Local Government Advisory Commission has these proposals for its consideration.

The Hon. L.H. DAVIS: I seek leave to make a brief explanation before asking the Minister of Local Government a question about council boundary changes.

Leave granted.

The Hon. L.H. DAVIS: As the Minister well knows, the people of Mitcham were outraged following the announcement of the new City of Flinders without any effort to place the recommendations before the people of the areas affected by those proposed council boundary changes. The Minister attempted to excuse her failure in the following press statement, in the *Advertiser*, of 15 July:

The Local Government Advisory Commission had looked at the boundary change proposal for 18 months. In that time they advertised widely to get people to come and put their point of view. She said advertisements seeking public opinion on the boundaries had been placed in metropolitan and local newspapers on 13 occasions and the commission had held several public meetings. She said the recent Fitzgerald inquiry findings had stressed the importance of an independent commission deciding boundary changes.

The Minister then took an extremely hard line and said the plan had the signature of the Governor, Sir Donald Dunstan, and therefore was final.

The Minister is reported to have indicated that she had received the commission's recommendation on Friday 16 June. On Monday 19 June it had been sent to the Cabinet office and on the following Monday Cabinet had made its decision. Three days later the recommendation had been proclaimed by the Governor, Sir Donald Dunstan, and was final. The Minister went on to say that she had deliberately tried to get the recommendation to Cabinet quickly because 'a lot of people were saying when are we going to get a Government decision on the proposals before the Commission?' She also said that the public had had plenty of time to voice opinions about the boundary changes during the commission's 18-month inquiry, and that the commission's decision came at the end of a long period after looking at three proposals and that those proposals were made public—people could have had their say then. The same day the Minister is reported to have said:

I fail to see the point of having a poll. If Mitcham council wanted to hold a poll it certainly could have had one. The Governor of South Australia has signed the proclamation and that is that.

The Minister had spoken! My questions to the Minister are as follows:

1. Will the Minister explain why Mitcham council would hold a poll and be subject to its expense when it had no idea what the recommendations would be? Does the Minister not agree that a poll should be based on actual recommendations; otherwise it would be quite meaningless? I add that Mitcham council did consult its ratepayers and the results were overwhelmingly against a division, with 4 100 signatures against, 200 written submissions against and 20 submissions in favour of division.

2. At what stage would the Minister suggest a poll could have been held with ratepayers properly informed about the recommendations when the announcement was made without any notification to Mitcham council?

The Hon. ANNE LEVY: As the honourable member has quoted from my press statement, there was a long period of consultation on the three proposals relating to the Blackwood area. During that period any persons could state their opinion on not just one proposal but all three proposals being considered by the Local Government Advisory Commission. Extensive advertising was carried out, public submissions called for and public hearings held at which people could give evidence. They could also give evidence in private if they wished, and many people took advantage of such opportunities. If it was felt that such a poll was required to determine the views of residents in the area, Mitcham council had the power and the authority to hold such a poll at any time during that period had it wished to do so.

It was not a question of holding a poll, not knowing what the poll was about: three proposals were before the commission. A single poll could have determined the attitude of the residents. As the honourable member indicated, Mitcham council attempted a form of poll by letterboxing part of the Mitcham council area. This poll was criticised by the Local Government Advisory Commission, as can be seen in its reports.

First, the poll can be criticised on the basis of the wording of the questions. Of course, there is also the issue that a poll conducted by putting things in letter boxes is not necessarily an accurate way of determining people's views. The results of that poll were presented to the advisory commission as an indication of the views of residents in the area. Certainly, the postal poll conducted by the Mitcham council

showed that about 4 000 people wished to remain with the Mitcham council.

The advisory commission also had before it a petition signed by about 4 000 people from the same area who, clearly, did not wish to remain with the Mitcham council. In terms of numbers, that was all the evidence the commission had apart from submissions made to it by numerous individuals. The commission in its report indicated that there was division of opinion but that the majority of people in the area had expressed no view one way or the other. Certainly, the Mitcham council could have held a poll at any time during that 18 months had it wished to do so.

The Hon. M.B. Cameron: What on?

The Hon. ANNE LEVY: On the proposals. There were three proposals before the commission and they had been widely publicised in the local press and elsewhere. Certainly, there were proposals that were quite well known and, as I am sure members opposite know, now that I have put to the commission another proposal relating to that area, Mitcham council has announced that it will conduct a poll amongst its ratepayers on the proposal that is now before the commission. The council has announced that 9 September is the date on which that will occur.

The Hon. L.H. DAVIS: Supplementary to that, will the Minister say what was the question asked of the residents of Mitcham who voted in favour of a change of council boundaries—that is, the 4 000 people to whom the Minister referred—and does the Minister approve of that question?

The Hon. ANNE LEVY: I have no idea what the question was, although I am a Mitcham ratepayer. Information circulated by the Mitcham council was not circulated throughout the entire Mitcham council area; it was circulated only to the wards in Blackwood that were concerned with this proposal. I did not receive that information; it was never presented to me. The results were not presented to me, and there was no reason at all why they should have been presented to me. That was a matter for the advisory commission, and the questions and the results were sent to the advisory commission—that was the correct place to send them.

The PRESIDENT: Before we go any further, I want to make clear that I am prepared to observe the customs of the Council whereby the first three questions of the day are asked by the three shadow Ministers in the Opposition ranks. To this time, Opposition members have asked three questions. In addition, two supplementary questions have been asked, but I regard those as being part of the original question. In this instance I am prepared to give the Hon. Mr Griffin the call. However, I draw to the attention of members that they laid down the guidelines and I intend to adhere to them.

The Hon. K.T. GRIFFIN: Thank you, Mr President; I appreciate that. I direct my questions to the Minister of Local Government as follows:

1. Is not the referral by the Minister to the Local Government Advisory Commission of a proposal that the areas of Mitcham and Happy Valley in the new City of Flinders revert to their original boundaries merely a device to take the controversy surrounding the Government's precipitate proclamation of the new boundaries off the political agenda?

2. Is it not true that the referral of the new proposal to the commission gives no guarantee that the new City of Flinders will not go ahead in view of the fact that a proclamation to create Flinders has already been made and presently remains in force?

The Hon. ANNE LEVY: The proposal that I referred to the Local Government Advisory Commission could cer-

tainly be regarded as a device for the Local Government Advisory Commission to again have a look at the question of council boundaries in the Blackwood Hills area. The commission had already had three different proposals regarding that area put to it on which it had reported. To enable the matter to be looked at again I have put to the advisory commission a fourth proposal, which relates to the same areas so that the question could be opened up again. When I announced that I was going to do this I stated—and I am very happy to repeat it here—that the Government takes no stand whatsoever on where the boundaries should be and that, having referred this proposal to the advisory commission, I neither support nor oppose the proposal.

I will certainly not be making a submission to the advisory commission on behalf of the Government. It is a means of enabling further consultation to take place, as it was apparent that many people in the area felt that they had not had the opportunity to give their views on the matter. That was the sole reason for my putting a proposal to the advisory commission: it was so that the consultation which was obviously desired by many people in the area would be able to take place. Of course, I cannot give any guarantee as to what the result will be. The advisory commission is an independent body. Other than the statutory procedures which are laid out in the Act, I have no power whatsoever to direct the advisory commission in terms of what its findings or procedures are to be. It is an independent body.

