



HOUSE OF ASSEMBLY

TUESDAY 14TH FEBRUARY 2017

HISTORIC SHIPWRECKS (MISCELLANEOUS) AMENDMENT BILL

Second Reading

Adjourned debate on second reading.

(Continued from 29 November 2016.)

Mr PEDERICK (Hammond) (17:13): I wish to speak to the Historic Shipwrecks (Miscellaneous) Amendment Bill. This bill will amend the Historic Shipwrecks Act 1981 to better protect South Australian shipwrecks and relics of historic importance.

The original act, the Historic Shipwrecks Act 1981, was introduced to protect South Australian shipwrecks and their relics from removal, damage and exploitation. Currently, any wreck in South Australian waters that is at least 75 years old is automatically classified as historic and protected under the act. The minister may also make a declaration regarding a shipwreck prior to the 75-year period accumulating.

The development of scuba diving equipment throughout the 1950s led not only to the discovery of many shipwrecks but also to their exploitation. Many wrecks were pillaged for scrap metal or souvenirs, while others were illegally blown apart with explosives. Back in 1976, the federal government recognised the need to protect the integrity and future of these shipwrecks and introduced the Historic Shipwrecks Act 1976, and South Australia followed a few years later with the Historic Shipwrecks Act 1986, with the express purpose of protecting vessels in South Australian waters.

There are currently two protected zones in South Australia: one for the recreational dive site, the HMAS *Hobart*, and one for the *Zanoni*, which is a 35-year-old vessel and the most complete 19th century merchant shipwreck in South Australia. With the introduction of the marine park sanctuary zones the Department of Environment, Water and Natural Resources has become more aware of illegal activities in and around the zones.

Currently, a permit is required to enter a zone, either by vessel, diving or other means. As these relics and shipwrecks are typically very old and delicate, even simply dropping anchor or line fishing may cause damage. Furthermore, shipwrecks tend to attract diverse marine life, which in turn increases the appeal for fishing.

The amendments include increasing the penalties under the act, introducing an expiation fee of up to \$750 (and that will be done by regulation), amendments to powers of authorised officers, administrative changes to enable the minister to transition classification from declarations to the 75-year period and amendments to delegation powers. There will also be amendments to the information provisions of the register.

We have been informed that the government has consulted with the community and various stakeholders on the proposed amendments, and obviously this includes sectors of the boating, fishing and scuba diving groups, the Local Government Association, the South Australian Maritime Museum, the Australasian Institute of Maritime Archaeology, the Department of Archaeology at Flinders University, Australia's International Council on Monuments and Sites, and other relevant state and commonwealth government agencies.

Public consultation seeking feedback on the bill commenced in May last year and closed on 24 June last year. There was a consultation survey on YourSAy, a public advertisement and letters were sent out to key stakeholders. From all advice, it appears that people were quite supportive of the bill. In regard to budget estimates and a question I asked the Minister for the Environment on marine parks and the matter of historic shipwrecks, the minister replied to a question from me in relation to marine park expropriations. In part of the reply, the minister indicated:

...there were a number of incidents related to a historic shipwreck. I can advise that, as of July this year, there has been over 3,000 shore based, 280 vessel and 70 aerial compliance patrols. That has resulted in the issuing of 31 educational letters... 240 formal warnings, six expropriations and 23 prosecutions.

That is a significant number of contacts under the Historic Shipwrecks Act. It is good that we are seeking to protect these shipwrecks. We need to acknowledge that those of us who were not here with the first peoples all arrived by boat, and some by plane in later years. For those who came out with their families in the 1800s—and my family travelled here by ship in the 1840s—far too many vessels were destroyed off the coast of South Australia and, in fact, right around the nation. There is quite a bit of history surrounding those tragic events and it is certainly a part of our history that we need to acknowledge.

