HOUSE OF ASSEMBLY

Thursday 22 August 1985

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

PETITION: PRESCHOOL EDUCATION

A petition signed by 63 residents of South Australia praying that the House urge the State Government to request the Federal Government not to reduce expenditure on preschool education was presented by Mr Mathwin.

Petition received.

PAPER TABLED

The following paper was laid on the table:

By the Treasurer (Hon. J.C. Bannon):

Pursuant to Statute—

State Bank of South Australia—Annual Accounts, 1984-85.

QUESTION TIME

LYELL McEWIN HOSPITAL

Mr OLSEN: Will the Government immediately table in Parliament the special auditor's reports into the financial operations of the Lyell McEwin Hospital for 1983 and 1984? A front page report in this afternoon's *News* states that two special auditor's reports have revealed that attempts have been made to cover up falsified records and financial mismanagement involving more than $300 000. The *News* report also alleges other improper practices in the financial management of the hospital, and I ask the Premier whether he will have the reports made available to Parliament at the earliest opportunity.

The Hon. J.C. BANNON: I have not seen the newspaper reports that have been referred to by the Leader. I will certainly look into the matter and, if it is possible and appropriate, and depending on the Auditor-General as well, report back.

Mr Olsen: But you won't bring the reports down?

The Hon. J.C. BANNON: I did not say that. I might or I might not.

TIMBER CORPORATION

Mr WHITTEN: Will the Minister of Forests provide information on the South Australian Timber Corporation's major achievements, including investment in the new product Scrimber, which is manufactured in the South-East? Following the publication of the report some time ago, several people have asked me about this timber. As I could not tell them, I have drawn this matter to the attention of the Minister.

The Hon. R.K. ABBOTT: I appreciate the honourable member's question. He asked me about this matter a few days ago, and I now have some information for him. The South Australian Timber Corporation was founded in 1979 to enable the Woods and Forests organisation to broaden its base in the forest products industry. In the intervening years it now has majority shareholding in several companies in the forest products industry and has done some original development work in new products.

SATCO has a controlling interest in Shepherdson and Mewett Pty Ltd of Williamstown, which is a small sawmilling company employing about 30 people and taking raw material from the Mount Crawford forest. O.R. Beddison Pty Ltd is owned 78 per cent by SATCO. It produces veneer and plywood at Nangwarry in the South-East, and is about to expand its operation to include laminated veneer lumber, which is a long length, high strength timber beam made from a large number (around 20) of veneer strips. This product will be available in the first half of 1986.

The other South-East investment is in Mount Gambier Pine Industries Pty Ltd which is also majority owned by SATCO. It employs, like O.R. Beddison, around 100 people. Its business is mostly components of high quality and precision for furniture manufacturers around Australia. The corporation is finalising its interest in Scrimber now. Scrimber is a long length beam pressed from long slivers of wood. Small diameter logs are crushed to form a mat of long intertwined fibres which are then dried, glued and pressed together to form a beam of consistent strength and appearance. The process was developed by CSIRO, and SATCO will be in a position to install the first production factory within the next two years.

A number of smaller market development projects have been pursued. SATCO has developed a means of pelletising residual wood for fuel. It has perfected a method of using forest wood residue for compost-fertiliser, and this process may be used commercially shortly. When rationalisation of the logging industry was needed in the South-East, SATCO assisted by providing a means of short-term employment. I understand that the South Australian Timber Corporation also operates the agency for the sale of Woods and Forests Department products in the State of Victoria.

LYELL McEWIN HOSPITAL

The Hon. B.C. EASTICK: Can the Premier confirm that the two special auditor's reports into the financial management of the Lyell McEwin Hospital have revealed that there has been deliberate falsification of records to conceal operating deficits, that there has been gross mismanagement of accounting and financial functions—including the overall system of financial internal control—and that the hospital had a policy of not chasing accounts after 12 months, resulting in the loss of thousands of dollars?

The Hon. J.C. BANNON: No, I cannot, but as I said in answer to the Leader of the Opposition I will certainly look into the possibility of tabling any reports that are relevant at the earliest opportunity. It is obviously in the interests of the Government and the community that if there are such happenings and action needs to be taken it should be taken forthwith. I assure honourable members that that will be the case, but I must obviously look into the circumstances before doing so.

BRIGHTON HIGH SCHOOL

Mrs APPLEBY: Can the Minister of Education report whether or not year 7 students who have applied for admission to Brighton High School for the 1986 intake will be disadvantaged by the policy relating to zone of right? Following a number of statements in the local press, the impression has been given that students from primary schools in the zone of right of Brighton High School and adjacent areas will be disadvantaged when applying for entry, should students from further south elect to apply for admission to the school in question. Great concern has been expressed to me by parents, members of school councils, teachers and

concerned persons, which I have placed before the Minister for his consideration. These concerns have been heightened by the continual misleading and ill-informed statements, which have been expressed to me as political point scoring, and lacking in interest in the education rights of students of our community selecting entry into secondary school.

The Hon. LYNN ARNOLD: I thank the honourable member for her question, as it gives me the opportunity to put on record what is actually the situation applying for 1986 with respect to Brighton High School. The member for Brighton is quite correct in saying that there have been some mischievous activities on the part of some people in the area near the Brighton High School with respect to enrolments of year 7 students into that school. The activities of one of the Liberal candidates in the area have been most reprehensible indeed in terms of creating unnecessary anxiety in the minds of many parents. I can advise the House of the situation with respect to Brighton High School by referring to what has happened with respect to those students who have applied for entry into the school. There are four categories of students who have applied: first, there are those students immediately within the zone of right of Brighton High School; secondly, there are those within the vicinity of the school, although not in the zone of right of that school; thirdly, there are those students from Hallett Cove; and fourthly, there are those who are generally not in any of the first three categories.

With respect to those prospective students who nominated for entry into Brighton High School, all year 7 students living within the Brighton High School zone, or in the near vicinity, who have applied for entry to the school next year have been accepted. This applies not just to those within the zone of right but also to those in the near vicinity. However, a Liberal candidate in the area attempted to raise anxiety about the prospect of those students getting into the school. All 139 students from local schools, namely, Brighton, Glenelg, Paringa Park, St Leonards and Seacliff primary schools, who applied for entry to Brighton High School have been accepted. In addition, all the 24 first preference applications from Hallett Cove South have been accepted. Further, another 67 places were filled with first preference applications from students attending a range of other primary schools—those that I termed loosely as being in category 4 to which I referred a few moments ago.

It is quite clear that the wishes of families living close to Brighton High School have been met. At the same time as meeting those needs of not only the children within the zone of right but also those in the near vicinity, so too have the needs of parents within the Hallett Cove area (an area which is without a secondary school at present been met). I think it was most reprehensible of the Liberal candidate in the area to cause the anxiety that he did. At all points we were trying to indicate our wish to serve the needs of year 7 students within the southern suburbs. The figures that I have indicated prove that we did act in good faith and have done what we said would happen.

LYELL McEWIN HOSPITAL

The Hon. MICHAEL WILSON: My question is supplementary to the question asked by the member for Light. When was the Premier made aware of the findings of the special auditor's reports into the financial management of the Lyell McEwin Hospital? Further, what action has been taken to this stage?

The Hon. J.C. BANNON: I can only say again that I will report to the House on this matter when I have had a chance to consider it. Therefore I am not prepared to answer any further questions about it.

WORKERS COMPENSATION

Mr PETERSON: On behalf of the Minister of Labour in another place, will the Deputy Premier clarify the position in relation to the current workers compensation provisions regarding injuries received in the course of employment while interstate, and the apparent avoidance of liability by South Australian insurance organisations in actions taken in another State? A constituent of mine operates a small interstate transport business, and a driver of his was injured in New South Wales. That driver now lives in New South Wales. The owners of the business lodged a claim with SGIC, and subsequently received this response from SGIC, which I will read, but I will not refer to the names of the people concerned. It is as follows:

> We note that you were recently served with proceedings issued out of a New South Wales compensation court. It is now evident that Mr X intends proceeding with a workers compensation claim under the New South Wales Compensation Act. Unfortunately, your policy with SGIC only covers you under the South Australian Workers Compensation Act. Unless Mr X decides to pursue a claim under the South Australian Act, the Commission cannot act on your behalf. We therefore recommend that you now appoint a solicitor to protect your interests in this matter.

The implication of this situation is that any person who, in the course of employment is injured interstate is not covered if insured in South Australia and that any employer insuring in South Australia can be personally liable in another State's courts, despite taking every step possible to cover his employees and his company for workers compensation.

The Hon. D.J. HOPGOOD: I can fully understand the member for Semaphore's concern in this matter not only for his constituent but as to the general principle that applies here. I will take the matter up with my colleague in another place and also directly with the SGIC in order to get the information from him and for the House.

LYELL McEWIN HOSPITAL

The Hon. E.R. GOLDSWORTHY: I ask the Premier a question subsequent to questions asked by my Leader and other members.

Mr Olsen: Which were not answered.

The Hon. E.R. GOLDSWORTHY: Which were not answered. Is the Premier aware of the reports referred to, and has he discussed them with the Auditor-General?

The Hon. J.C. BANNON: I repeat that I will give a full report to the House when I have had a chance to consider the matter. I have now had the opportunity very briefly to scan the newspaper report of the matter, and I notice that the Minister of Health is reported as saying that he had offered to table the sensitive auditor's report in Parliament. I would like to check with my colleague what is involved there, and I will be happy to make a statement to the House next week.

Members interjecting:

The SPEAKER: Order! I call the Leader of the Opposition to order. The rest of the House will then take note of the normal practice that I observe. In calling the honourable member to order, I indicate that the Chair has shown the tolerance to permit 14 interjections and, on the part of the Premier, six replies.

The Hon. E.R. GOLDSWORTHY: I raise a point of order, Mr Speaker. The ruling is not clear. I ask whether you would make clear the nature of the warning that you have given the Leader of the Opposition. You referred to 'normal practice'. Does that mean that in your warning the Leader of the Opposition and everyone else in the Chamber is warned, or just what does it mean?

The SPEAKER: Order! The honourable Deputy has been here for 16 years.

The Hon. E.R. Goldsworthy: Fifteen.

The SPEAKER: Order! Fifteen and a half, because he came at the same time as I did—if we want to split hairs. It is not a point of order, but the honourable member is seeking clarification, so I will give it. It has been traditional that Presiding Officers have shown remarkable tolerance during the first three or four questions asked by the Opposition of the day. The honourable member suggested that I have warned the Leader. I did not warn him; I called him to order and then I repeated for the ninth time that that means that every member of the House is now placed on guard and that the next step will be a warning and the other steps under Standing Orders. By way of explanation of the Chair's tolerance and its powers of observation, I noted that the Leader had interjected 14 times and the Premier had replied six times. That is considerable tolerance.

The Hon. Ted Chapman: Fourteen to six: that is odds-on.

The SPEAKER: Order! I ask the honourable member to come to order. He has been here long enough to know that.

SUCO JOJOBA

Ms LENEHAN: Will the Minister of Community Welfare, in his capacity as acting Minister of Corporate Affairs, present a report to the Parliament on the financial activities of a South Australian registered company Suco Jojoba, whose principal is Mr Stephen Su? I understand that this company has received in excess of $500 000 from various investors, some of whom are my constituents. One of my constituents invested a total of $9 000 in the company Suco Jojoba in June 1981. He also invested $6 200 in a company called Suco Cotton.

Since that time, which is a period in excess of four years, my constituent has not received any return at all on his money, despite the fact that he was given the assurance on several occasions that, if any of the investments failed, it was the policy of Stephen Su to see that the investments were repaid in full. Mr Su also indicated that the companies were insured with Lloyds of London.

It has also been brought to my notice that six other investors have invested sums of money ranging from $6 000 to $75 000 per investor. I am told that none of those people has received a cent return on his money. I ask the Minister to present a report on this company and its principal.

The Hon. G.J. CRAFTER: I thank the honourable member for her question. I will obtain a full report on this matter, but I point out the need for proper care in investing in companies and, where concern is raised, people should make sure that they obtain a prospectus and other relevant information. If they have doubts, they should report those doubts to the appropriate authorities, namely, in this State the Corporate Affairs Commission or the Police Department, or alternatively advise their accountant or solicitor so that proper detailed information can be obtained.

I understand from the Corporate Affairs Commission that one of the difficulties faced in investigating the companies to which the honourable member refers has been the inability to obtain full and detailed information from investors in relation to those companies.

The person to whom the honourable member referred was reported on the Bankruptcy Register in this State on 16 November 1984 and has not yet been discharged. The Corporate Affairs Commission has taken action in respect of that person's auditor's licence, and he is no longer entitled to conduct audits of companies. I am also informed that he no longer holds a tax agents licence and that he has been subjected to discipline by the two professional accountants associations in this State, namely, the Institute of Chartered Accountants and the Australian Society of Accountants.

BUILDING COSTS

The Hon. E.R. GOLDSWORTHY: I ask the Premier whether the Government will investigate activities, including union action, which threaten to force building costs in South Australia to even higher levels? A report in this morning's *Advertiser* reveals that the Trade Practices Commission is investigating charges of widespread collusion to fix prices in certain areas of the South Australian building industry. I have in my possession a letter which indicates that union action is also contributing to higher building costs. The letter has been sent by the Building Workers Industrial Union and Plasterers Federation to subcontractors to force them to join a group within the union.