The Hon. K.T. Griffin: Unless it is advised to the contrary, Flinders goes ahead—because the proclamation has been made.

The Hon. ANNE LEVY: The proclamation has been made and obviously can only be changed by a further proclamation. I will be writing to the commission (I have not yet done so, but I have promised to do so) to draw to its attention that if the current proclamation is to stand the electoral procedures which will be required before 1 July next year will have to be set in place from about mid-March or late March of next year. In view of that fact it would seem to be desirable that the commission report prior to that time. Of course, when the commission reports is a matter for the commission, and certainly not a matter for me, and I feel it would be grossly improper of me to suggest any other procedure to the commission.

ROXBY DOWNS

The Hon. I. GILFILLAN: I seek leave to make a brief explanation before asking the Attorney-General a question about the Roxby Downs indenture agreement and the disclosure of confidential information.

Leave granted.

The Hon. I. GILFILLAN: I have become the possessor of a report entitled 'Personal dose estimations for Olympic Dam's first year of production', by authors M. Sonter and J. Hondros, who I believe are employees of Western Mining Corporation. In their report they identify that there are currently 500 employees at Olympic Dam whom they describe as radiation workers. I quote the following two paragraphs under the section headed 'Radiation exposure pathways':

Occupational exposure to ionizing radiation in the mining and milling of uranium ores is a potential long-term health hazard and, as such, must be monitored and controlled.

It should be noted that radiation is only one of a number of potential hazards. Others include exposure to gases, noise and ordinary industrial safety hazards such as entanglement in machinery.

In the mining and milling of uranium ore, there are four pathways by which a person working with radioactive substances

can receive radiation exposure: gamma irradiation, inhalation of radon daughters, inhalation of dust containing long lived alpha emitters, and ingestion of radioactive dust. Inhalation of dust and radon daughters and irradiation by gamma each contribute roughly one-third of the total radiation dose for mine workers. For workers involved in the milling of the ore, approximately 75 per cent of the dose is due to inhalation of long lived alpha radiation in dust and 25 per cent is due to gamma irradiation.

This report has been compiled by Western Mining Corporation. There is no reference in the report to the Government or to the Health Commission. I remind the Council that recently there has been a public dispute between the Government, in particular, the Minister of Health, and the Deputy Premier urging disclosure of material, which is being contained as confidential under section 35 of the indenture, which reads:

No party shall make public any information provided by another party hereto pursuant to this indenture without first obtaining the consent of the relevant party, and shall have due regard to any interests, obligations or commitments of that relevant party in relation thereto.

Dr Hoggood has expressed publicly his deep concern that material has been kept confidential purely on the use of that section and the refusal by the joint venturers to permit release. Senator Richardson, the Federal Minister for the Arts, Sport, the Environment, Tourism and Territories, has bought into the act and has indicated that the Federal Government feels so strongly about the matter that it might intrude.

That intrusion, I remind the Council, was quickly rejected by the Minister of Mines and Energy (Mr Klunder), reflecting what has been, I think, a very protective role played by the Mines Department in relation to Roxby Downs. To the Government's credit, it is still putting pressure on the joint venturers to release information. To those of us who are not privy to these matters there is deep concern—and this applies in this place and to the public at large—that information is being kept from public disclosure as a result of section 35 in the indenture. Can the Attorney-General define for the Council the areas relating to confidential information that is currently being kept confidential under the imposition of section 35?

The Hon. L.H. Davis interjecting:

The Hon. I. GILFILLAN: Mr President, may I have a little protection? I find it very difficult to concentrate.

The PRESIDENT: Yes, the honourable member is entitled to ask his questions in silence.

The Hon. I. GILFILLAN: The Health Commission has been undertaking separate monitoring exercises at Roxby Downs, and I understand that these are quite extensive and involve ongoing monitoring. Is the data from this monitoring currently suppressed by section 35 of the indenture? If not, would the Government release those details? If they are contained confidentially under section 35, as well as the other material which Dr Hoggood considers should be released as a matter of prime importance, would the Government support a move to amend the indenture Act so that section 35 will no longer provide this screen of confidentiality and secrecy behind which the joint venturers are hiding?

The Hon. C.J. SUMNER: I cannot answer all those questions, which I will refer to the appropriate Minister. As for the last question regarding whether to introduce legislation to amend the indenture Act, it is a matter of general Government policy, and it would have to be considered by the Government. Such a decision is not taken lightly, because investors and developers come to this State and make their investment on the basis of legislation passed by the Parliament; that is, legislation approved by the elected representatives of the people. Unless exceptional circumstances

arise—and they do from time to time—so that indentures should be changed, the decision to introduce legislation to amend an indenture is not one that can be taken easily.

With respect to the honourable member's explanation, he read from a letter or report allegedly written by two employees of Western Mining Corporation. He indicated from that letter that radiation was a hazard. I do not think that is in dispute either in this Parliament or indeed within Western Mining Corporation. We know that radiation is a hazard. The question is whether or not adequate steps have been taken to ensure workers' safety from such radiation. I did not glean from the honourable member's reading of this report that a suggestion had been made that improper or inadequate measures had been taken to protect workers' safety.

The Hon. Diana Laidlaw interjecting:

The Hon. C.J. SUMNER: The honourable member suggests that the Hon. Mr Gilfillan sought to imply that the letter suggested that inadequate measures were being taken. I could not read that from the segment of the letter or report that the honourable member read to the Council. In so far as he said that radiation is a hazard, I agree with him, and I am sure that everyone here would agree with him. Whether or not adequate measures are being taken is another issue, and no doubt he could comment on that. However, the question whether or not adequate measures are being taken is being considered by the Health Commission, as it has an interest in the matter, and by the Government generally. I can say only that I will refer those specific questions relating to the Health Commission's knowledge of the Roxby Downs operation to the appropriate Minister, and the other questions, particularly the last one relating to the indenture Act, to the responsible Ministers, and bring back a reply.

The Hon. I. GILFILLAN: As a supplementary question, does the Attorney agree that the confidential matters regarding the environment and the health of workers at Roxby Downs would be the basis of the extraordinary circumstances to which he referred as being necessary to amend the indenture Act?

The Hon. C.J. SUMNER: Obviously I could not answer that question without considering the issues. I do not think anyone in the Government has the information to make that decision at this stage. Certainly, I do not have the information.

An honourable member interjecting:

The Hon. C.J. SUMNER: Dr Hopgood may have the information. However, I certainly do not have the information to answer that question, without notice, here this afternoon.

SBS

The Hon. M.S. FELEPPA: I seek leave to make a brief explanation before asking the Minister representing the Minister of Ethnic Affairs a question about the SBS service. Leave granted.

The Hon. M.S. FELEPPA: On a recent visit to Port Pirie, I was once again impressed by the great interest shown in that city towards receiving the SBS television service. This interest was straight across all ethnic groups and, I believe, extended to all other Iron Triangle cities. It was therefore pleasing to note that on Wednesday 26 July the Prime Minister, Mr Hawke, at the launch of the Federal Government's agenda for a multicultural Australia, announced that the Government provided the necessary funds for the extension of SBS television to a number of regional areas in Australia, including the Spencer Gulf region.