In talking about acknowledging history, I want to mention a ship that thankfully has not become a wreck but could have been, and that is the clipper ship *City of Adelaide*. This ship was very important in the history of South Australia. It was built in Sunderland in the United Kingdom in 1864 to carry passengers and cargo to and from the City of Adelaide. The ship completed 23 return trips between London and Adelaide.

The *City of Adelaide* is the only remaining sailing ship which provided a return service from the United Kingdom to South Australia. It is quite unique in that it is only one of two remaining clipper ships in the world, with the other being the *Cutty Sark*. It is the world's oldest composite clipper ship that has a wooden hull with iron frames. It is estimated that some 250,000 Australians can trace their ancestry through passengers who travelled on the *City of Adelaide*.

In 1923, the ship was purchased by the Royal Navy. It was then converted into a training ship and renamed HMS *Carrick*. Up until 1948, HMS *Carrick* was stationed in Scotland before being decommissioned and towed into central Glasgow. Under its name at the time of *Carrick*, it remained on the River Clyde until 1989, when it was damaged by flooding, and in 1991 this clipper ship sank at its mooring. Once it was retrieved, the *Carrick* was placed under the control of the Scottish museum. Restoration work was being undertaken, but ceased in 1999 due to funding lapses.

With people having a good look at what could happen with this ship into the future, rescue proposals were being considered by groups in Sunderland and South Australia. In 2010, it was confirmed that the ship would be moved to Adelaide and preserved as a museum ship. There was quite a bit of toing and froing in regard to this vessel: a squatter got on board and reckoned he was not going to move—a Scottish character.

In the end, the save the *City of Adelaide* group based in South Australia, including Peter Christopher, the Chapman family from The Marina Hindmarsh Island and many others, got on board to save this ship and managed to get control. It included a lot of work by industry here in South Australia where people made frames to bring the ship home. This involved companies from not just urban Adelaide but also regional South Australia, including Bowhill Engineering from my electorate, which made a cradle to bring the ship back to South Australia. There was some excellent work, and much work was donated. Many hundreds of thousands of dollars, probably approaching into the millions of dollars now, were put into this project to bring this ship home.

The ship was brought into London up the Thames. I cannot remember the exact date, but the Duke of Edinburgh and Andrew Chapman were at the ceremony and, from what I understand, it was renamed the *City of Adelaide*, so it certainly had royal assent. From then on, it was transported to the Netherlands by barge in preparation for its move to South Australia. In late 2013, the *City of Adelaide* departed for Adelaide and arrived in early 2014.

I must acknowledge that there are quite a few people who have had something to do with the ship. If I have not been to every function, I cannot think of too many that I have missed in regard to raising funds or knowledge about the clipper ship *City of Adelaide*. When it came in on the barge in 2014, I know that the member for Port Adelaide was present, and I know that the member for Newland and the deputy leader have had an interest—

The DEPUTY SPEAKER: What about me— and I remind you that it is not really an historic shipwreck, and I know you are going to get back to the topic shortly. It is a wide bow, as in bow of a ship, and if you start naming members who are interested in the ship you need to name us all.

Mr PEDERICK: Yes, there were many members involved in some of the events around this ship, and it is so pleasing that it did not become one of the shipwrecks off our coast that we are protecting with this piece of legislation.

The DEPUTY SPEAKER: Very good, back to the bill.

Mr PEDERICK: But I do hope that it does not become a relic and get to the bottom of the depths in finding a permanent home for it at Port Adelaide. Fletcher's Slip was put up and that seems like it is not happening but I have noticed there has been some work done in the background so that the *City of Adelaide* does not join these rusting, rotting hulks on the bottom of the sea, to become a partner in this legislation. I certainly hope it stays well above the surface. I want to note and congratulate all of the people involved in this restoration and wish them all the best into the future. With that slight distraction—

The Hon. P. Caica: You were distracted for a long time.

Mr PEDERICK: Yes, a little while. I would just like to acknowledge this bill and what it will do for the protection of historic shipwrecks. I think too often we forget about the history that has made this state and if we do not reflect on the past we will not get better into the future. I commend the bill.