An honourable member: A cartel.

The Hon. E.R. GOLDSWORTHY: A cartel, yes. The letter sets out a system under which a builder would need to obtain a clearance from the union before engaging any subcontractor not prepared to become a member of a special union organised group of subcontractors. That amounts to 'no union group membership, no work'.

Mr Lewis: That's Mafia stuff, isn't it?

The Hon. E.R. GOLDSWORTHY: It is indeed Mafia stuff. I have also been informed that the conditions of membership of the group include a $1 000 joining fee and that the union is to receive 10 per cent of the value of any contract undertaken. They are outrageous demands which eventually will be reflected in building costs. Legal advice has been given that the union's demands are contrary to the Trade Practices Act, but individual subcontractors are reluctant to take action because of fear that they will be victimised by the union. Clear evidence of that exists. In federal Parliament this morning, the Prime Minister urged the building industry to confront strong-arm union tactics like this, but the reluctance of individual subcontractors to do so in this case is understandable when their livelihood is on the line.

In the last 12 months Adelaide has recorded by far the highest increase of any capital city in home building costs, and I also understand that commercial building costs have risen quite substantially. Practices such as price-fixing and forced unionisation of the subcontracting system threaten to increase costs even further. Is the Government aware of this activity, and will the matters to which I have referred be investigated?

The Hon. J.C. BANNON: In relation to the report in this morning's *Advertiser*, I understand that allegations along these lines have been made before. Of course, it is a matter which has to be investigated by the Trade Practices Commission, because the practices referred to would be in breach of the Trade Practices Act. I imagine that any such practice as referred to by the honourable member, if it can be established, will be similarly subject to investigation—and so it should be.

It is interesting that the Deputy Leader of the Opposition chooses to ignore the apparent collusion among subcontractors which has been spoken about here and somehow tries to fix it on to the unions, but I guess that that is predictable behaviour on his part. However, I note that in this morning's paper a spokesman for the Master Builders Association said that that organisation knew nothing of such practices in the industry and challenged anyone to substantiate such allegations. If they can be substantiated they must be pursued and the practices cleaned up.

The fact that costs have increased is one of the effects of the remarkable housing and construction boom that this State has been experiencing. It is obviously something that has been a key generator to employment and economic activity, and we hope that it will continue. Both I and my colleague the Minister of Housing and Construction have indicated at various times that we do not wish to see the industry become overheated. When it does, there are problems of fallout, where there is a scarcity of labour, a high demand and a shortage of materials, and that puts pressure on costs, as pointed out by the Deputy Leader.

The Hon. E.R. Goldsworthy interjecting:

The SPEAKER: Order!

The Hon. J.C. BANNON: When these pressures are on, it also encourages people in the industry sometimes to take short cuts. Reports of the possible collapse or winding up of a home building company are typical of the sort of thing that can arise in a situation where we are experiencing some sort of boom.

Honourable members will be aware that the Government has put out a list of 21 proposals that are being examined in relation to covering problems like this, and any breach of an indemnity scheme or failure to take insurance will also be pursued. I conclude by repeating what I said earlier: if any allegations of collusion can be sustained, they must be pursued. I speak for my Minister and my Government in saying that we will certainly assist to the greatest extent possible.

ADELAIDE PIE CART

Mr TRAINER: Will the Minister of Transport, representing the Minister of Tourism, advise whether conditions in the immediate environment of the Adelaide pie cart have sufficiently improved for its application to the Adelaide City Council for extended hours to be given favourable consideration? Will the Minister inquire into the possibility of a further licensing of mobile food vending stalls, similar to those which are seen on street corners in American cities such as New York, and which add an additional element and colour to metropolitan environments? The *News* of 20 August, under the heading 'Once more no late-night pie floaters', contains the following report:

> The Adelaide railway station pie cart has again had a bid to extend trading hours rejected. Adelaide City Council's legislation, properties and general committee has rejected an application for permanently extended hours. Pie cart operator, Mr Charles Oram, sought to extend the current closing time of 1 a.m. to 6 a.m. He wanted to have the longer hours in time for the Adelaide Grand Prix, the casino opening and next year's Jubilee 150 celebrations. ... Rejecting the last application in November the council said no further ones would be considered unless it could be shown circumstances around the pie cart changed substantially.

The Hon. G.F. KENEALLY: I shall be pleased to refer the honourable member's question to my colleague the Minister of Tourism and of Local Government, in another place. When I held both those portfolios, I was pleased to receive representations on behalf of Mr Charles Oram, especially from the member for Hartley, to try to secure a permanent position in the streets of Adelaide for what I believe is a significant part of South Australia's image. I do not know how many members have had the opportunity to participate in what could be described as the great culinary delight of the pie floater. I am aware that there is considerable opposition to Mr Oram from the Grosvenor and the Strathmore Hotels, I think in regard to the location of the pie cart. However, not only in South Australia but in other States as well as internationally, the pie cart is one of the most easily identifiable attractions in Adelaide streets, especially late at night or early in the morning. I am not fully aware of the other part of the honourable member's question, but I shall have pleasure in referring it to my colleague in the hope that Charles Oram, the pie cart, and the floater continue to be an important part of South Australia's culinary culture.

PAROLE

The Hon. MICHAEL WILSON: Will the Minister of Community Welfare initiate an investigation into the conditions under which parole is granted to prisoners who have been convicted of child abuse or of sexual assault on children? In seeking this investigation, I refer to a case in which a man who had been sentenced to four years gaol on indecent assault charges involving two young children was released on parole on 20 February this year, having served only 15 months of his sentence. I have a copy of the letter from the mother of the two victims of the assault by this man, in which she reveals that she had not been made aware of his release on parole. I quote her words: 'Imagine my shock at finding him in the street.' Subsequent investigations by the mother revealed that the conditions of parole included no mention of keeping away from her children. She sought a remedy for this situation through the Victims of Crime Service, and a condition was then added to the parole, on 19 April this year, that the man should have no contact with the children.

However, the letter also reveals that on the day before this condition came into effect, the parolee visited one of his victims who was in the Adelaide Children's Hospital, and left a 'get well' card and a teddy bear. I understand his parole officer was informed of this visit. In her letter, the mother expresses 'utter amazement' that such a visit could have occurred, and says, 'I find this situation quite horrifying.' The trauma of the children involved in this case is aggravated by the fact that the offender is seen regularly by the children in the street in which they live. According to their mother, the man's sister resides in the same street and the children are forced to pass this house on their way to school. She claims that the man continues to harass her children by driving past her house and slowing down as he goes by when the children are returning from school or from visits to the shops.

She feels that this act is 'deliberate provocation' on his part. Despite the fact that this family has been involved in long periods of therapy in order to deal with the trauma of the previous assaults, the children will now no longer go to the shops alone and both children sleep in their mother's room. In view of the man's regular presence in the lives of his victims the mother has now applied to the Housing Trust for a transfer in order to lessen the emotional toll this situation is having on her children.

This whole episode, including a 12 month wait between the assaults and the final court hearing, has placed enormous strain on the whole family and, in particular of course, on the two young children. Therefore, will the Minister investigate those circumstances to establish why contact with the children in this case was not included as a condition of parole when it was first granted and to establish procedures to ensure that, in all cases like this, suitable parole conditions are included to protect the victims from even more suffering and trauma? The serious omission of such conditions in this case and the fact that this parolee was able to visit a victim in hospital is cause for complete incredulity.

The Hon. G.J. CRAFTER: I thank the honourable member for his question. The circumstances that he describes to the House are indeed, I would think, cause for concern. I am not quite sure what responsibilities are vested within

the Community Welfare Department with respect to this matter, but obviously I will ask my department, if the honourable member will give me some detail so that this case can be identified, to see what responsibilities vest there. The contribution my department could make is perhaps with the longer term questions raised by the honourable member with respect to how one deals with this very insidious problem in our community and what appropriate orders should be attached to parole. I shall refer those matters to my colleague, the Minister of Correctional Services, for his urgent attention. I will also refer it to the Police Department, because there is obviously some form of harassment to this family. That should cease; if it does not, appropriate orders should be obtained from the authorities to make sure that it does.

NEIGHBOURHOOD SMOKE

Mr HAMILTON: Will the Deputy Premier, as Minister for Environment and Planning, advise what action residents can take to redress complaints about offensive smoke emanating from neighbours' chimneys? I have received a complaint from a constituent who resides in Seaton and who informs me that despite representations to Government departments, the local government authority and legal aid he has been unable to receive any relief from the offensive and acrid smoke that permeates his home from his neighbour's residence.

He informs me that this offensive and permeating smoke has not only made life unbearable for him and his family but that he finds great difficulty in sleeping at night. I am also aware that the member for Brighton has raised a similar question with the Minister in the past. However, I would appreciate any advice that he can give in order to alleviate not only this problem, but other similar problems throughout South Australia.

The Hon. D.J. HOPGOOD: This matter was raised in this place at the time when the backyard burning regulations were brought down. There were probably some expectations in some areas that this matter would be covered by those regulations. Quite apart from certain exemptions that apply to country areas, and so on, based on allotment areas, there were two major forms of exemption to what might have been seen as a more comprehensive scheme. One was an exemption for backyard barbecues and, in fact, any form of food preparation is exempt from the regulations. The second was the exemption for any form of internal incineration, incidental to eating purposes in the home, or something like that.

I recall that at the time when I canvassed the possibility of the regulations being extended at some time in the future to cover that form of incineration there was a degree of derision exhibited by certain honourable members in relation to that matter, perhaps because they felt it was over regulating. Honourable members who keep their ear to the ground or who are reasonably responsive to the concerns of their electors would probably want to say to me that, since that time, they have received quite a few complaints from people wishing that the regulations had been extended to cover incineration in pot belly stoves, and that sort of thing.

Of course, now there is a good deal of education material available. When such devices are installed people should ensure that they are properly installed by appropriately qualified people so that there can be as high a level of incineration as possible, and therefore as low a level as possible of the sorts of products that are produced when incineration does not properly take place—I mean that in a chemical sense.

As to the honourable member's constituent, the complainant in this matter, without those powers, of course, he is left with insufficient means of redress. There are perhaps two actions that the person involved could take, apart from the normal sort of over the back fence negotiation, which I know is often very difficult and embarrassing to all parties.

The first is to invite his local government authority to take up this matter under the general powers of the Health Act. I know that from time to time local government is reluctant to take up these matters: in fact, sometimes I think that there are local government officers who are not aware of the powers that are available to them under the Health Act. The problem is that one has to be able to prove in a court of law that in fact there is a risk to health as a result of the nuisance caused by this form of incineration.

A second step (and again, this is not easy) could be taken under common law rights, and I assume that the individual has certain common law rights and that it would be possible to contemplate common law action arising out of the general nuisance that is being caused. That is really the only advice I can give to the honourable member and to his constituent, short of envisaging some form of amendment to the regulations along the lines that I have previously canvassed.

DILUTED BRANDY

The Hon. P.B. ARNOLD: Will the Premier ask the federal Department of Customs and Excise to name the brand of diluted brandy seized by customs officials in South Australia? A report in this morning's *Advertiser* stated that the Department of Customs and Excise had seized a thousand dozen bottles of diluted brandy, and that it was believed that another thousand dozen bottles were still on the market and being distributed through liquor outlets. However, the Customs Department has refused to name the brand, although it has been strongly inferred that the brandy is South Australian. This causes obvious problems for all reputable South Australian brandy producers and distributors. Therefore, I ask the Premier whether he is prepared to take up the matter with the federal Minister responsible for the Department of Customs and Excise, with a view to having the name revealed.

The Hon. J.C. BANNON: I understand that the reason given for not revealing the name is that arrests or charges are imminent in relation to this matter, and federal customs authorities do not wish to make any statements that could prejudice the successful laying of charges. Be that as it may, I share the honourable member's concern, because while the name is not known suspicion is cast on all producers of brandy, and the sooner that is cleared up the better. The Director-General of the Department of Public and Consumer Affairs has in fact made such a request. I have yet to hear the outcome of it, but I will certainly pursue the matter.

BUSHFIRE AUTHORITY

Mr M.J. EVANS: I ask the Minister of Emergency Services whether the Government is still committed to the establishment of a bushfire authority in the terms outlined to this House in October last year by the then Minister of Emergency Services. If so, when will the necessary legislation be introduced? In October last year the then Minister of Emergency Services outlined to this House a proposal for the establishment of a statutory bushfire authority to coordinate and oversee the vital task of preventing bushfires in this State. The proposed authority was to draw together the wide and sometimes conflicting interests of the various

public authorities and Government departments in order to ensure that they all worked towards the same goal in a consistent way. The then Minister indicated at the time that legislation to implement this worthwhile initiative would be put before the House in early 1985, well before the next bushfire danger season. As honourable members will be only too well aware, the next bushfire season is almost on us, and I seek from the Minister a commitment to the implementation of this important proposal at the earliest date.