Has the Minister had any discussion with the Federal Minister in relation to the extension of the SBS service? If so, how much money has been allocated for the extension of this service, and when will SBS be available in the Spencer Gulf region?

The Hon. C.J. SUMNER: I was delighted that the Prime Minister and the Federal Government recently announced the agenda for a multicultural Australia after two years or so of public discussion about the future of multiculturalism in this country. The Federal Government has, with this agenda, outlined a firm and coherent philosophy for the social development of Australia in the foreseeable future. In doing so, it builds on the firm and unwavering commitments which have been made to the notion of multiculturalism and the rights of ethnic minorities in Australia and in South Australia, a process started initially—

Members interjecting:

The PRESIDENT: Order!

The Hon. C.J. SUMNER: —by the Whitlam and Dunstan Governments and followed, I might add, in general terms, at least, by the Fraser Government. However, I remain disappointed that last year the then Leader of the Opposition (Mr Howard) rewrote the Liberal Party platform and policy on multiculturalism.

Members interjecting:

The PRESIDENT: Order! The questions have been asked and they are entitled to be answered. I ask members to come to order.

The Hon. C.J. SUMNER: Thank you, Mr President. I reiterate my disappointment that the then Leader of the Opposition (Mr Howard) wrote multiculturalism out of the Federal Liberal Party program.

I remain disappointed that the present leadership, the new leadership, has not yet revised, revamped or changed in any way the wording of that policy. There have been some statements from Mr Peacock and other spokespersons for the Federal Liberal Party to the effect that a bipartisan approach to ethnic affairs and multiculturalism has been re-established.

However, there is certainly, at this stage, to my knowledge no official statement from the new Leader of the Opposition, Mr Peacock, that the written policies and programs which were developed by Mr Howard and which jettisoned multiculturalism have been overturned. I think that Australians, particularly in the light of the firm commitment from the Hawke Government with its agenda for a multicultural Australia, are entitled to know whether the Howard policy has been jettisoned and, if so, in what way it has been jettisoned and how it has been changed. If the wording remains the same as it was under Mr Howard, then clearly, as I have said before in this Chamber and will repeat as often as necessary—certainly until a bipartisan policy has been established—

Members interjecting:

The PRESIDENT: Order!

The Hon. C.J. SUMNER: —multiculturalism has been removed from the Federal Opposition policy.

With respect to the specific questions raised by the Hon. Mr Feleppa, one of the important aspects of the agenda, as announced by the Prime Minister and the other Federal Ministers involved, was that over a period of time an extension of SBS television will occur. That included an extension of service to the Spencer Gulf.

Members interjecting:

The PRESIDENT: Order!

The Hon. C.J. SUMNER: The Hon. Mr Feleppa asked whether the Minister responsible had discussions with the Federal Minister. I cannot say whether or not that is correct.

I am sure he has had general discussions with him about the approach both Federal and State Labor Parties have taken towards the issue of multiculturalism.

I welcome the announcement of the extension of the SBS service to the Spencer Gulf region. I will refer the honourable member's questions to my colleague in another place so that he can ascertain from the Federal Minister when the SBS service will be available in that region. It is a decision to be welcomed, as indeed is the commitment from the Hawke Government to a firm and coherent philosophy of multiculturalism. I am sure that all members in this Chamber would want to know the policy of the Federal Opposition on this topic. I ask that members opposite expound that policy for the benefit of this Chamber and, indeed, South Australia.

COUNCIL BOUNDARIES

The Hon. J.C. IRWIN: I seek leave to make a brief explanation before asking the Minister of Local Government a question about local government boundaries.

Leave granted.

The Hon. J.C. IRWIN: Some may remember that the whole sorry Mitcham council saga started with a proposal put to the Local Government Advisory Commission in November 1987 by the Minister of Local Government. However, the process was started by a group known as the Blackwood Hills Policy Group preparing a submission of 20 per cent of electors in the area, as allowed for in the Local Government Act, that preparation being helped by officers of the Department of Local Government. The prepared submission appears to have been rejected on Crown law advice. It is extraordinary how Mitcham council is criticised, but not the department, for improper practices and proceedings.

My questions are:

1. Was the Minister's proposal to the Local Government Advisory Commission made to prevent serious embarrassment to her own department, which had helped prepare the Blackwood Hills Policy Group submission?

2. Was the proposal by the Blackwood Hills Policy Group essentially the same as the Minister's proposal, which was referred to the Local Government Advisory Commission?

3. Is there any precedent for a Minister to put a new proposal to the Local Government Advisory Commission, in effect initiating a Local Government Advisory Commission inquiry?

The Hon. ANNE LEVY: I am not sure which proposal the honourable member is referring to. In November 1987, a proposal came from the Blackwood Residents Association. Not being expert in local government matters, it may well have had some assistance, in terms of information, from officers of the department. Alternatively, perhaps the honourable member is referring to the proposal that I put to the commission last week.

The original proposal from the Blackwood Ratepayers Association, accompanied by a petition of 4 000 signatures, was to create a new council area within the Hills to be known as the 'Blackwood council'. The petitioners wished to cease any association whatsoever with Mitcham council and to form their own council. That was the first of the three proposals.

The Hon. J.C. Irwin: I asked you only about the illegal one from the Blackwood Hills, helped by the department. It was taken over by the Minister, who referred her own proposal.

The Hon. ANNE LEVY: No; that was the proposal put forward by the Minister and, again, as with the proposal that I put to the commission last week, the Government neither supported it nor opposed it. It was a technicality to enable the proposal to be considered by the Local Government Advisory Commission. As I understand it, the then Minister of Local Government certainly neither supported nor opposed that proposal. It was a means of getting the proposal, which was supported by a petition of at least 20 per cent of the electors of the area, before the commission. I presume that is the proposal to which the honourable member refers.

The Hon. J.C. Irwin: Yes.

The Hon. ANNE LEVY: It was referred by the then Minister on the same basis as the proposal that I put to the commission last week so that there was a proposal before the commission which it could consider and, as I have said, the Government neither supported nor opposed that proposal. The Government did not make any submissions regarding that proposal, in the same way that the Government has no intention of making any submissions regarding the proposal that I put to the commission last week.

The Hon. J.C. IRWIN: I have a supplementary question. In the last part of my question I asked whether there was any precedent for a Minister putting a new proposal before the Local Government Advisory Commission and in effect initiating a Local Government Advisory Commission inquiry; in other words, starting the whole thing off with the Minister's own submission to the commission. I am not talking about a secondary proposal where it is referred back to the commission; I want to know whether there is a precedent where a Minister has actually started a proposal rather than, as the Act states, waiting for the signatures of 20 per cent of residents to start off the whole process.

The Hon. ANNE LEVY: As far as I am aware, there is no other instance of this having occurred. However, I stress that the proposal from the Blackwood residents which was put to the commission by the Minister cannot be regarded as a ministerial initiation. It was done to enable the proposal put by the Blackwood residents to go before the commission.

Members interjecting:

The PRESIDENT: Order!

The Hon. ANNE LEVY: That was a different question.

Members interjecting:

The PRESIDENT: Order! The question was asked and the Minister is entitled to answer it—in silence, I hope.

The Hon. ANNE LEVY: The other proposals relating to the Blackwood area that were put to the commission included one from the Happy Valley council, and it was to integrate most of two wards, from Mitcham council with the Happy Valley council, to form the City of Flinders. The third proposal which related to the same area came from the Mitcham council itself, and it was to enlarge the boundaries of Mitcham council and take a portion of the Happy Valley council into Mitcham. The first proposal certainly was technically put by the Minister, but it was not at ministerial initiation. It was a means of putting before the commission the Blackwood residents' proposal, which was for a separate Blackwood council quite apart from Mitcham council.

WEST BEACH TRUST

The Hon. PETER DUNN: I seek leave to make a brief explanation before asking the Minister of Local Government a question about the West Beach Trust.

Leave granted.

The Hon. PETER DUNN: I refer to the activities of the West Beach Trust. The Opposition has been aware for some time about concern over the manner in which the trust's activities are being conducted. A report in this morning's *Advertiser* shows that this concern is shared by the Glenelg and West Beach councils, which are represented on the board of the trust yet which profess to be unaware of a lot of what the trust has been doing. It appears that the major problem is the style of operation of the Chairman of the trust, Mr Virgo, who has tended to run the trust without full consultation with the other members. For example, I have been informed that the other members of the trust were given virtually only a minute's notice of the decision in February not to proceed with the Marineland redevelopment.

A number of other important issues have been raised, such as whether the company, Tribond, with which the West Beach Trust entered a 40-year lease agreement in January 1987 to redevelop and operate Marineland, was made fully aware of the rapidly deteriorating state of the Marineland complex before it entered this agreement, the trust's dealings with Tribond after the lease agreement was signed, and particularly long delays in finalising specific aspects of the agreement. There are also unresolved questions about the resignation of some members of the trust's staff, particularly the General Manager, the Marketing Manager and the accountant. This has happened in the past year.

In view of these concerns I ask the Minister, as the Minister responsible for the trust, whether she is satisfied that all members of the trust are being adequately consulted about its activities. If not, is she prepared to ask the Parliamentary Public Accounts Committee to investigate the trust's activities and particularly the manner in which the trust is being run by its Chairman?

The Hon. ANNE LEVY: The manner in which the West Beach Trust conducts its affairs is, I think, a matter for the West Beach Trust. The individual members of the trust are appointed by the two councils. In terms of information going from the trust to the councils, the members of the trust who are appointed by the councils can report back to those councils, make minutes available to them and do whatever they wish in this regard. The financial matters regarding the West Beach Trust are reported on by the Auditor-General, and I suggest that any queries regarding this management should be checked with the Auditor-General's Report to Parliament.

RARE EARTHS PLANT

The Hon. M.J. ELLIOTT: I seek leave to make a brief explanation before asking the Minister of Local Government, representing the Minister for Environment and Planning, a question about the rare earths plant at Port Pirie.

Leave granted.

The Hon. M.J. ELLIOTT: I have in my possession a copy of notice of intent lodged by SX Holdings Limited, which is, I believe substantially-owned by Muswellbrook, in turn owned by Kerry Packer, to carry out a mining operation on an old tailings dam in Port Pirie. That is stage 1 of the operation, and a further two stages are proposed. Stage 1 is to mine those tailings to recover rare earths. In Stage 2 it is intended to bring rare earth concentrates from China and process them at Port Pirie, with stage 3 being a proposal to use monazite, probably from Horsham in Victoria, as a source of rare earths.

The materials involved in both stages 1 and 3 entail working with radioactive elements, the need to dispose of

radioactive wastes at the end, and the possible release of radioactive by-products.

The notice of intent on stage 1 contains several indicated phases. The first phase involves a leaching process, and the proponents go to great pains to point out that they will not disturb the tailings dam and that they will be drilling vertically into the tailings, running seawater through them, and hoping to recover rare earths as leachates from the bottom of the tailings dam.

It is most instructive to read this proposal because there seems to be some vagueness as to how well, or whether, the whole thing will work, because they refer to 'an examination of the possibilities of recovering certain other elements', and say that it is unlikely that any uranium values will show in the liquors. It is hoped that stage 1 will recover 10 per cent of the rare earths. If we read the whole of the phase 1 stage, we see that it contains a great deal of doubt. They even point out that perhaps—

The Hon. C.J. SUMNER: On a point of order, Sir, the honourable member is expressing opinions in his explanation, which should be confined to factual matters. I ask him to comply with Standing Orders in that respect.

The PRESIDENT: That is true, but I am not prepared to rule on it at this stage as some long-winded answers are also given at times. I ask the member to confine his remarks to the explanation.

The Hon. M.J. ELLIOTT: I am glad that you did not take the point of order, Sir, because he was wrong.

The Hon. T. CROTHERS: On a point of order, Sir, the honourable member has just expressed an opinion. He is not permitted to do so. He said that the Attorney-General was wrong and he was, therefore, expressing an opinion.

The PRESIDENT: I am not prepared to accept that the Attorney-General was wrong. I do not want to get involved in a minor debate of this nature.

The Hon. M.J. ELLIOTT: It is suggested that if phase 1 does not work they will go to phase 2, which involves a mining operation in a more conventional sense. Yet, when one reads how the mining operation will be carried out one finds that it is initially proposed to do certain things but there are other options listed. In fact, they are not certain how they will proceed if they go to phase 2.

Local residents have told me that, notwithstanding this incredible level of uncertainty, the Government has not required an environmental impact statement. In fact, the Government has made clear that it will not require an environmental impact statement until stage 3, when monazite from western Victoria will be brought in. In the light of the great uncertainty that is quite clear to anyone who reads the notice of intent—and this is not my opinion—why has an environmental statement not been required? There is the very real risk that so many different options of mining methods are being offered that one does not know what is likely to happen at the end of the day. That is made clear in the notice of intent.

The Hon. ANNE LEVY: I will refer that question to my colleague in another place and bring back a reply.

MAREEBA CLINIC

The Hon. DIANA LAIDLAW: I ask the Minister of Local Government a question relating to the Cabinet decision of 19 July to approve the establishment of the State's first pregnancy advisory service, Mareeba, at Woodville. Is the Minister satisfied that the Woodville council was fully and adequately consulted prior to approval being given by Cabinet? Is that approval in accord with the principles and

objects of the development plan under the Planning Act 1982 as amended? If the Minister has reservations on either count, is she willing to ask Cabinet to defer implementation of its decision until she is satisfied that the council has been fully consulted and has had the opportunity to consider the project in line with the processes that it is required to pursue under the Planning Act regarding all other development proposal applications?

The Hon. ANNE LEVY: I have had no correspondence whatsoever with the Woodville council on this matter. The question is one for the Minister of Health, and I suggest that it be directed to him.

The Hon. J.F. STEFANI: My question is directed to the Attorney-General. In view of the opposition to the pregnancy advisory centre at Mareeba by the endorsed Labor Party candidate for Spence, Mr Atkinson, is the Attorney-General prepared to ask Cabinet to review its decision for the same reasons that the Government overturned a decision to build a maximum security youth detention centre at Gilles Plains to help Labor's candidate for Gilles, Mr McKee, or does the fact that Mr Atkinson was sent to Coventry at the Labor Party seminar at Tanunda last week, the silence in relation to which, I understand, was broken only when the speaker approached Mr Atkinson at the end of the day to observe that Mr Atkinson was about as popular as a pork chop in a synagogue, indicate that—

The Hon. CAROLYN PICKLES: On a point of order, Mr President, the honourable member is not keeping to the subject matter. He is now referring to a person outside this place.