The Hon. D.J. HOPGOOD: Since coming to occupy this portfolio, I have had the opportunity of having very close and intimate contact with both the fire authorities, as well as the emergency services, which are part of the Police Department, and the Police Department itself. I have come to appreciate that there is and has been for some time a very much higher level of cooperation amongst these various authorities in relation to fire management than was the case many years in the past, when at times it seemed as if there was a chalk-line drawn along the ground at certain points and that the MFS would not cross it from one direction and the CFS from the other direction. There is also now a very high degree of cooperation between the unit in the National Parks and Wildlife Service, which is responsible for fire management in the parks, and the people in the CFS.

However, despite what I believe is a very healthy atmosphere of cooperation out there at present, I still think that the general thrust of the report is valid and that this umbrella arrangement is necessary. One of the things towards which I have been working is ensuring that the restructured membership of the board of the CFS settles down. Mr Ken Taeuber, who is well known to all honourable members, and who was chairing the interim board, indicated to me a short time ago that his work essentially had been done and that the time had come when the new Director could take over the joint role of both the chairmanship of the board and Director, and that has been negotiated with the people concerned and will proceed.

It has been necessary to get that matter in order before proceeding to the wider sphere. I can confirm to the honourable member and the House that it is the Government's intention that the acceptance that we had of the general thrust of those proposals is still there and that we will proceed. An appropriate announcement will be made in a very short time. I cannot at this stage give a to-the-week indication to the honourable member as to when legislation will be introduced, but I will try to fit it into the program as appropriate.

HISTORIC STABLES

The Hon. D.C. WOTTON: I ask the Minister of Housing and Construction whether the Government acted illegally in the demolition of the stables at Yatala Labour Prison. This demolition was undertaken in secret and very much at the eleventh hour, under the cloak of darkness. I am informed, Mr Speaker—

The SPEAKER: Order! The question is out of order. The honourable member cannot seek an opinion of a Minister of the Crown as to whether the Crown's agent, or anybody else for that matter, has acted illegally. That is a matter for the law courts.

The Hon. D.C. WOTTON: I seek leave to rephrase the question.

Leave granted.

The Hon. D.C. WOTTON: Why did the Minister not act to stop the demolition of the stables at Yatala Labour Prison in view of the fact that this action may have been illegal? This demolition was undertaken in secret, very much at the eleventh hour, under the cloak of darkness. I am informed that demolition began on the evening of 7 August. The following day Executive Council revoked the proclamation which had been in effect since 12 January 1984. That proclamation had exempted work at Yatala from the provisions of the Planning Act. I understand that at least some of the demolition was carried out after the proclamation was issued, which means that it was illegal.

I have also been informed that those involved were instructed to remove the evidence of their work as quickly as possible in order that the media would not become aware of it and that the Minister was so pleased with their efforts that he subsequently sent a letter to officers of his department congratulating them on their handling of the matter. This building was an important heritage item, I am informed—

The SPEAKER: Order! The honourable member is debating the matter, and will cease.

The Hon. D.C. WOTTON: The building concerned was listed on the State Register and the Register of the National Estate. I am informed that this imposed a clear duty on the Government to at least publicly announce its intentions to demolish it, especially in view of the undertaking the Minister for Environment and Planning gave to the Enfield and Districts Historical Society in a letter dated 16 November last year that this building would not be demolished.

The SPEAKER: The honourable Minister will not reply to the phrase that was slipped in by the honourable gentleman. Subject to that, the honourable Minister.

The Hon. T.H. HEMMINGS: I first make clear that the Department of Housing and Construction or the contractors who were working in that area did not dismantle the newer stables under the cloak of darkness.

Members interjecting:

The Hon. T.H. HEMMINGS: The work was performed out in the open, and everyone passing could see what was happening. The member for Murray cannot have it both ways. One minute he stands up—

Ms Lenehan interjecting:

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

The Hon. T.H. HEMMINGS: One minute he rises to accuse this Government of being lax in security in allowing prisoners to escape, and then another time he says that a stable—

The Hon. D.C. Wotton interjecting:

The SPEAKER: Order! I warn the honourable member for Murray.

The Hon. T.H. HEMMINGS: —which is hindering the security of Yatala Labour Prison should not have been removed. It was pointed out to the Government and to the Parliament by the Public Works Standing Committee that the retention of the newer stable would hinder security, but the member for Murray rises to defend its retention. I draw the member for Murray's attention to the report of the Public Works Standing Committee on Yatala Labour Prison. In its final recommendation the committee stated:

> The committee recommends the proposed public work of construction of a security perimeter fence and microwave detection system at Yatala Labour Prison (modified proposal) at an estimated cost of $1 500 000, but draws attention to its findings in paragraph 7 above.

Paragraph 7 states:

> The 'newer stable' which is an unoccupied building in difficult terrain from the security aspect and located to the north-east of the Northfield Security Hospital is a serious hazard to security and should be demolished.

When my department received that report, we had consultations with the Correctional Services Department. We looked at the possibility of relocating the newer stables at a locality which was owned by the Enfield council. The cost

of dismantling that building and relocating it elsewhere I think was (and I will check this for the honourable member) in the region of $280 000.

The Heritage Branch, under the Minister for Environment and Planning, came to the conclusion that any item dismantled (and this is the opinion of most heritage bodies throughout the world) and re-erected in some other location loses its heritage value. Any members who take a real interest in heritage will agree with that. In view of the probable cost of the $280 000 to relocate a disused stable, which was of no use to anyone and which could not be visited as it was in a security zone in a sterile area, that course was discounted by the Government. The Government decided that, in line with reccommendations of the Public Works Standing Committee, as well as those of the Minister of Correctional Services and my department, the newer stables would be demolished. As a result of that decision, the newer stables were photographed, sketched, carefully dismantled, and the remains are now well cared for at the Highways Department depot at Northfield.

FORT GLANVILLE

Mr HAMILTON: Will the Minister for Environment and Planning provide additional funds to ensure that the construction of the new visitors centre at Fort Glanville can proceed as planned? Fort Glanville has received a grant of $207 789 from the Jubilee 150 Board towards this project. I am now informed that the price has come in at $228 862, leaving a gap of about $21 000. I am informed that, if additional funds are not provided, proper accommodation will not be available for the Fort Glanville Historical Association, of which I am a member, to use the fort for historical interpretation purposes. The continued presence of the society at the fort is an element essential to the proper implementation of the Fort Glanville management plan which, I understand, is about to be formally adopted and gazetted.

The Hon. D.J. HOPGOOD: I appreciate the honourable member's interest in Fort Glanville; in fact, electorally it might even be regarded as the jewel in his crown. From time to time he places before me representations in respect of which sometimes it is possible to make a positive decision, whilst at other times it is not. We have had a good look at this matter. The alternatives were to find the additional finance to do some redesigning or to give the matter away altogether. That, of course, was not really a viable option. Some modest redesigning has enabled the final price to come in a little lower than might otherwise have been the case, but, as the honourable member says, there is still the gap between the Jubilee 150 grant and the total cost. The decision has been taken to provide from departmental funds the extra money. In fact, the extra $21 073 will be found—and I am prepared to consider an extra 50 cents for escalation!

JUBILEE POINT

Mr OSWALD: Will the Premier advise whether the Bannon Government still supports the Jubilee Point project with its initial enthusiasm, or is it considering withdrawing its support from the proposed venture? The *News* of Wednesday 22 August 1984 carried this report:

> The Premier, Mr Bannon, today hailed the project as one of the most exciting proposals in South Australia's history and said it would make Glenelg a tourist showpiece.

Since that date extensive negotiations have taken place between the Government and the developers, together with public and private briefings, leading up to the public launch of the proposal and the unveiling of a model at the Glenelg Town Hall on Wednesday 31 July 1985.

However, despite official invitations to members of Cabinet to attend, no Government member nor any delegated Government backbencher showed up at the launching ceremony. This apparent boycott was again repeated at the official public meeting of the Glenelg Residents Association called on the evening of Thursday 15 August to publicly air residents' concerns.

It has been put to me that, because of the forthcoming State election, the Government has decided to back off from its previously unqualified support expressed for the project by the Premier on 22 August 1984. Because of the Government's recent dissociation from the project at the launching ceremony and at the public meeting, local residents and the Glenelg council want to know where the Government now stands on this project.

The Hon. J.C. BANNON: The Government's stance on the project has not changed: it is an extremely exciting project with tremendous potential. Indeed, the Government has been working closely with those developing the project and providing the help and support necessary. Part of the process of getting the proposal fully developed is approvals from the local council and acceptance in the local area. The two functions referred to by the honourable member were part of that process and directed precisely at that. They did not call for Government involvement. In fact, my Ministers have been briefed on it.

Mr Oswald: Was there a boycott?

The Hon. J.C. BANNON: No; in fact Ministers will be fully briefed on the project in the next couple of weeks by arrangement with the developer. The honourable member's statement is just a furphy. I hope that the honourable member himself fully supports the project and its development. The project is still in the developmental stages and much work must be done in assessing the cost, the source of finance, and the environmental and other considerations that would make it possible. I stand by the remarks I made when the project was first mooted: it is an extremely exciting proposal which, if it comes off, will benefit South Australia greatly.

TOILET ROLL HOLDERS

The Hon. B.C. EASTICK: Will the Minister of Housing and Construction please detail the ultimate destination of 150 stainless steel toilet roll holders custom designed for the new remand centre and now superfluous to the Minister's requirements? I understand that the State manufacture, to specific customer design, of these 150 items of necessity for the remand centre went ahead following instructions from the Minister's department. However, now that the order has been filled at an approximate cost of $50 each, the Minister is sitting on 150 examples of a unique product which is no longer required following a change of heart in relation to design specification. Are any other pieces of equipment ordered for the remand centre also lying idle, or does the Minister consider this to be a singular mistake to be added to the increasing list of examples of wastage in areas under the Minister's jurisdiction?

The SPEAKER: Order! I am pleased to note that the honourable member for Light has changed his view of 18 months ago that humour is at all times inappropriate in the House. The honourable Minister.

Members interjecting:

The Hon. B.C. EASTICK: On a point of order, Mr Speaker, I believe that you have just done a grave disservice to the Chair.

The SPEAKER: There is no point of order. The honourable Minister.

The Hon. T.H. HEMMINGS: I will obtain a report for the member for darkness, and for the House, as soon as possible.

The Hon. B.C. EASTICK: On a point of order, Mr Speaker. If you are so interested, Sir, in the precedents of this House, why have you not called the Minister of Housing and Construction to order for failing correctly to identify this member?

The SPEAKER: I do not understand.

The Hon. B.C. Eastick: No, you wouldn't want to understand.

The SPEAKER: Order! I draw to the honourable member's attention Standing Order 169 and give him his last chance. The honourable member for Light.

The Hon. B.C. EASTICK: Mr Speaker—

The SPEAKER: Order! I ask the honourable member to resume his seat. I will take his point of order. I ask the honourable member for Light to collect himself and I will listen to his point of order. The honourable member for Light.

The Hon. B.C. EASTICK: Thank you, Mr Speaker. I know who needs to be collected. If you had been observant of the contribution by the Minister of Housing and Construction, you would have recognised that he referred to the member for Light, who represents in this House one forty-seventh of the population of this State, as the 'member for darkness'.

The SPEAKER: I will have the *Hansard* record checked. I did not hear the Minister say—

Members interjecting:

The SPEAKER: As apparently the honourable Minister did say it, I warn the Minister.

ASSENT TO BILLS

His Excellency the Governor, by message, intimated his assent to the following Bills:

Land Tax Act Amendment,
Liquor Licensing Act Amendment,
Pay-roll Tax Act Amendment,
Stamp Duties Act Amendment,
Supply Bill (No. 2).

PERSONAL EXPLANATION: MINISTER'S REMARKS

Mr INGERSON (Bragg): I seek leave to make a personal explanation.

Leave granted.

Mr INGERSON: Yesterday, I was defamed by the Minister of Recreation and Sport (Hon. Jack Slater) in this House under parliamentary privilege. I have waited patiently through ministerial statement time and Question Time for a reply to my demand for an apology and a withdrawal of his statement, but neither has been forthcoming.

I deny categorically that I, any member of my family or any company in which I have an interest, was involved in a consortium to bid against the TAB subsidiary, Festival Broadcasters Limited, for radio stations 5RM and 5RU. I believe that honesty and credibility are the two most important characteristics of individuals but, more particularly, of members of Parliament and Ministers of the Crown.

When these two issues are questioned, all citizens of our State have a right to defend their integrity and, if necessary, pursue their right in the courts. As members of Parliament, we do not have this right in relation to statements made in this House. As a consequence of his actions yesterday, the Minister's false statements slandering my name and character have been broadcast on radio and television and printed this morning in the *Advertiser* without my response being sought. The Minister has no evidence whatsoever upon which he could base the assertion he made yesterday. By not telling the truth, the Minister has brought disrespect on his position as a Minister of the Crown, and I call for his resignation.

PERSONAL EXPLANATION: MEMBER FOR LIGHT

The Hon. T.H. HEMMINGS (Minister of Housing and Construction): I seek leave to make a personal explanation.

Leave granted.

The Hon. T.H. HEMMINGS: During Question Time, the honourable member for Light asked me, in a fairly flippant way, a question about toilet roll holders. Although there was laughter from both sides, if there has been some mismanagement that is a serious matter. Treating the matter seriously, I said that I would have it investigated and bring a report down to the House, but I responded in a flippant manner inasmuch as I called the member for Light the member for darkness. If he feels that my calling him the member for darkness is an insult to himself and the electorate he represents, I apologise to the honourable member.