The PRESIDENT: That is true. The honourable member asked for leave to explain a question on Mareeba, and I ask him to confine himself to the subject matter and not enter the field of conjecture.

The Hon. J.F. STEFANI: I did not seek leave to make an explanation; I am asking a question. With your indulgence, Mr President, I will proceed. As it was observed that Mr Atkinson was about as popular as a pork chop in a synagogue, does that indicate that a decision is irrelevant—

The PRESIDENT: Order! I have made a ruling that such comments are conjecture. I imagine that the honourable member has no idea whether or not that is the truth, and it is not related to the question at point. If the honourable member wants to refer to factual matter regarding Mareeba, he is at liberty to do so. I see his comments as conjecture. I uphold the point of order that was raised.

The Hon. J.F. STEFANI: Does that indicate that the Mareeba decision is irreversible?

The Hon. C.J. SUMNER: The honourable member expressed opinions in asking his question—opinions, I might add, that are wrong and out of order, particularly since I happened to be at the event to which the honourable member referred. The fact is that what he said was wrong. The decision relating to Mareeba has been made.

Members interjecting:

The PRESIDENT: Order!

The Hon. C.J. SUMNER: This matter is not my personal ministerial responsibility, but I imagine that the Government would not change its position, the decision having been taken. However, I will refer the honourable member's question to the appropriate Minister in case that Minister wishes to add anything to what I have already said.

CURRICULUM GUARANTEE PACKAGE

The Hon. R.I. LUCAS: I seek leave to make a brief explanation before asking the Minister of Local Govern-

ment, representing the Minister of Education, a question about the Government's supposed curriculum guarantee package.

Leave granted.

The Hon. R.I. LUCAS: Members will be aware of the massive uprising amongst parents and teachers against the Bannon Government's supposed curriculum guarantee package. The Area Principals Association of South Australia has advised the public and the Government of its grave concerns about the package regarding the effect on schools and, therefore, subject opportunities for country students. For example, in its correspondence with the Director-General of Education and the Minister of Education, the association has indicated that schools such as the Keith school will lose 1.3 teachers; Roxby Downs, 1.1; Meningie, 1.1; Cleve, 2.5; Cummins (and I am sure that the Hon. Mr Dunn will be concerned to hear this), 1.1; and Ceduna, 1.7 classroom teachers. The advice of area principals is that, as a result of staff cutbacks under the proposed package, those schools will lose on average eight to nine classes, affecting subject opportunities for students in those areas. In addition, the area principals advise that the administrative time of the principal at the Cooke school will be cut from one to .2. What the Government is saying to the principal at the Cooke school is that, rather than spending all his time trying to administer the school, the principal will, in effect, be able to achieve that administration in one day a week and he will have to go back to teaching for the other four days a week. The Area Principals Association has indicated that a whole range of other area schools have suffered similar administrative cutbacks.

The Hon. Peter Dunn: Yet the Minister has never been to Cooke.

The Hon. R.I. LUCAS: The Minister probably does not know where Cooke is. It is not only the Area Principals Association that has expressed its concern regarding a number of aspects of the Government's proposed curriculum guarantee but also the South Australian Primary Principals Association, representing both city and country teachers. I do not intend to take time today to highlight all the concerns, but one relates to the way in which the Government proposes to allocate staffing over and above the normal school staffing formula.

The Primary Principals Association is so concerned that it believes a number of special and important programs in schools will have to be abolished as a result of the proposed funding cutback by the Bannon Government. Examples outlined to me by primary principals include important programs for gifted and talented students, for dance and drama and in community liaison between schools, staff and parents of students, the latter programs having been important in promoting parents' involvement in schools. These are the sorts of programs that the Bannon Government proposes be abolished under its curriculum guarantee package. The primary principals have highlighted those concerns, amongst others, in their submissions made both publicly and to the Government.

In addition to the specific criticisms of the package—and I have only listed a small proportion of those—the teachers and principals are very concerned at the Government's strong-arm tactics in relation to trying to force or coerce teachers and school communities to, in effect, accept a pig in a poke. The covering letter from the Minister of Education to David Tonkin, President of the South Australian Institute of Teachers, of 18 July, outlines details of the package, which have been responded to publicly and privately by those concerned. The letter also states:

It is an essential condition of acceptance of this offer that the institute agrees (a) that the total package is accepted, including your 'in principle' agreement to those elements yet to be finalised. In appendix B of the paper from the Minister of Education, under the heading 'Position papers tabled by the Education Department', there is a list of papers on utilisation of teaching staff time, part-time promotion positions, mix and management of resources at school level, training and retraining, staff appraisal, and leave management. It then lists further position papers yet to be tabled. So those are not even tabled and obviously they have yet to be discussed. They cover such topics as good teaching practice, devolution of responsibility to schools, performance statements, enhanced delivery of curriculum through technology, recruitment—targeting youth, grievance and dispute-settling procedures at the school level, utilisation of non-teaching staff in schools, and learning programs. Teachers and school communities are obviously very concerned at being asked to vote on and accept a package which includes 'in principle' agreement to all those further position papers which have not as yet even been tabled, and I am advised that in many cases they have not even been finalised within the Education Department.

My questions to the Minister are as follows. Will the Bannon Government make available to the Liberal Party copies of those papers to which I have referred—that is, the position papers that have already been tabled by the Education Department—and also, more importantly, make them available publicly to those teachers and school communities that are concerned about the detail of those position papers? Secondly, how does the Bannon Government justify its claim of providing a curriculum guarantee when, for example, as I have indicated, area schools in particular have indicated that they will suffer staff cut-backs and class cut-backs as a result of the package?

The Hon. ANNE LEVY: I will refer that question to my colleague in another place and bring back a reply.

COMMUNITY WELFARE DEPARTMENT MEDIA CONSULTANT

The Hon. DIANA LAIDLAW: I direct my questions to the Minister of Tourism, representing the Minister of Community Welfare in another place, and they relate to Jeremy Cordeaux's appointment last month as part-time media consultant to the Department for Community Welfare. They are as follows:

1. Was the consultancy contract open for tender and, if not, why was Mr Cordeaux alone offered the consultancy? Was his appointment recommended by the Chief Executive Officer of the Department for Community Welfare, and did the Premier or his department have any involvement in the appointment?

2. What are the terms and conditions of the appointment, including the fee to be paid?

3. Do the terms stipulate that the contract will extend for only six months—until after the next election, perhaps—or does the Minister propose a long-term consultancy arrangement for which Mr Cordeaux has the right of renewal?

4. In view of Mr Cordeaux's comments reported in the *Advertiser* on 29 July, that he is 'committed to improving DCW's lines of communication', does the fee Mr Cordeaux is to receive apply to any period during which he is employed as a radio announcer, thereby representing paid advertising by the department in the guise of general commentary by Mr Cordeaux?

5. Does the Minister of Community Welfare intend to appoint one or more media liaison officers—a publicity and promotions officer and/or community education officer—

to replace the two DCW officers who have been directed to look for new employment positions within the Public Service, since Mr Cordeaux's appointment?

6. Has the Minister identified the officer alleged to have sent him an anonymous letter criticising Mr Cordeaux's appointment and questioning the manner in which it was approved?

7. If not, has the Minister or the Chief Executive Officer pursued the option—which was canvassed by the Deputy Chief Executive Officer in the *Advertiser* of 29 July—of ordering a police investigation, including the fingerprinting of staff, in an endeavour to identify the author of the anonymous letter?

The Hon. BARBARA WIESE: As I understand it, some of the questions that the honourable member has asked have already been replied to—and certainly through the media—but I shall be happy to refer her questions to my colleague in another place and bring back a full report on all those matters.

ELECTORAL REDISTRIBUTION

The Hon. K.T. GRIFFIN: I seek leave to make a brief explanation before asking the Attorney-General a question about electoral redistribution.

Leave granted.

The Hon. K.T. GRIFFIN: On the weekend, the Liberal Leader, Mr John Olsen, raised publicly the matter of the disparity of the numbers on the electoral roll of the various electorates. As at 31 May 1989 the quota of electors was 20 369. The electorate of Fisher was 29.97 per cent over the quota; Florey was 15.15 per cent over; Elizabeth, 17.42 per cent under; Ramsay, 21.99 per cent over; and the electorate of Whyalla was 13.58 per cent under—to name only a few. Mr Olsen proposed a referendum to amend the Constitution to allow for a redistribution after the forthcoming State election, rather than late into the 1990s. The Attorney-General is reported on Monday to have rejected the proposal, but during that same day the Premier did say on radio that the proposition would be considered. My questions are:

1. Who is the public to believe—the Attorney-General or the Premier?

2. Will the Government favourably consider having a referendum at this next election to allow a redistribution to occur after that election to remove the gross disparity between electorates?

3. Does the Attorney-General believe that the gross disparity is reasonable?

The Hon. C.J. SUMNER: The proposition that was initially raised with me was that the Liberal Party proposed that there should be a referendum and a redistribution before the next election. Clearly, that is not a feasible proposition. However, I now understand that the Liberal Party has indicated that it intends to introduce legislation to propose a referendum in conjunction with the next State election relating to changing the entrenched provisions in the South Australian Constitution Act so that there can be more frequent redistributions. That is a matter which will be considered and debated when the Bill is introduced into the House.

However, I think it does need to be said that Mr Olsen, as usual, has made some rather extraordinary statements about this matter. First of all, he has sought to compare South Australia with Queensland. That is absolute rubbish. There is no basis for a comparison. South Australia has a fair mechanism for setting electoral boundaries. It does not

have rigged zones such as exist under National Party Governments in Queensland. There is no basis for such a comparison between South Australia and Queensland. The South Australian boundaries are set by an independent commission which, as the honourable member would well know, was established in 1975 as a result of legislation which was proposed by the Labor Party over many years and which was finally agreed to by this Parliament in 1975. That was agreed to only in 1975 because the Liberal Party for years and years and years opposed electoral reform in this State, when there was a true disproportion of seats between the rural and city areas.

So an independent commission was established. That commission is in place; it has made recommendations relating to the boundaries. The existing boundaries have been in place for only one election. It is obvious that the calculations and estimates made by the Electoral Boundaries Commission at that time were not as accurate as it would have expected. It is now clear that some seats are out of kilter. There is no doubt about that, and that issue has to be addressed. The question is not whether it has to be addressed; the question is how it must be addressed and when it must be addressed. However, had the Liberal Party had any real commitment to electoral reform, it could have provided for a fair electoral system to operate throughout Australia when a referendum was proposed by the Federal Government last year, to ensure fair electoral boundaries throughout our nation. The Liberal Party's position on that was quite clear.

Members interjecting:

The PRESIDENT: Order!

The Hon. C.J. SUMNER: It voted against that referendum.

Members interjecting:

The PRESIDENT: Order!

The Hon. C.J. SUMNER: My position—

Members interjecting:

The PRESIDENT: Order!

The Hon. C.J. SUMNER:—and that of the Labor Party was in favour of that referendum.

Members interjecting:

The PRESIDENT: Order!

The Hon. C.J. SUMNER: I voted in favour of that referendum last year, that would have allowed for a redistribution, and would in fact have compelled a redistribution before the forthcoming election. That was my position on last year's referendum for fair electoral boundaries throughout Australia. I supported it. It would have compelled a redistribution in this State before this forthcoming election. The position of members opposite was to oppose it. That was the Liberal Party's position, and I suspect that all Liberal members here voted against a redistribution and against fair electoral boundaries in Australia, not just in South Australia. They voted against fair electoral boundaries in Queensland, and fair electoral boundaries in Western Australia. So, when Mr Olsen talks about those matters, he is involved in a political stunt.

The Hon. R.I. Lucas: Tell us about Mr Justice Jacobs.

Members interjecting:

The PRESIDENT: Order!

The Hon. C.J. SUMNER: I will tell you about Mr Justice Jacobs. He did not recommend a redistribution before the next election; he specifically did not. However, that did not stop the Leader of the Opposition going on radio this morning and saying that Mr Justice Jacobs recommended that there be a change in the electoral system. He specifically did not recommend a change in the system. He drew the attention of the Speaker, the President, the Opposition and

the Government to a potential effect of the move from three year to four year terms.

So that is what Mr Justice Jacobs, the Chairman of the independent commission, did. I emphasise that Mr Olsen compares South Australia with Queensland, but that comparison is absolutely invalid. If he had any integrity, he would stop making this comparison.

Secondly, Mr Olsen had a chance to vote for a referendum which would have compelled a redistribution, but he opposed it. And, when it was opposed and defeated, he said that it was a vote for commonsense. He could have had it at the time. Now, we have a potential problem with the boundaries and the quotas—

Members interjecting:

The PRESIDENT: Order! There is too much conversation.

Members interjecting:

The PRESIDENT: Order! The Hon. Mr Davis, the Attorney-General has the floor.

The Hon. C.J. SUMNER: There is no doubt that some of the seats are out of kilter, and that matter will have to be examined. Whether or not it is appropriate to have a referendum with this coming election is a matter that will have to be considered. It may be that it will be better to examine the matter after the election and, if there is a problem, address it in a specific referendum dealing with this particular issue. I point to the fact that there has been only one election on the existing boundaries. However, having said that, I should say that the question will be debated. I am surprised that it has been raised in this way as the Liberal Party has indicated that it will introduce the Bill. I would have expected that the matter could be debated when that Bill—

The Hon. K.T. Griffin interjecting:

The Hon. C.J. SUMNER: There is no difference of opinion between me and the Premier on this or any other matter relating to it. When the Bill is introduced the Government's position will be made clear.

MINISTERIAL STATEMENT: ELECTORAL ACT COMPLAINTS

The Hon. C.J. SUMNER (Attorney-General): I seek leave to make a statement.

Leave granted.

The Hon. C.J. SUMNER: On 25 August 1988 I made a ministerial statement on the topic of the role of the Attorney-General, particularly in relation to prosecutions for breaches of the criminal law. Because in our system the Attorney-General may himself be standing for election it is important that the investigation of and any prosecution for breaches of electoral legislation be subject to specific guidelines.