AUSTRALIAN FORMULA ONE GRAND PRIX ACT AMENDMENT BILL

Received from the Legislative Council and read a first time.

The Hon. G.J. CRAFTER (Minister of Community Welfare): I move:

That this Bill be now read a second time.

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

Leave granted.

Explanation of Bill

Its purpose is to amend the Australian Formula One Grand Prix Act 1984 to protect the intellectual property rights of the Australian Formula One Grand Prix Board. The Grand Prix Board has entered into various licence agreements whereby the licensees are permitted to use the title and logo of the Grand Prix on a range of products. Revenue from the licence agreements is estimated at $420 000 for a full year. At present unauthorised products associating themselves with the Grand Prix are being marketed in increasing numbers, thereby threatening the revenue to be gained from licence agreements for the first event and for succeeding events.

Recent events illustrate the urgent need for the amendments proposed. As I have pointed out, an increasing number of unauthorised products are appearing on the market, and there is little doubt that many more products are planned. The most common unauthorised products which are being sold are 'T' shirts and sweatshirts printed with motifs associated with the Grand Prix.

A further matter of concern is the use of business names which in some manner associate themselve with the Grand Prix. This is a matter which is addressed in the Bill. The importance of protecting the commercial rights of the Grand Prix Board cannot be underestimated in terms of the long term financial success of the Grand Prix. If intellectual

property rights cannot be protected for the first event, it will become increasingly difficult to secure licensees for subsequent events as present agreements relate to the first event only. In addition, the removal from the market place of 'pirate' products will result in increased sales of authorised goods, and thus increase the royalties paid to the Board.

The present situation in respect of the intellectual property rights of the board is far from satisfactory. Applications have been made by the board for registration of the words 'Australian Formula One Grand Prix', 'Grand Prix', and the board's logo, the chequered flag device, as trade marks. There is considerable doubt as to the success of these applications and even if eventually successful, registration will not be granted for many months, perhaps years. The only means of protecting the intellectual property rights of the board is by way of Federal Court action alleging breaches of the sections of the Trade Practices Act relating to misleading or deceptive conduct and false representations, and the common law tort of passing off.

It is highly desirable that there be a legislative vesting of proprietary rights in the board, and the provision of a simple remedy against the suppliers of products which claim an unauthorised association with the Grand Prix. The provisions of this Bill are similar in effect to the provisions contained in the South Australian Jubilee 150 Board Act 1982 which protect the intellectual property rights of the Jubilee 150 board. The experience of the Jubilee 150 Board supports the efficacy of this type of provision.

The proposed amendments vest the proprietary rights in the title and logo of the Grand Prix in the board, and create the offence of selling goods marked with the title or logo or other prescribed names which could reasonably be taken to refer to the Grand Prix without the consent of the board. It will also be an offence to assume a name or description which consists of the title or words which could reasonably be taken to refer to the Grand Prix. The offences are to be dealt with summarily.

Clause 1 is formal. Clause 2 inserts in section 3 a definition of 'official Grand Prix insignia', being the names 'Australian Formula One Grand Prix' and 'Adelaide Formula One Grand Prix', the official logo and other specified expressions which can be taken to refer to the Australian Formula One Grand Prix. The clause also provides for the marking of goods with official grand prix insignia. Clause 3 provides that the amending Act does not apply to existing goods or arrangements.

Clause 4 inserts new sections in Part IV of the Act. Proposed new section 28a provides that the board has a proprietary interest in all official Grand Prix insignia. It will be an offence to sell goods marked with such insignia or to use such insignia for promoting the sale of goods or services without the consent of the board. It will also be an offence to assume a name or description consisting of official Grand Prix insignia without the consent of the board. An injunction may be obtained to restrain a breach of the new section. The board will be able to seek compensation on the conviction of a person for an offence against the section.

New section 28b empowers a member of the Police Force to seize goods apparently intended for commercial purposes that are marked with official Grand Prix insignia where it is suspected on reasonable grounds that an authorisation of the board has not been obtained. The goods must be returned if proceedings for an offence against the Act are not commenced within three months or if the defendant is not convicted of an offence after being charged; compensation will be payable if the goods cannot be returned and for losses incurred. If a person is convicted of an offence, the goods to which the offence relates may be forfeited to the Crown. Clause 5 will place the official logo in a schedule to the Act.

Mr INGERSON secured the adjournment of the debate.

VALUATION OF LAND ACT AMENDMENT BILL

The Hon. R.K. ABBOTT (Minister of Lands) obtained leave and introduced a Bill for an Act to amend the Valuation of Land Act 1971. Read a first time.

The Hon. R.K. ABBOTT: I move:

That this Bill be now read a second time.

It provides the authority for the Valuer-General to value properties which are included on the State Register of Heritage Items on the basis of their actual use rather than their potential use. At the present time, the Valuer-General is required to value this land, for the purposes of rating and taxing, on the basis of sales of similar land which may be influenced by potential for more intensive development or higher use, and disregarding any use of the land or buildings that may be inconsistent with the reasons that the land has been preserved as part of the State heritage.

In determining the 'site value' of land in accordance with the Valuation of Land Act, the Valuer-General is required to consider that any buildings on the land do not exist nor have they ever existed and therefore the value determined has had regard to the development potential of the land. The ultimate effect of this Bill is to ensure that owners of land listed on the State Register of Heritage Items are charged water, sewerage and council rates which are calculated on valuations which reflect the preservation of the land as part of the State heritage. I seek leave to have the remainder of the explanation inserted in *Hansard* without my reading it.

Leave granted.

Explanation of Clauses

Clause 1 is formal. Clause 2 provides for the commencement of the measure. Clause 3 inserts a new section 22b. The new section would apply to owners of land that is subject to the South Australian Heritage Act 1978, and would enable a valuing authority to value the land taking into account actual use rather than potential use and accordingly the fact that the land forms part of the State heritage. The section would accord with the fact that in some instances the listing of land as part of the State heritage may restrict the extent to which the land may be redeveloped.

The Hon. P.B. ARNOLD secured the adjournment of the debate.

ROAD TRAFFIC ACT AMENDMENT BILL (No. 3)

The Hon. G.F. KENEALLY (Minister of Transport) obtained leave and introduced a Bill for an Act to amend the Road Traffic Act 1961. Read a first time.

The Hon. G.F. KENEALLY: I move:

That this Bill be now read a second time.

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

Leave granted.

Explanation of Bill

This short Bill deals with several amendments of a disparate nature. It makes amendments designed to improve the procedure for authorising the use of stop signs in con-

nection with pedestrian crossings or road works in progress. At present, under the Road Traffic Act, a person may only exhibit stop signs in such circumstances if the Road Traffic Board has, by writing, authorised the person to do so. This is obviously an unnecessarily cumbersome procedure. Instead, under the Bill, such an authorisation may be given, with the approval of the Road Traffic Board, by a member of the Police Force or by the council or other authority having responsibility for the road or the road works.

The Bill also makes amendments designed to exempt cars of the St John Council for South Australia and vehicles of the State Emergency Service from compliance with some traffic provisions of the Road Traffic Act 1961; and to provide that such vehicles may be fitted with sirens. St John staff cars may be used by senior staff officers in the event of any emergency. These vehicles are fitted with two-way radio receivers and provide a mobile facility from which officers may coordinate and control manpower in the event of an emergency, thus enabling senior officers efficiently to co-ordinate and direct the efforts of medical emergency personnel. It is obviously necessary for such vehicles to be exempt from compliance with the principal Act in the same circumstances and to the same degree as the ambulances used by St John. Clearly, vehicles of the State Emergency Service fall into the same category, as they are used, not only for the purpose of coordinating operations of the State Emergency Service, but also in the course of such operations.

Clause 1 is formal. Clause 2 provides that the measure is to come into operation on a day to be fixed by proclamation. Clause 3 amends section 23 of the principal Act which provides for the procedure for authorising persons to exhibit stop signs at pedestrian crossings or at any section of a road at which road works are in progress. The section presently provides that the authorisation be given in the prescribed manner and regulations under the Act presently provide that the authorisation be given by the Road Traffic Board by instrument in writing. The clause amends the section so that a new and less cumbersome procedure is set out in the Act. Under the amendment, authorisation may be given for the use of a stop sign—

(a) at a pedestrian crossing—with the approval of the Road Traffic Board, by a member of the Police Force or a council or other authority having responsibility for the road;

or

(b) in connection with road works—with the approval of the Road Traffic Board or a person appointed by the Board to give such approvals, by a member of the Police Force or a council or other authority having responsibility for road works.

Clause 4 makes an amendment to section 40 of the principal Act which concerns the exemption of certain vehicles from compliance with certain provisions of the principal Act. The exemption conferred by that provision is extended to cover any motor vehicle (not being an ambulance) owned by St John while being driven for the purpose of taking action in connection with an emergency; and any motor vehicle used by the State Emergency Service while being driven for the purpose of taking action in connection with an emergency. Clause 5 makes an amendment to section 134 of the principal Act. The effect of the amendment is to permit the use of bells or sirens on vehicles of the kind dealt with by clause 4.

The Hon. D.C. BROWN secured the adjournment of the debate.

NATIVE VEGETATION MANAGEMENT BILL

Adjourned debate on second reading.
(Continued from 20 August. Page 382).

The Hon. D.C. WOTTON (Murray): The Opposition welcomes what can only be described as the Government's about-turn over the issue of native vegetation clearance controls. Ever since the first debate in this House on regulations brought down by the Government concerning native vegetation clearance controls, the Opposition—the Liberal Party in particular—has called on the Government to introduce some form of compensation.

The legislation now before us is largely modelled on a private member's Bill introduced by the Liberal Party in another place in August last year. Since May 1983, landowners in the rural community of this State have been subjected to considerable hardship and uncertainty, because the regulations were introduced without consultation. I have already indicated that I understand why that was necessary. However, the regulations were introduced on that basis without concern for the need to assist landowners or the need for compensation or assistance to those people penalised by the Government's action.

Ever since those controls were first instituted, the Liberal Party has drawn attention to the hardship, trauma and disputes that have resulted from the problems those controls have forced on to many families in this State. The Opposition has made constant approaches to the Government calling for compensation. I refer to a letter written by the then Minister for Environment and Planning in October 1971, indicating that he saw the need for some form of compensation, as follows:

> Any person having an interest in land which suffers damage as a result of a decision under planning regulations to preserve trees shall be entitled to receive compensation from the State Planning Authority.

On a number of occasions the Opposition has referred to that fact. However, the first Minister for Environment in this State made the point very clearly that there was a recognition that those affected as a result of the need to retain native vegetation should be compensated in some way. I refer to some of the history associated with the regulations, the controls that have been necessary as far as vegetation clearance is concerned. During the term of the previous Government it was becoming more and more obvious that there was a need to take some action to encourage landowners to retain native vegetation on their properties. In doing so, on a voluntary basis we invited land owners to take out heritage agreements to ensure that vegetation on properties could be retained in perpetuity.

With the change of Government, the incoming Government felt that that was not enough, and in May 1983 it introduced its own regulations. In November 1984, my colleague in another place (Hon. M.B. Cameron) introduced a private member's Bill containing compensation measures. At that stage the Government did not want to know anything about that legislation. Legislation was introduced as a result of a High Court judgment, and since that time controls have been maintained by a suspension of section 56(1)*(a)* and *(b)* of the Planning Act. That suspension will expire on 31 October 1985.

The DEPUTY SPEAKER: Order! There is a lot of audible conversation in the Chamber. As a rural producer I am rather interested in what the honourable member is saying. I ask the House to come to order.

The Hon. D.C. WOTTON: I would be interested to talk about your rural pursuits on another occasion, Sir. The Deputy Speaker will have every opportunity to do so also, and I look forward to his contribution, as a landowner,

when that opportunity is provided. In relation to the preparation of this legislation, once again, insufficient time has been provided for consultation. The Bill was introduced only two days ago. I had the opportunity to look at the legislation earlier than that, but it has been before the Parliament for only two days. I have not had the opportunity to consult with a number of interested bodies. I know that there has been much consultation between the Government and the UFS, for example. There has been a lot of consultation between the Opposition and the UFS over a certain period of time. The legislation we introduced last year followed considerable consultation. I suggest that that provided the groundwork for the legislation presently before us.

Concern has been expressed to me about the timing of the introduction of the legislation. Only this morning I received a letter from the Nature Conservation Society. It forwarded to me, as shadow Minister, a list of specific suggested amendments to the Bill. I presume the Minister has received the same list, and I will be interested to know what he intends to do about some of the suggestions that have been made. The Nature Conservation Society also commented on the draft regulations. Of course, the society was more privileged than we were, because at this stage the Opposition has not seen any of the draft regulations, although the Nature Conservation Society obviously has seen them. I am not objecting to that; I think that that is appropriate but, if they can be made available to a community group, one would think that they would be made available to the Opposition before this.

The Hon. D.J. Hopgood: I thought you had them.

The Hon. D.C. WOTTON: I have not seen any of the regulations at all. It is not necessary for me to go through all the suggestions made by the Nature Conservation Society. I concur with many of them, because the points the society raised are very sensible. If the Minister has the list of suggested amendments, I hope that he refers to them when he replies at the second reading stage and indicates what action the Government will take in relation to those suggestions. Had I received the appropriate information earlier I would have been able to put forward some suggested amendments pertaining to the suggestions made by the Nature Conservation Society.

I do not agree with all the suggestions made, but some of them are certainly worthy of consideration in formulating amendments to the Bill. I will be interested to see what comes of the proposals put forward by the society. I also look forward to having the privilege, as others have had, of looking at the draft regulations. Much has been said about the legislation and the changes that have occurred. In its magazine, *Farmer and Stockowner*, the UFS this week referred to this matter on the front page, as follows:

> Agreement with the Government over new native vegetation clearance measures should create a new climate for conservation in South Australia, UFS Senior Vice President, Mr Don Pfitzner, said this week.

He also said:

> It was common knowledge that the original legislation did not, and would not, work for many and varied reasons. The new arrangements should, however, bring more equity into the system while encouraging management of areas restricted from clearance.

I hope that that is the case. One of my greatest concerns in relation to the whole saga is that it has caused so much friction between the department and landowners generally. One does not have to be a Rhodes scholar to recognise that. Anyone who spends time in rural areas would know that that is the case. As Minister, I was aware of many of the feelings that were abroad and of the frictions occurring at that time between land owners and officers of the department, and this was particularly in relation to the National Parks and Wildlife Service and adjoining landowners, etc.

As a result of that, I established some 12 consultative committees in various parts of the State to improve liaison and to provide the opportunity for closer consultation between departmental officers and the communities involved. I believe that that worked well. In many cases it is still working very well, and the arrangement has certainly improved the liaison between those two groups. However, unfortunately, because of some of the things that have happened over the past 12 months or so, that situation has slipped back dramatically. I would be interested to know just what the Minister is doing to improve the situation. There is an obvious necessity for someone with a very balanced attitude to this situation to spend some time talking to rural groups and farming organisations, and to get out into the country areas to liaise with the people involved and just generally communicate with them. I hope that what Mr Pfitzner says is correct and that this will create a new climate because there is certainly a need for that to happen.

I was interested also in the August edition of the magazine that the Nature Conservation Society put out. The President's page refers to a 'thought for our country members'. The President, Mr Moyle, has put down an excellent editorial and has summed up the feelings of many country people who have felt disadvantaged and who have not understood the reasons why the Government has acted in the way that it has in a number of areas. I commend the President of that organisation for having put down so clearly his thoughts on the current situation.

I will not say a lot about the report that has recently been brought down in another place, although the opportunity is there to do so. The select committee was set up in another place to look at the overall matters pertaining to vegetation clearance. There has been severe criticism in some areas, some of which is justified and some of which is not. One criticism has been levelled at the way in which the Planning Commission has handled its responsibilities. The commission has been unfairly criticised. If it had been able to take a different road and do more in the way of consultation with those who felt disadvantaged and those who wanted to be in a position to ask questions, etc., it would have improved again the liaison between the commission and the public generally. The recommendations that came out of the report support strongly the introduction of this legislation. The Minister has obviously seen the necessity to move quickly and bring down the legislation virtually at the same time as the report was tabled. He must have had a very good understanding of what was likely to come out of the report, and has acted accordingly.

Whilst I recognise, and I have continued to say, that we have read and heard in recent times so much about the pros and cons of the regulations that were introduced by the Government, it concerns me a little that much emphasis is always placed on the need to retain native vegetation. I do not take away from that provided that the people who are disadvantaged are compensated, but I wish sometimes that we could hear more about the need for reafforestation and new plantings.

There is very much a need for strong support of reafforestation of the denuded areas of the State. There is plenty of advice from the departments responsible—the Department of Environment and Planning and the Department of Woods and Forests—that would provide assistance to those who want to be involved in such a program. Probably, there is a need for more incentives to be provided to encourage landowners to plant vegetation. Those incentives could include the provision of species, together with advice regarding the selection of species, planting, maintenance, and so on.

There is a need actively to encourage private land-holders, many of whom would be sympathetic, to maintain on a

voluntary basis and, where appropriate, large areas of native vegetation, under private control. If more is said and if some incentives are provided, I am sure that the majority of landowners would act responsibly in recognising the need for increased plantings. The Liberal Party certainly recognises the responsibility for the retention of our State's unique flora and fauna through the maintenance of a system of national parks and reserves and through vegetation retention, as well as a reafforestation program.

One of the many letters that I received over a period concerning the vegetation controls came from a person who owns a large property. I do not intend indicating the name of the person, but I will refer to a couple of points that he has made. He appeared before the committee and put forward an excellent submission to it on this subject. He states that he is opposed to vegetation clearance controls as they exist prior to any changes through legisation on the following broad grounds: first, their method of introduction. He is very critical of the way they came in. I can only repeat that I recognise that it would have been extremely difficult to give notice that such regulations were to be introduced. If I could believe that everybody would act responsibly in the knowledge that such regulations would be brought down it would be different, but I am sure that some people would have abused it.

His second point of opposition is that they unfairly erode the rights of property owners to put their land to its most appropriate use. He goes on to say that these rights, having been eroded, cause a hardening of attitude by property owners to the way in which the land will be used in the future. The controls penalise those property holders who have nurtured and preserved areas of bushland, whereas it indirectly rewards those property holders who have not shown this concern, and that is very much the case. He refers to the absence of any recognition of this infringement of property owners' rights and, in particular, the absence of any compensation for those losses.

He goes into a considerable amount of detail. On the erosion of property owners' rights, he refers to his own situation, in which application was refused on a couple of occasions, but I do not want to go into all of that detail. It is an excellent submission and one of many. Obviously, most of my colleagues who have represented rural seats have received considerable representation on this matter: I have certainly received literally dozens of letters from constituents.

I have witnessed and been part of the discussions with people who have been absolutely broken as a result of the effect of these regulations. I am aware of families that have broken up as a result of them. An incredible number of heartbreaking stories have come to me. I do not know whether the Government recognises that: I presume that it does and that some of those stories have got through to the Minister. It has been a very traumatic time, indeed, for a number of people who have been adversely affected by these regulations.

I refer to a couple of matters within the legislation itself. I wondered at first about the necessity for the establishment of an authority as well as an advisory committee. There seemed to be some duplication there. I have since thought that through and talked to people about it. I certainly recognise that need for an advisory committee. I think that the responsibilities of that committee, as spelt out under clause 17 of the Bill, indicate the need for its existence. My colleague the member for Mallee will have something to say about at least one of those persons appointed by the Governor to the authority. He will quite capably address that matter, so I will not refer to that. I refer to clause 13, which provides (in part):

> The authority may, with the approval of the Minister, delegate any of its powers or functions (including powers or functions delegated to the authority by the Minister).

The delegatory powers are very broad indeed. In his second reading explanation the Minister said that the authority would have exclusive responsibility to make decisions on all applications, but with the power to delegate. I fail to see how one can have exclusive responsibility to make appropriate decisions—

The Hon. D.J. Hopgood interjecting:

The Hon. D.C. WOTTON: The Minister might like to refer to that in detail. I know the fact that delegation can be made to a presiding officer, or another member of the authority, a committee, council, body corporate, or any other person has been welcomed by some people, but I see that delegation power as being extremely broad. I do not know whether the UF&S wanted the delegation powers to be so wide, but there must have been a reason for it. I hope that the Minister will be able to indicate what it is.

I do not have a lot of problems with the rest of the legislation. I hope that the Minister will refer to the matters that have been raised by the Nature Conservation Society, which has put forward about 10 different suggestions: some I support and some I do not. The Minister, if he has that list, will have an opportunity to speak to that at a later stage.

Finally, in commending the Bill to the House, I recognise that the majority of landowners will welcome this legislation. For most of my life I have had dealings with people on the land and I have come to realise that landowners generally live close to nature and are observant of it, which of course they have to be in order to survive. On the other hand, they are running a business that is closely tied to their natural surroundings, and their livelihood depends on the conservation and improvement of that environment.

Besides making an honest living from the land, in the majority of cases I am sure that most landowners see themselves as contributing to this country's wealth. They are not mining the land, as some would have us believe (or at least very few of them are). It concerns me that on so many occasions people claim that farmers are mining or abusing the land for which they are responsible. That might happen in a very few cases, but as far as the majority of land owners are concerned that certainly is not the case.

Many farmers have retained on their properties areas of natural scrub and they are proud of that and they will continue to do so. There are also many native animals and birds that are protected by individual farmers on their properties. If we are looking for examples, I cite Vern McLaren, in the South-East of this State. He has been recognised internationally for the contribution that he as a landowner is making to the retention of vegetation and the protection of flora and fauna. He is making a valuable contribution to this State. I believe that most farmers are conservationists; they recognise the need to accept responsibility for retaining and planting more vegetation.

Whilst recognising that they accept this legislation, they are pleased that the Government has changed its attitude towards compensation and now recognises the need to assist those who may be disadvantaged. I am sure that the farmers will also be looking forward to the review which will be carried out at the end of the first 12 month period and which was referred to by the Minister in his second reading explanation. At one stage I wondered whether it would be appropriate for the advisory committee to carry out that review, but, after giving the matter consideration, I think it probably is better to have somebody outside the system, outside the committee and outside the authority to carry out that independent review. In closing, let me say that the

editorial in the *Advertiser* of 13 May 1983 summed up the issue.

The Hon. Ted Chapman: That was the conservation writer in the *Advertiser.*

The Hon. D.C. WOTTON: The *Advertiser* has been recognised for some time as a paper which is sympathetic to the need to protect our environment. I think it has acted responsibly in that area. The editorial, which questioned whether the issue of compensation had been thought through when the new controls had been handed down, states:

> . . . since it would be unfair to restrict land clearance in cases where a farmer had legitimately expected it when investing in a property, and then expect him to carry a heavy burden for what is, after all, the community's need above his. This is at the core of conservation. When we, the community, want to guarantee our future, we have to pay for it. But we have to balance the price of paying with the cost of not paying.

I support the legislation. I recognise that a number of my colleagues will want the opportunity to speak on it, and I know that at least one of my colleagues intends moving an amendment.

The Hon. TED CHAPMAN (Alexandra): For many years primary producers depended totally on the land for their own survival and for the economy of South Australia. They have been criticised because of the way in which they have developed this dry State of South Australia. I believe that it would be inappropriate to overlook the contributions that those producers (some 20 000 of them in South Australia) have made in developing this State and going about the business of primary production of its land.

In recent years, and with the benefit of hindsight, environmentalists have tended to criticise those farmers. That criticism has been delivered, not in all cases but in many cases, by persons who have no real understanding of or feeling for the objectives of farming. It is in that context that I think the record ought to be put a little straighter than it has been to date.

It is easy to say now that farmers in the Mid North of South Australia, Yorke Peninsula, Eyre Peninsula, the Mallee, and so on, through to the Victorian border should have retained greater areas of vegetation on their properties. In many cases on those properties areas of native vegetation initially were left by the developers of those farms, and it was not until the establishment of pastures and, accordingly, the attraction of rabbits and congregations of such vermin, that farmers had to recultivate, replan and reapproach the farming operation on their respective properties. In many cases they were required, in order to eliminate or at least control those vermin, to set about and clear areas of land which they themselves or their predecessors had left and, indeed, which they themselves in ordinary circumstances would desire to retain. We did not have myxomatosis in those times. We had access only to various forms of machinery and equipment in order to control rabbit numbers. As fires were used in the early days to keep those areas cleaned out, the risk of adopting that form of management in the closer settled areas were diminished and farmers had to resort to ripping and like methods of eradication.

In order to rip out those rabbit warrens, the vegetation—not in all cases, but in many cases—had to be removed. At the time those farmers were genuinely concerned about the eradication of those shelter belts, but I understand that they felt, in the circumstances and in order to survive, that they had very little alternative. Certainly their successors and later generations on those same properties have quite clearly regretted the methods adopted and, accordingly, welcomed the new systems of rabbit and like vermin control by parasite, or other chemical or sophisticated anti-machinery methods. In those cases one would hope, as my colleague the shadow Minister for Environment and Planning has indicated, that revegetation will proceed.

On the scene generally, and as a result of that background, it is not fair to say that farmers devastate native vegetation in the ordinary course of development. Indeed, the vast majority of primary producers are extremely careful and environmentally conscious of what they are about in the development of their properties. I am not one who sees the need for heavy-handed legislative control on occupiers of their own land in those areas of the State where we are fortunate enough to have high rainfall and assured seasonal conditions and where regeneration occurs rapidly. In the main, without legislation, given the benefit of hindsight and the experience of our predecessors in the development of this country, a very cautious and responsible attitude to future development of those lands would have taken place anyway.

Be that as it may, in May 1983 the Government of the day saw fit to introduce under the Planning Act provisions applying regulations to the development of new land and the clearance of native vegetation forthwith. We all know about the system of application demanded of primary producers and the difficulties that administrators had at departmental level in putting those regulations into effect. I do not believe that any benefit exists to any of us to recanvass, as I and my colleagues have on a number of occasions in the interim, the impact of these administrative actions and, indeed, the disturbance and the distress that grew up as a result. In summary, the gap between them and us—that is, the administrators and the farmers—widened dramatically almost throughout the whole period from May 1983 until the select committee of the other place was established.