Accordingly, I wish to advise the Parliament of guidelines that I, in consultation with the Solicitor-General, the Electoral Commissioner and the Crown Solicitor, have determined should apply to the handling of complaints involving offences under the Electoral Act 1985.

The Act contains various provisions that establish a number of offences and penalise certain acts or omissions arising out of the conduct of an election. I will not reiterate the substance of the offences here. However, they are to be found in Part XIII (sections 109 to 130) of the Act, and range from bribery, undue influence, interference with political liberty, to electoral advertisements and like material,

and to offences related to the conduct of the election on the polling day itself. Moreover, there is provision in the Act (section 132) to enable the Electoral Commissioner to seek and obtain an injunction from the Supreme Court against a person who has engaged, is engaging, or is proposing to engage in conduct that constitutes a contravention of, or an offence against, a law of the State in its application to elections.

Members should note in this context that the Electoral Commissioner is a statutory office-holder and is not an officer of the Public Service of the State. That officer's removal or suspension is open only to Parliament. In the conduct of elections the Electoral Commissioner (and the Deputy Electoral Commissioner) is independent of the Government of the day in the performance of his functions.

In the period leading up to the December 1985 election a number of complaints were lodged with the Electoral Commissioner and the Attorney-General about advertisements and other materials published by or on behalf of certain candidates. At that time it was decided that it was appropriate for any such complaints to be the subject of investigation by the Crown Solicitor and not by the police. In the final event, the Crown Solicitor recommended to the Electoral Commissioner that no prosecution be brought against any of the persons whose conduct had been the subject of complaint.

Although no specific guidelines were in place before the last election, I now believe it is wise for members and the general public to be aware of the procedures which will be followed in future. A feature of the guidelines is to ensure that relevant investigations are carried out independently and that decisions to prosecute or not to prosecute or to apply for a Supreme Court injunction are the subject of independent advice.

In particular I believe that official decisions in this area should only be made by the Electoral Commissioner acting on the advice and with the assistance of the Solicitor-General or the Crown Solicitor.

Therefore, the relevant officers of the State will be issued with the following 'Instructions for the Handling of Complaints Regarding Offences under the Electoral Act 1985'. The instructions are in these terms:

**INSTRUCTIONS FOR THE HANDLING OF
COMPLAINTS REGARDING OFFENCES UNDER THE
ELECTORAL ACT 1985**

PURPOSE

1. These instructions are intended to regulate the manner in which complaints regarding electoral offences are to be handled and the manner in which assistance is to be afforded to the Electoral Commissioner for the purposes of determining whether or not appropriate legal proceedings are to be commenced in respect of them.

2. In these instructions the expression 'electoral offence' means an offence under Part XIII (sections 109 to 130) of the Electoral Act 1985, and includes conduct that may be the subject of an application by the Electoral Commissioner to the Supreme Court for an injunction pursuant to section 132 of the Act.

COMPLAINT TO POLICE

3. Where a complaint regarding an electoral offence is made to a member of the Police Force the member must direct the complainant to the Electoral Commissioner for the purposes of making the complaint.

RECEIPT AND INVESTIGATION OF COMPLAINT

4. The Electoral Commissioner must reduce or cause to be reduced to writing the particulars of a complaint regarding an electoral offence.

5. The Electoral Commissioner must ensure that a complaint regarding an electoral offence is investigated as expeditiously as possible. For this purpose the Electoral Commissioner will, on request, be given assistance by the Crown Solicitor.

SOLICITOR-GENERAL AND CROWN SOLICITOR

6. When a complaint regarding an electoral offence has been investigated the Electoral Commissioner must seek the advice of the Solicitor-General or the Crown Solicitor. The Solicitor-General or the Crown Solicitor will, if asked to do so, advise the Electoral Commissioner whether an electoral offence appears to have been committed.

7. If an electoral offence appears to have been committed the Solicitor-General or the Crown Solicitor will make a recommendation whether or not a prosecution for the electoral offence should be commenced or an application, by the Electoral Commissioner to the Supreme Court for an injunction, should be made. Any such advice or recommendation will be in writing.

ELECTORAL COMMISSIONER

8. The Electoral Commissioner must act on any such recommendation.

9. The Crown Solicitor will furnish to the Electoral Commissioner such assistance as the Electoral Commissioner may require in the conduct of a prosecution or an application to the Supreme Court for an injunction.

INDICTABLE ELECTORAL OFFENCES

10. Where the electoral offence is an indictable offence the written advice or recommendation of the Solicitor-General or the Crown Solicitor, whether a prosecution for the electoral offence should be commenced, shall be furnished to the Attorney-General and not to the Electoral Commissioner.

Members should note that, even though the instructions contemplate that the Electoral Commissioner shall be the formal complainant in a prosecution of an offence, there is nothing to prevent an ordinary citizen bringing his or her own private prosecution against an alleged offender. This is the effect of section 42 of the Acts Interpretation Act 1915, which provides:

Any person may sue for, or take proceedings to recover, and may recover any fine, penalty or forfeiture imposed by, or authorised to be imposed or awarded under, any Act, unless the right to sue or take proceedings is vested by the Act in a particular officer or person (my emphasis).

I commend these instructions to honourable members.

SESSIONAL COMMITTEES

Sessional committees were appointed as follows:

Standing Orders: The President and the Hons M.B. Cameron, K.T. Griffin, Carolyn Pickles, and C.J. Sumner.

Printing: The Hons Peter Dunn, M.S. Feleppa, Carolyn Pickles, R.J. Ritson and T.G. Roberts.

The Hon. C.J. SUMNER (Attorney-General): I move:

That for this session a library committee not be appointed.

Motion carried.

ADDRESS IN REPLY

The PRESIDENT having laid on the table a copy of the Governor's speech, the Hon. C.J. Sumner (Attorney-General) moved:

That a committee consisting of the Hons M.B. Cameron, M.S. Feleppa, R.I. Lucas, R.R. Roberts, and C.J. Sumner be appointed to prepare a draft Address in Reply to the speech delivered this day by His Excellency the Governor and to report on the next day of sitting.

Motion carried.

**SELECT COMMITTEE ON PASTORAL LAND
MANAGEMENT AND CONSERVATION BILL**

The Hon. T.G. ROBERTS: I move:

That the select committee have power to sit during the present session and that the time for bringing up the report be extended until Wednesday 23 August 1989.

Motion carried.

**SELECT COMMITTEE ON CHILD PROTECTION
POLICIES, PRACTICES AND PROCEDURES IN
SOUTH AUSTRALIA**

The Hon. CAROLYN PICKLES: I move:

That the select committee have power to sit during the present session and that the time for bringing up the report be extended until Wednesday 11 October 1989.

Motion carried.

**SELECT COMMITTEE ON THE ABORIGINAL
HEALTH ORGANISATION**

The Hon. CAROLYN PICKLES: I move:

That the select committee have power to sit during the present session and that the time for bringing up the report be extended until Wednesday 11 October 1989.

Motion carried.

**SELECT COMMITTEE ON ENERGY NEEDS IN
SOUTH AUSTRALIA**

The Hon. M.S. FELEPPA: I move:

That the select committee have power to sit during the present session and that the time for bringing up the report be extended until Wednesday 6 September 1989.

Motion carried.

The Hon. I. GILFILLAN: I move:

That I be discharged as a member of the select committee.