I come therefore to the actions of the select committee and place on record my appreciation of the efforts of those who served on the vegetation clearance select committee of the Legislative Council of this Parliament. That acknowledgement is extended to members of both political persuasions who served on it and, indeed, to the staff. During the 22 meetings at which those members attended with the staff, they received something like 300 submissions and we owe them a degree of gratitude.

Again, it is not my wish to canvass the content of the select committee report except to say that it is perfectly clear that the allegations made over the period were largely picked up by the committee from evidence submitted. We will never know what was right or wrong about that and, accordingly, it is not relevant to debate it further. I am aware of what happened on the ground within my own district and, as was drawn to my attention in Eyre Peninsula, the South-East and the Mallee district, details of a number of specific cases were given, but to generalise in such circumstances is, in my view, dangerous and not necessary to further canvass.

I commend the committee for its efforts. It is with a little bit of feeling and political bias that I do so, bearing in mind that the recommendations of the select committee were, almost to the letter, in line with the Liberal Party's vegetation clearance policy laid down publicly last year. In that context it was even more pleasing to note that the negotiators (if we could describe them as such), the representatives of the United Farmers and Stockowners Association, later picked up the Liberal Party's policy and successfully jockeyed it through their negotiations with departmental representatives on our behalf. From the viewpoint of political success, the exercise has been worth while as far as we are concerned.

The Hon. D.J. Hopgood interjecting:

The Hon. TED CHAPMAN: A few adjustments resulted, and the Minister is hastening to point out that the legislation before us is, in his view, not consistent with the Liberal

Party's view. However, it is sufficiently close for us on this side of the House to support it. In matters of concern to us in the rural sector, I assure honourable members that, if it were not relatively close to the Liberal Party's policy, we would not support it. Let us be clear about that situation.

A couple of safety valves are built into it that we are pleased to note, not the least of which is tied up in clause 30(3) of the Bill wherein, quite apart from what may be identified in the process of considering an application by the authority and in turn by the commission or the appeals arm of the outfit, the Minister may take into account special circumstances which are unforeseen at this time and which may arise in the meantime and require attention by way of compensation, financial assistance, adjustment or review further down the track. Over and above that safety valve we have the assurance (the Minister will give it later) that after 12 months the whole exercise surrounding legislation will be subject to review. So, from our point of view they are two clear safety valves in the exercise.

I draw to the Minister's attention, in the meantime, one or two other matters so that people will not be unduly distressed or hurt by the implementation of the Act when it is proclaimed. I refer to the situation surrounding the 12½ per cent of the property which under no circumstances will be subject to compensation or assistance. Although 12½ per cent of land, which is the threshhold figure before compensation comes into effect, is 2½ per cent higher than the figure that was in Liberal policy, my Party is not really fussed about that amended figure. Some of my constituents are concerned that any figure at all should be incorporated in the legislation, but I accept that the owner of a property is a member of the community and, accordingly, a community responsibility should be picked up by all, and not totally isolated from the landowner.

Therefore, I accept that this arbitrary figure of 12½ per cent, for want of another figure, reached as a compromise or through discussion or consultation, is near enough for the time being. However, I am worried about the situation where a majority of the property may not be intended to be developed and/or may be agriculturally unsuitable for development. In such circumstances, the application of the 12½ per cent threshhold will deny a person compensation or assistance in respect of a parcel of land concerning which an application to develop may have been refused.

I cite an example that was drawn to my attention recently. The landowner held 1 750 acres, of which he had developed 500 acres over the period of occupation. Between May 1983 and now he has applied to clear a further 150 acres and his application has been rejected. Under the legislation he may reapply, but assuming that he does reapply to clear that 150 acres as a part of his progressive development program, if he is rejected again he does not qualify for any compensation or assistance on that parcel of land. That is because, in itself, it represents only 8 per cent of the total property holding and, under the criteria laid down in the Act, compensation will not commence on land until after the 12½ per cent of the total property holding has been laid aside. That property owner is then caught in an untenable situation, which would apply also, on my reading of the Bill, to the property owner each year thereafter when he seeks to clear, for example, 150 acres as part of his annual development program.

I see no alternative for that property owner or anyone else in a like situation but to lodge an application that is not in line with his intent: in other words, a bogus application. I am concerned that, in order to qualify for the development of that part that they wish to develop and/or for compensation or assistance in management thereafter, the legislation may lend itself to inviting people in future to apply to develop more land than they need to or they are in a financial position to develop. My reading of the papers accompanying the Bill and of the select committee's report does not reveal to me any opportunity for a person at any level to ascertain whether the applicant is financially able to proceed with the development for which he or she applies. In other words, there is no opportunity to test the capacity of an applicant to develop.

I am not so sure that there should be to the extent where one's financial affairs or one's financial capacity to develop should be revealed but, at the same time, in the absence of that, an application may be lodged by a farmer for a much greater area than he would ordinarily wish to develop. In that respect, will the Minister consider an earlier review of the 12½ per cent threshhold figure on the whole of the property and consider reverting to the 12½ per cent applying to the total area of agriculturally suitable land?

I say that also because there are some properties, even in the wetter and more healthy native vegetation covered areas of the State, where within their boundaries lie swampy, stony or sandhill areas that are simply not suitable for development for agricultural purposes. Indeed, there may be on such properties large areas which, if cleared, are subject to salinity. In that case the remaining area that is suitable for agriculture could be penalised as a result of proceeding with the formula requiring the 12½ per cent to be uncompensatable in terms of the total area of the holding rather than that area which is suitable for agricultural development.

Those matters have been drawn to my attention. The example that I have cited applies to a wide area of farming circumstances around the State, and this matter should be watched closely. We should ensure that the position is subject to review at the appropriate time or in the interim.

Finally, I place on record my support for the attention given to this subject by my colleague the shadow Minister for Environment and Planning (Hon. David Wotton), who has been under enormous pressure throughout this exercise. Indeed, as Minister from 1979 to 1982, it has been said that he was responsible for a Planning Act which enabled these things to occur, but that is unfair, because that legislation provided the canopy for a whole range of regulatory actions to be pursued, and my colleague is not and was not responsible for the type of regulation with which we have been burdened since we have been in opposition.

As a result of those regulations coming forward in the way in which they did and as a result of their implementation in the clumsy way that has been canvassed, our colleague has been under enormous pressure. Bearing in mind the lobbying and the demands made on him throughout that period, we should fairly place on record our gratitude for his attention to the subject, his sensitivity to environmental aspects which are to some people so dominantly important and, as far as I am concerned, his sensitive regard for the primary producers to whom attention was so liberally given in the policy of our Party and largely in the select committee's findings, in line with the attitude of the farmers and stockowners of this State and, more latterly, with their negotiations with the officers of the Department of Environment and Planning. During the Committee stages, as indicated by the previous speaker, we will have a little to say on the clause relating to the appointment of the new authority. At the appropriate time I will subscribe to the debate, especially with respect to that element that introduces the Minister of Agriculture into the appointment structure of the authority. Our colleague from Mallee (Mr Peter Lewis) will be directly responsible for that initiative, for which I signal my support.

Mr GUNN (Eyre): I am pleased to support the Bill, having been involved in this controversy ever since the

Government brought down the now famous regulations which have caused all the problems. I had the dubious pleasure of being a member of the Subordinate Legislation Committee which took considerable evidence in relation to this matter. I also had the unfortunate task of appearing before the State Planning Commission to represent one of my constituents. I sincerely hope that this organisation functions far more effectively and efficiently than the way in which these regulations have been administered.

Numerous constituents have complained to me about the operations and effects that the regulations have had upon their future economic viability. It is a pity that, prior to introducing the regulations, the Government did not sit down and discuss them with the United Farmers and Stockowners and other land holders, so as to overcome a great number of the problems that have occurred. One matter has gone to the High Court; there have been attempts to amend; the regulations have been subjected to disallowance; and we have taken up our time and public servants' time in appearing before the Subordinate Legislation Committee. I was amazed when I appeared before the Planning Commission to count about 16 public servants lined up at something like the inquisition! A humble fellow such as myself had to appear with my constituent and face this group of people. I was quite taken aback; I went weak at the knees and was forced to rise to my highest to address the commission, I think with some vigour! However, my time and theirs could have been put to much better use than going through such a charade because it left a great deal to be desired.

I have had a great deal of experience in clearing native vegetation, because I am one of the fourth generation of farmers to have lived on Eyre Peninsula. My family, like many others, has cleared large tracts of mallee scrub. One of my earliest activities on the farm was driving a TD9 crawler tractor knocking down mallee, going over stumps and snags, which is an experience, particularly when one has not had much experience in manouevring such a vehicle through trees. I have picked my share of stumps, raked shoots, and had the dubious honour of cutting shoots, so I speak with some authority on this matter. When these regulations came into effect, it caused a great deal of panic clearing. The same thing happened a few years ago after a well conducted inquiry and a report brought to people's attention the fact that restrictions might be placed upon them.

This problem should have been resolved long ago. It is interesting to examine its history. Until a couple of years ago landholders were obliged, under their leases, to clear the majority of their land, and most people did that. They were required to leave certain amounts of land uncleared. but suddenly overnight the rules were changed. That caused many problems to people who, in good faith, had bought developmental blocks for which they paid a considerable amount of money and which they intended to develop over a reasonable period, particularly if they had a son who wanted to be a farmer.

When the ground rules were changed some people were financially embarrassed. I well recall debating compensation rights with the Minister on the floor of the Legislative Council during the Estimates Committee. He gave me short change on that matter; it was obvious that we would not get far down that road. Of course, as pressure developed on the Government the select committee dug deeper and gained access to the minutes of the Joint Committee on Subordinate Legislation which showed that undertakings were given and that clear and precise questions had been asked. I deliberately set out on a course of action that ensured that we covered every eventuality. I may have been a bit aggresive with my cross-examination, for which I do not apologise because it was essential. It laid down clearly once and for all where the department stood, or so we thought.

However, a number of people dealt with by the department received less than reasonable treatment. I will not say any more about that, but I hope that this legislation will rectify this problem. I hope that the Minister will address one or two matters in his reply to the second reading debate. What happens to people who want to clear fence lines? Do they have to apply to the new authority? What happens if people want to clear drains for dams or catchment areas, straighten roads, knock down a tree (a minor matter) or burn off a bit of grass—which is a normal activity in many parts of the State, because mallee trees are not damaged by burning and they grow best in the summer, anyway?

Will the Minister address these matters? It would be absolutely ridiculous for a person wanting to erect a few hundred metres of fence line to replace old fences with trees growing over them if he had to apply to an organisation for that permission; it would be unnecessary and bureaucratic. I would appreciate the Minister's response to some of these questions. My electorate, and those of the members for Mallee and Flinders, will be more affected by these proposals than will any other area in the State. In my district is country which runs between the agricultural and pastoral areas in which there are great tracts of mallee. From time to time people wish to clear fence lines along roads to give reasonable access during bushfires or for other purposes.

What will happen in the mallee country when mining companies want to put in survey lines? Will they have to apply to this organisation for permission to carry out seismic activity? As one flies over this country (as I do regularly) one sees the survey lines of companies with exploration licenses. Can the Minister advise me what is the exact situation regarding this matter? In relation to powers of inspectors, on page 13 the legislation provides:

> A member of the authority or a person authorised in writing by the Minister may at any reasonable time enter upon and inspect land for any reasonable purpose connected with the administration of this Act, but no building shall be entered into pursuant to this subsection unless the occupier has been given reasonable notice of proposed entry.

What need would a person have to enter a building, when looking at native vegetation? This provision is unnecessary and bureaucratic. I am sick and tired of clauses of this nature being put in legislation. Recently an inspector who, in my judgment, had no authority to do so, made the wildest demands on a constituent of mine. I had to take up the matter at the highest level, and I am still considering whether I will name the individual during the budget committee stages. The person who was seeking information was doing so outside the bounds of the Act. He threatened to take away the property owner's utility, and did take away his firearm, without authority, saying that it would not be returned. Only the court has that authority.

I was responsible for getting the member for Murray to amend the Act. Why is it necessary for there to be a power to enter a building? It is absolute nonsense, and should not be in the legislation. When any person enters any property, the first course of action should be to call at the homestead and advise the owner of his presence. This is common courtesy: the people exercising this authority would not like it if someone drove into their backyard and wandered around—they would take umbrage. I do not blame people for getting upset. The first call should be at the homestead.

I shall be monitoring this clause very closely. I give fair warning that if the provision is not properly administered the whole matter will be canvassed in this place before the budget committees, at which time we can really deal with the individuals concerned. A lot has been said about civil liberties, and I believe that the way governments are giving

this sort of authority to public servants is unwise and unnecessary. I do not believe that anyone should have that sort of authority. The police do not even have it, and they are trained in these matters. Most of the inspectors involved, unfortunately, are not trained in these matters.

Members interjecting:

Mr GUNN: This is a hobby horse of mine, and I could take up the whole of my remaining 19 minutes talking about other examples. However, I do not want to do that, as it is unnecessary. In conclusion, I raise the question why it is necessary to have an advisory committee of eight persons. In my judgment, four would be enough.

I sincerely hope that this measure will overcome all the problems that have concerned landholders and that it will assist people who are concerned about the retention of adequate stands of our native vegetation. I have always subscribed to the policy that it is good farming practice to retain certain areas of native vegetation on farms. We all know that certain parts of this State have been overcleared. However, one of the things that people have overlooked is that landholders in areas such as Upper Eyre Peninsula, who have set aside areas of scrub, were penalised because of the faulty practices of people in other parts of the State who overcleared their land. I sincerely hope that each application will be considered on its merits.

In my electorate there are very large tracts of scrub on land which is very suitable for agricultural purposes. Therefore, I hope that when this organisation is finally set up it will act in a reasonable and sensible way and be guided by common sense. People should not have to make application for very minor development or clearing. If one wants to clear a small site on which to build a shed and in so doing push over a few native shrubs, surely that person would not have to apply to do so.

This refers equally to a person wanting to lay a polythene pipe through the scrub, during which process one would have to knock over a few bushes. We have all done it. One may have to go through with a front end loader with a roller fixed on behind so as to make an area suitable to drive over: surely one would not have to get permission to undertake these sorts of activities. I understand that under the existing regulations such activities are exempt. People should not be prevented from clearing their catchment areas adjacent to dams, for example. I shall view with a great deal of interest how this measure is implemented. It has a considerable effect on my electorate and I will be monitoring the matter with interest. I support the second reading, and look forward to the Committee debate.

Mr LEWIS (Mallee): I support the measure, especially for its general principles of seeking to ensure that remnant native vegetation, as it still exists, is retained, at least in sufficient area to ensure its survival in perpetuity. I shall define what I mean by 'perpetuity', or at least give some explanation of it. Those of us who have had anything to do with the sciences of ecology, biology, botany or zoology know that no species of plant or animal has existed for all time or will exist for all time. Whereas 'perpetuity' really means 'forever', we all know that that cannot be so. It is just in the nature of life that across the milleniums, which would seem like milliseconds over time as it stretches before us, species will come and go, including homo sapiens.

We are fairly recent arrivals on this planet in this solar system, in the scheme of things, and I guess that it behoves us to recognise our part in the delicate infrastructure of life, to ensure our survival at least. We are a part of that infrastructure, and it may be that by our own acts, interacting with it, we could make it so inhospitable to our existence that we in turn bring on our demise as a species earlier than might otherwise have been the case had we been more sensistive about the way we treated other species. This is at the basis of the concern which genuine people have when seeking to ensure the survival of remnant vegetation and species which live in it, be they flora or fauna.

Having spelt that out, I make the point that it is not necessary (to ensure the normal survival of those species indigenous to this continent) to retain the whole as it was at the time when Europeans first came to the shores of this continent. In fact, there is good scientific opinion that holds that only 5 per cent would be sufficient so far as it relates to just native vegetation, and that in any case no specific percentile assessment can be stated in general terms that will be applicable to each species.

I make the point about the general proposition of 5 per cent being adequate because the Bill contains a proposition that it ought to be 12½ per cent. The Liberal Party's policy on native vegetation clearance controls specified 10 per cent. I think the extra 25 per cent was a kind of sop to some people who have a precious attitude to the environment, not based on any scientific awareness of what they are really talking about, offered by the Minister to get their concurrence and acquiescence in the face of this legislation. He is saying, 'At least we have done a bit better than you would have done had the Liberals brought in this Bill after the next election when they will be in Government; so you had better take what we have got now and shut up and be glad that we at least had the gumption to bring in the Bill now because in a few weeks we probably won't be in Government and you would have been stuck with a 10 per cent proposition.'

So, those poor, ignorant fools who have this precious attitude to the environment believe that they have done better. From an emotive point of view they have, but from an overall welfare point of view they have done poorly in that scarce resources—and I use the 'scarce' as an economist would—are to be applied to the retention of native vegetation now to a greater extent than would be scientifically necessary to ensure its survival in perpetuity, and those scarce resources so applied will not be available for other programs like managing parks within the parameters of the Minister's portfolio, to which this legislation relates or, on the broader front, for the general welfare and improvement of society at large.

I am really saying that more money spent on one program means that there is less for all others because money is not stuff that one can make by simply turning on a printing press: it is merely a store of value and an expression of worth, and if people will not work and do not do anything except print the money it is not worth a cracker because it will not call up resources that are available from anyone else who wants something. That is an important aspect of this legislation because it relates to the way in which the State will have to dip into general revenue for the purpose of paying the compensation that is justly to be paid to those people who will have to be compensated if they are required to forgo their rights as individuals to derive an income from their investment.

It might appear that increasing the percentage that is to be retained is saving money, but it is not doing that because it reduces the capacity of the economy to generate a cake of bigger dimensions. No matter: that is a judgment that the Parliament will make in the fullness of time in the fairly near future as it decides the fate of this Bill. Given that the Opposition supports the Government's Bill, that will be only a matter of hours.

It is a pity that the measure was brought down in the fashion in which it was in the first instance. There are other techniques by which it would have been possible to secure the existing remnant native vegetation throughout the State without forcing the Government into conflict with individual citizens. I now look at the effect that doing it the way in

which it was done in May 1983 had on a number of people and why that was so unjust and unfair. As much as any other member, I have had representations made to me by constituents who were adversely affected by the regulations, which proved to be *ultra vires* when tested in the courts. There were quite a number of people—not just 10, 20 or so but in the order of hundreds—whose capital assets were adversely affected by those regulations when they were first brought in, and whose prospective earning capacity was reduced. I am not speaking about the whole State now but just about the constituency that I represent—the district of Mallee.

Amongst that substantial number were still a significant number of hard-working people who had by various means acquired land, on which were substantial areas of native vegetation, at less than the market value of similar land that already had been cleared and developed for agricultural purposes, and it was their intention to develop it throughout their lives as seasonal income and other family expenditure constraints permitted them. They are the people who do not have farms given to them in the course of their inheritance entitlement; they are the people who by dint of their own energy have to work, expend some of the income derived from that work to look after themselves, and save as much as possible to get a grubstake together to invest in such land; they are the people who are the sons and daughters of workers and very often begin their program towards ultimate farm ownership by leaving school and taking the highest paid, hardest, most inconvenient and uncomfortable jobs that there are in the economy at which they believe they are capable of developing a competence.

They go shearing and fruit picking, and work long hours and may, indeed, work at more than one job. They save money, acquire plant and equipment very often and become share farmers, as we know them, on rain fed agricultural land. Through share cropping with other landholders in one or other of South Australia's agricultural districts, they put together an even greater lump sum, maintaining or increasing their investment in plant and equipment, to the point where they are able with the additional funds at their disposal to buy a farm. They buy this farm, more often than not, largely uncleared and with sufficient opportunity in the immediate future, however, to crop and graze enough of it to obtain a cash flow, supplemented by their continuing off-farm work, and they develop it after marriage in concert with their spouse so that it provides for the needs of their child or children who result from that union.

Not all of them get married. The people who most commonly do that are men. There are very rare examples of women attempting or achieving it. These regulations hit them very hard. Members might legitimately ask why there are more of them on a *per capita* farmer basis in my electorate of Mallee than anywhere else. It is quite simply because the capital value of land in the electorate of Mallee, by virtue of its reduced unit area productive capacity when developed, is lower and the risk of drought is higher.

These young people are prepared to take that risk, because they have the capacity to scrimp and save in their younger years, whereas older men and women would not be able to take the rough with the smooth. These people battle during their early 20s and 30s and continue to expand the area that they have for cropping and grazing by clearing the native vegetation until they can be reasonably certain of sufficient income to support a family. They then begin a family.

They have not in the past come griping to Parliament or other taxpayers for large amounts of money or for jobs. They have been self-reliant and very responsible in their attitude and outlook on life; they have been the backbone of this country. It is their type of guts and courage which gives this country its present living standard, lifestyle and prosperity. It was through such people that Australia generated the export income that underpinned its massive economic development post First and Second World Wars. Some of them are still around today. As I said, those people were hit the hardest.

I have dwelt on those people, because a number of them felt very ashamed that they had failed after a couple of years. It was at that time that they felt the impact of these *ultra vires* regulations on their income prospects and the security which they had to offer to lending institutions and banks. They could not even bear the thought of discussing their failure with the select committee. In fact, more than a double handful of men have come to my home at Tailem Bend, some in company with their wives and children, to talk to me about their dilemma. They did not know where to go in order to receive assistance and feared that, if they spoke to officers of the Department of Environment and Planning and the Native Vegetation Clearance and Control Unit, they would ultimately prejudice their case, as it might be reviewed or considered by those very officers. They feared Governments, Government departments and the servants within those Government agencies.

Many of those people, during their description to me of their personal circumstances and knowing that they were going to lose their farms, broke down. This phenomenon began occurring in June last year. I do not ever want to see such regulations, subordinate legislation, laws or solid statute inflicted on such people again. They did not and do not deserve that kind of treatment. They were honourable people and still are honourable people. They have now left their properties to those who thought it would be a good investment. Those investors were certainly not people of the same ilk as the former owners; more often than not they were neighbours or near neighbours. Some are still hanging on in the vain hope that they will be able to tough it out. The way the season is going this year, they might just be able to.

However, it was a very stressful occasion. I know of six marriages which broke down as a consequence of the effect of these regulations that are now replaced by this Bill. To my mind, that could have been avoided and it was quite unjust to impose that level of stress on those people. I am sure that there are many others unknown to me whose marriages have broken down, their families have been split and the farm has been sold in order to pay creditors, with no prospect of happiness in the immediate future for children or adults. That was demonstrated in evidence by some people who felt confident enough and courageous enough to talk to the committee. I wish that the committee had gone on tour to some country centres, because in more than one instance one of the reasons given by those people for not appearing before the committee was that they simply could not afford the $15 or $20 for fuel to come to Adelaide on the day on which they might, on the off-chance, be given a hearing. They said, 'Well, I guess it is hard luck and we will have to take it that way, Pete.' I feel for those people.

I now want to turn to the legislation which replaces those regulations and make some comments on what might be termed by some as nit-picking inadequacies, but in my view they are substantial inadequacies given that the Government on this occasion is attempting to sort out all the anomalies. The Minister was stupid enough to talk alone and only to the United Farmers and Stockowners. The only other source of available advice to the Government and taken by the Government was the report of the select committee. I do not reflect on the representations or opinions of either of those bodies, one of which is a committee of

this Parliament, and the other an organisation of integrity in the rural arena of agro-politics.

However, by its consulting so narrowly, a significant part of this State's industries which are to be affected will not be taken into consideration in the legislation. For instance, five people comprise the authority and eight people comprise the committee, but not one person has to have any skill in forestry. In this context I refer not only to pine forests, but I refer to a range of other commercial crops such as wood lotting. not for firewood but, say for brush production. Without attempting to clear existing native vegetation, one can simply go in and increase the density of the stand of the melaleuca species, which can produce brush, and leave the remaining vegetation that is not crushed underfoot in the process to protect it while it develops through its establishment phase, and thereby produce a commercial stand of melaleucas for brush production.

Most members would know that brush is used extensively for shadehouses and fences in Adelaide. Interstate and overseas visitors find that a particularly attractive and interesting feature of our urban landscape. So, somebody should be included with specific knowledge of forestry because such people are trained in silviculture as well as horticulture. What is more, such a person would be able to bring expertise to both bodies where revegetation programs are to be undertaken. If we are to be concerned about retention of existing remnant vegetation, we should be equally concerned about reafforestation of those areas already denuded—reafforestation which was not possible two or three decades ago because rabbits would have wiped out the seedlings that would have been planted there within a matter of days, if not weeks, of them being so planted, but which is now possible and, given the mores of the community, is likely. I advocate that.

I wish to look at the way in which the Minister can delegate power to the authority which can, in turn, delegate to any council (I am not sure what that means) and can delegate or sub-delegate power to any officer of that council. I refer to clauses 12 and 13 of the Bill, the aspects of which I will not debate now. However, I refer to them because they are important oversights of the impact that the legislation can and will have as opposed to what it was meant to have. The Minister, I believe, quite sincerely wanted to take these things into consideration, but foolishly overlooked the necessity for a bit of lateral thinking in developing an adequacy in that respect.

We can look at another part, where the authority has to make an annual report, and find that it is unclear as to whether that report shall contain information about the activities of any person, council or any other body to which it did delegate its authority during the course of that year. I am astonished that the pecuniary interest clause is in the form that it is, as it is a contradiction in terms. It really means that somebody who has the expertise cannot give the advice, in the form that it is. I am also amazed at the inadequate definition, in my judgment, of the meaning of the word 'agriculture', in that it does not include horticulture.

In my electorate an industry worth many millions of dollars (I have referred to it not only in my maiden speech in this place but subsequently during the period in which I have been here) could be established in horticulture—a large industry drawing water for the Murray basin. I do not understand, either why the words 'agricultural land' are so inexplicitly defined, because it means that, if it is for horticultural purposes, it is automatically ruled out under the terms of the legislation.

I worry that the definition of 'land' means land above or below water level. We have artificially created a lot of wetland and artificially drained or eliminated other wetland. I do not know, therefore, what effect that will have, especially as it relates to the seagrass meadows around South Australia's coastline. They can become a multi-million dollar resource for the development of mariculture and aquiculture. I see no reason why they should not, so long as sensible development of those resources takes place. That is particularly relevant along the Murray River—again, part of my electorate.