It is with regret that I move this motion. As members know, the select committee was formed on my motion and it reflected a decision that had been made by a previous Parliament. I indicate to the Council that my request to be discharged from this committee results from frustration at the committee's inability, under my chairmanship, to do the work that I believe it should be doing.

I wish to make quite clear that I am grateful for the support I received from Opposition members of the committee, that is, the Hon. Mr Dunn and the Hon. Mr Irwin. As Chairman of the committee I had great difficulty in convening meetings to enable the committee to do its work. The inability to work with even just a quorum virtually meant that no progress was being made in respect of the terms of reference. In that context and in light of the imminent election there is only one way that I can indicate my complete dissatisfaction with the attitude of Government members (which I believe reflects the attitude of the Government) to the purpose and potential results of the committee, and that is to make this public protest. However, you will note, Mr President, that I supported the motion for the committee to sit until 6 September. I certainly hope, for the sake of the people of South Australia, that the material that has been accumulated by the committee is made public and is made use of. It is with deep regret that I ask the Council to discharge me as a member of the select committee. I believe it is a sorry indictment and a reflection on the Government's inability to accept that a committee formed on a motion of the Democrats could work properly to achieve its end result.

The Hon. CAROLYN PICKLES: It is a very interesting fact that the honourable member has chosen to resign from this committee before it has completed its terms of reference. The committee was appointed on 5 March 1986. It was set up by the Hon. Mr Gilfillan to go through 10 terms of reference.

Members interjecting:

The PRESIDENT: Order!

The Hon. CAROLYN PICKLES: Terms of reference 1 and 2 have been dealt with and an interim report has been tabled in the Council. Terms of reference 3 to 6, which deal with coal energy in this State, are currently being dealt with by Opposition and Government members. Term of reference No. 7, dealing with alternative sources of energy—which I would have thought was dear to the heart of the Hon. Mr Gilfillan—has not yet been dealt with. The item relating to methods of conserving energy, also dear to the heart of the Hon. Mr Gilfillan (as one keeps hearing), has still to be dealt with. Terms of reference 9 and 10, which concern whether or not mines and energy should be held in one Government department, and any other related matters, have still to be dealt with by the committee.

The Hon. Mr Gilfillan has launched an attack on Government members of the committee, and he said that we were not available to attend meetings. In fact, I lodged with the secretary of the committee a list of dates when I would be available. The Hon. Mr Gilfillan did not call a meeting of the committee until Tuesday of this week, so I would have thought that he was remiss in not calling committee members together. I recall that at the end of June I contacted the honourable member and advised him that I was available, as were other Government members. Obviously the honourable member has decided that he is not receiving enough publicity out of this committee and he has decided to spit out the dummy, which is the kind of thing we expect from him. Obviously he is running around on his own, or with his colleague in this place, trying to drum up a few more votes for his Party. The fact is that he is not receiving enough publicity.

It seems to me that it is regrettable that the Hon. Mr Gilfillan is not prepared to even see the finalisation of terms of reference 3 to 6. There are matters which I cannot go into at this time because the report has not yet been tabled. There are matters relating to the handling and chairing of the committee that I cannot go into at this time; they will have to wait until the report has been tabled. However, the committee now has an excellent chairperson in the Hon. Mr Mario Feleppa. I am quite sure that under his guidance and chairmanship the committee will go from strength to strength, and indeed it may well manage to finalise at least terms of reference 3 to 6.

The Hon. G. WEATHERILL: I think the Hon. Mr Gilfillan's resignation from this committee, after setting it up, is quite unacceptable.

An honourable member interjecting:

The Hon. G. WEATHERILL: It has not yet been accepted. Members of this place sit on quite a few committees set up by this Council. They are supported by the Democrats, otherwise they would never complete their business. The Hon. Mr Gilfillan has decided to spit out the dummy, which is proof that these committees are used as a political hammer against the Government. It is all right for the Hon. Mr Gilfillan but, if members of this Chamber are dinkum, they will not let him resign from the committee because he set it up. As far as I am concerned, this will be a test whether or not members opposite are playing politics.

The Hon. M.S. FELEPPA: I did not intend to participate in this debate and I regret that I must express my humble view. On an individual basis I have always greatly respected the Hon. Mr Gilfillan. I regret that it is now on the record that one of the reasons he wishes to resign from the committee is that—and he stated this categorically—he did not have the support of Government members. I cannot remember one single time when I did not offer the Hon.

Mr Gilfillan my personal contribution by attending the meetings that he called. However, I accept his decision to resign as Chairman and as a member of the committee. I have accepted with great pleasure my nomination as Chairman, and I wish to publicly thank the members who supported my appointment to this position.

As a member of that committee, I believe we should endeavour to continue its business. We endorse that position for one reason, namely, to bring to this Government as quickly as possible and to the best of our capacity an interim report on energy needs. We have an obligation to the public. I also place on the public record that I believe that we will continue to work on that committee and provide as quickly as possible our best report, as the Government has elected us to do.

The Hon. M.J. ELLIOTT: I hope that the committee comes forward with a good report, considering the efforts that have gone on over some time. I am not a member of that committee but have been a member of quite a few. At one stage I was a member on five committees and I am aware of the demands of being on such committees. Nevertheless, it is not the only committee that has been frustrated by members frequently being unavailable. Other committees of this Council have met on two or three occasions this year and I do not believe that that simple workload results in people being unable to attend. I have a workload comparable to all but Ministers of this place, but I make sure that I am available for committees.

At times members decide that they do not want meetings to proceed and hope that by keeping numbers below a quorum they will not proceed. Frustration felt by the Hon. Mr Gilfillan on this committee is felt also by me and by others on other committees. It is time that the committees of this Council were treated with the respect that they deserve.

The Hon. I. GILFILLAN: I have made the remarks that I wish to make in seeking the permission of the Council for discharge and conclude the debate by saying that I hope the intended work of the committee is completed. It is impossible for it to be completed in the time frame. It

would be impossible for it to be completed by the end of the year, even with the cooperation of all members of the committee. It was unfortunately obstructed, as there was no sense of cooperation or belief that as a committee it could work outside the factions, arguments and the unnecessary concern of point scoring. The committee became unworkable under my chairmanship.

I wish the new Chairman success in his role. It is possible that there will now be cooperation from the Labor members, but that did not occur under my chairmanship. Members sabotaged any hope the committee had of achieving a result.

Motion carried.

The Hon. PETER DUNN: I move:

That the Hon. R.J. Ritson be substituted on the select committee in place of the Hon. I. Gilfillan, discharged.

Motion carried.

PUBLIC WORKS COMMITTEE

The Hon. T. ROBERTS: By leave, I move:

That pursuant to section 18 of the Public Works Standing Committee Act 1927 the members of this Council appointed to that committee have leave to sit thereon during the sittings of the Council on Thursday 10 August 1989.

This is another hardworking committee that takes up a lot of the time of members from both sides. We have difficulty organising ourselves. Membership of such a committee is just one of those duties of which a backbencher has to avail himself.

Motion carried.

SESSIONAL COMMITTEES

The House of Assembly notified its appointment of sessional committees.

ADJOURNMENT

At 4.32 p.m. the Council adjourned until Tuesday 8 August at 2.15 p.m.