It is not just the saline waters of the gulf and the estuarine waters of the Murray or other rivers, but also the fresh waters of the Murray and or any other river and existing bodies of water in lakes. In some waterways and lakes in the lower South-East it may be necessary and desirable to clear away certain native vegetation in the development of fish ponds for the production of trout fingerlings and trout for market use, such developments possibly being excluded by this legislation.

The Minister has not thought it through carefully, but has merely satisfied the enormous howl that came for the agricultural sector—not the horticultural, forestry, mariculture or aquicultural sectors—as represented by the people in the 'aggro' political organisation, the UF&S. In consultation alone with that body, and in listening to the evidence of the substantial impact of the regulations as presented to the select committee, this Bill has been prepared. That is a pity, as it still is not global enough in the way it addresses the effects it will have on the industries and potential industries to which I have referred.

I ask the Minister to give sincere consideration to the amendments that I will move when the Bill goes into Committee, as I am sure it will. I commend the Minister for getting it together, however late. I regret that it was not done before—it is tragic, and I feel for those people whose lives those *ultra vires* regulations have destroyed.

Mr GREGORY secured the adjournment of the debate.

ADJOURNMENT

The Hon. D.J. HOPGOOD (Deputy Premier): I move:
That the House do now adjourn.

Mr ASHENDEN (Todd): I wish to address myself this evening to a problem of major proportions within the electorate of Todd, and one that is, unfortunately, growing in seriousness. A group of young people is congregating in Banksia Park in the area adjacent to the Banksia Park Primary School and the shopping centre in close proximity to that school. The young people who are congregating in this area, particularly at night, I can only describe as children between approximate 10 years of age through to youths and even young men. Unfortunately, the group congregating in that area is causing very real problems to local residents.

Despite the fact that many of these young people are well under the age of 18, they are drinking large quantities of alcohol and, with that alcohol in their system, they are taking action that can only be described as extremely antisocial behaviour. They are congregating illegally on the school grounds of Banksia Park Primary School, obviously without the consent or authority of the principal, the staff or the school council. The police have been contacted about the problem, and I place on record my very sincere thanks to the Holden Hill police for the way in which they have been trying to control the problem and assist local residents. Their task, however, is almost impossible.

I found it incredible to be advised by a senior police officer of the Holden Hill Police Station that, at any given time, the police there have sufficient personnel and funding for there to be only two patrol cars in action. These two

patrol cars are required to patrol all of the city of Tea Tree Gully and many other suburbs outside the city of Tea Tree Gully. With the severe financial and manpower limitations placed on them by this Government, the police at Holden Hill are trying to do the best they can to help the residents not only in Banksia Park but throughout the city. I am addressing myself tonight specifically to this area of Banksia Park, and I wish to tell honourable members of the sorts of problems that local residents are being forced to face.

One constituent who has contacted me has been physically attacked by some of these youths; another has contacted me because his house has been damaged by them; and another has told me that it is not uncommon, especially late at night and on Friday and Saturday evenings, for young people well under the legal age of 16 years required for a driving licence to be riding motor cycles through the streets in an extremely dangerous manner, frequently without headlights or tail lights burning. I have been told that other youths are using local streets as a race track and driving their cars extremely dangerously. Other constituents have contacted me because their sleep is continually disturbed, especially on Friday and Saturday nights.

I have taken up these matters with the Holden Hill police, and I wish to place on record my thanks and the thanks of my constituents for what the police are trying to do. Extra patrols have been allocated, and the police are paying closer and more frequent attention to this area but, as they and the local residents point out, the youths soon know when a police car is approaching and also when it is disappearing and there is a large area in the Banksia Park school grounds and in the shopping area where these youths can go when they see a police patrol car approaching. They know that they are doing wrong and they know that their behaviour is bad but, unfortunately, because of the constraints placed on the police, they are finding it extremely difficult to help the residents.

The other problem to which I refer has also been brought about by this Government, because it refuses to allow legislation to be reintroduced that would permit police to take action against persons for loitering. For a long time there was a law on the Statute Book that enabled police to require persons to move on unless they had a lawful excuse for congregating in an area, but Dunstan removed that law. At present, the police do not have the power to request such people to move on, because the Dunstan Government removed that legislation. Between 1979 and 1982, the then Liberal Government tried to reintroduce legislation that would have given the police the extra powers that they need to help them solve the sorts of problems that now face us. However, although the Bill was passed in this place, in the Legislative Council the Labor Party and the Australian Democrats combined to defeat it. So, once again we find the Labor Party playing a major role in ensuring that the police are not given adequate powers to control anti-social behaviour.

Subsequently, in 1982, the Labor Party unfortunately was elected and since then the Liberal Opposition has again tried to amend legislation to give the police the powers they need to act in such situations as I have referred to. Once again, however, the Labor Government has thwarted the efforts of the Liberal Opposition to give the police the powers that they need. Unashamedly, the Liberal Party's policy at the next election is to reinstate the legislation that the police so desperately need to give them the additional powers so that they can control the unruly behaviour occurring at present, especially at Banksia Park. This Government is not providing sufficient police manpower to solve these problems; sufficient money for the police to act efficiently or the legislation needed by the police to control the anti-social behaviour that is causing problems in Banksia Park.

Let me stress to members opposite how serious is the situation. Many of my constituents are afraid to leave their homes at night because of the bashings that have been going on and because of what the youths say and do to any self-respecting citizen who tries to protect his right to a peaceful existence. This Government has just announced in the Messenger press, the *Leader*, that it is to provide a 24-hour police station service at Tea Tree Gully and, incredibly, the Government is taking the credit for that. However, I place firmly on record the fact that the initiative for operating these smaller police stations throughout the metropolitan area, such as the one to be opened at Tea Tree Gully, has been taken by the Police Commissioner. It was his idea, yet the Government is claiming the credit for it, just as it is claiming credit in the north-eastern suburbs for the O-Bahn busway.

In that respect, let us recall what members of the present Government, when in Opposition, had to say about the O-Bahn system when it was first mooted. They did everything they could to defeat it, yet they now claim it as their initiative. Let us recall Roxby Downs and the way in which members of the present Government did everything possible to defeat the legislation when they were in Opposition. Now, however, they claim that Roxby Downs is being developed on their initiative. So it goes on and on. Now we find that a Bill has been introduced by the Government to amend the land clearance legislation in a way in which the Opposition wanted it to be enacted in the first place. I guess that once again the Government will claim that this legislation is its own initiative, but that is nonsense.

Together with all residents in the north-eastern suburbs, I welcome the new police station at Tea Tree Gully, but I remind members that it is a result of the initiative of the Police Commissioner. I hope that it will have some effect on the problems I have outlined but, unless additional police manpower and funding are provided, the effectiveness of the new move will be severely reduced.

In closing, I commend the police for the work that they are trying to do under extremely difficult circumstances, lacking the necessary manpower, funds and laws to help them in their duties. The people of Banksia Park are being forced to suffer, but I assure them that I and all other Opposition members will do all that we can to have this Government meet its responsibilities and that, when we are elected in a few months time, there will be major changes so that the people of Banksia Park can enjoy the peaceful existence that is their right.

Ms LENEHAN (Mawson): I shall address my remarks to two specific areas, including one to which I referred in a question in this House earlier today, namely, when I called on the acting Attorney-General to investigate a certain matter and produce for this Parliament a report on a firm known as Suco Jojoba which has, as its principal Mr Stephen Su. I take this opportunity to further expand on what I said in my question, because this matter is of great importance and significance to many South Australians.

I take this step, not to conduct a witch hunt into a company or a member of the community, but to highlight for potential investors the dangers that they face if they invest in any company associated with this gentleman. The constituent to whom I referred earlier today invested $9 000 with Suco Jojoba and $6 200 with Suco Cotton. Earlier, I did not have the opportunity to elaborate on what happened to the $6 200 invested in Suco Cotton. In about June 1981, my constituent invested this amount which, he was told, would be invested in cotton fields in New South Wales. However, despite investigations by the Public and Consumer Affairs Department, and despite various court actions, my constituent has not received even one cent on his invest-

ment, nor has he been able to recover even one cent of that initial investment. In other words, he has lost his $6 200. From what is happening in respect of the $9 000 invested in Suco Jojoba, it would appear that the same fate will befall him there too.

I refer to certain documentation that has been presented to me by my constituent to highlight the fact that on several occasions he was told that, if anything went wrong (for example, if the seeds did not take in the ground, if something went wrong with the water supply, or if some other adverse circumstance occurred), there was no need to worry because, if the investment failed, it was insured with Lloyds of London. So, he was told, there was no danger of his losing his investment. I have copies of the investment brochures and of the letters that went backwards and forwards from the company. At one stage my constituent was told that he would get back the money he had invested in Suco Cotton and, of course, this has not transpired.

It is also interesting to note that the gentleman to whom I referred in my question today is also a director of a large number of companies. It is important that I name them because they should be on the record so that other people may be aware and may take proper precautions by getting appropriate legal advice. These companies include: Euro Asia Nominees Pty Ltd; Suco Nominees Pty Ltd; Euro Asia Factor Pty Ltd; Euro Asia Credit Corporation (Australia) Pty Ltd; Suco Gold Pty Ltd (in liquidation); Suco Cottonfields Pty Ltd (in liquidation); Suco Deer Pty Ltd; Longmeadows Pastoral Pty Ltd; Bourke Cottonfields Pty Ltd (in liquidation); Suco Jojoba Pty Ltd (the company to which I referred); Suco Gwando Pty Ltd; Suco Orchids Pty Ltd; Suco Liqueurs Pty Ltd; Suco Jojoba (Tickeroo) Pty Ltd; and Suco Tickeroo Pty Ltd.

I think on any level of analysis one would have to compliment the gentleman on his diversity in the activities in which he is involved. I also pick up the point made by the Minister in his reply to me, that federal enforcement agencies have been involved in investigating some of the matters raised by myself, but also raised by some of the investors in one or more of these companies. Also, according to the Bankruptcy Register, Mr Su became bankrupt on 16 November 1984 and he is not yet discharged.

The Minister also noted that the Corporate Affairs Commission has taken action in respect of Mr Su's auditor's licence. He is no longer entitled to conduct audits of companies, nor does he hold a tax agent's licence. That is a very interesting point, because one reason given to potential investors as to why they should invest in this company was that this would help with their tax minimisation. It was continually stressed that there were advantages of income tax minimisation: it was also said that the investment they were offered in jojoba beans was wholly tax deductible.

Let us see what the real story was. When my constituent came to put in his tax return, and given that we are now talking about $15 200 that he invested, he said he subsequently claimed tax deductions for his investment and that all deductions have been disallowed. Really, one would have to stretch one's imagination a long way to seriously believe that someone who has a tax agent's licence could give the wrong information in respect to that area when he is responsible for these investments.

I also highlight the fact that the Minister has noted in Parliament that disciplinary action is being taken both by the Institute of Chartered Accountants and the Australian Society of Accountants—very reputable bodies. I hope that they would be as concerned as I am, as obviously they would be, because as I said earlier this afternoon I have the names and contact numbers of six other people, some of whom are very professional people in our community. I am told that they have invested between $6 000 and, in one case, $75 000, which was paid by a professional person who, I am told, has not received one cent back in return for his money. Even more importantly, he has not received back his initial investment. We have a public responsibility as members of this Parliament to notify the community that they must be extremely careful about this issue.

I now turn to another area which I highlighted in the Address in Reply debate yesterday. I guess in response to an interjection, but nevertheless it was a very valid comment, I made the claim that the largest amount of sexual assault of children takes place in the family by people who know and who are related to the child. I know that this is a fact, but I thought it was important, and I did some research between yesterday and today to support what I say.

I refer in the short time I have left to the child sexual abuse report compiled by the Adelaide Rape Crisis Centre based on a phone-in conducted in March 1983. It shows only too clearly the regular occurrence of child sexual abuse in homes throughout South Australia, and confirms the view that, far from being abnormal or unusual, incest is normal and usual in many Australian households.

Looking at the breakdown of statistics in this report, 70 per cent of child sexual abusers—and remember that this was reported in retrospect; in other words, grown adults reporting what happened to them in childhood—were related as fathers, brothers, grandfathers or male relatives. Those who carried out the abuse were, in 98 per cent of the cases, known in some way to the child. That is an incredible indictment on this community. Also, 97 per cent of abusers are male and 90 per cent of children are female; therefore, 10 per cent are male.

Where did the abuse take place? The figures show that 50 per cent to 65 per cent of child sexual abuse took place either in the home of the abuser or the home of the victim. Statistics in relation to the Sexual Assault Referral Centre also confirmed this situation. In 1980, 47 cases were reported and in 1985, to the end of July this year, 112 had been reported. If we were to extrapolate that figure it would appear that just short of 200 cases would be reported this year.

Does that mean that child sexual abuse is on the increase or does it mean that people are now reporting it more? We would have to do further investigation to ascertain which of those is the case, but people are now more ready to come forward in some circumstances to report child sexual abuse when they know about it. I am told that the Sexual Assault Referral Centre will support what I have said. They have also said that an analysis of the literature would support my claim in this House. I look forward to discussing further this very sensitive and difficult situation in our community. As I am not afforded the time to continue this afternoon, I will be pursuing the matter later.

Mr S.G. EVANS (Fisher): I shall refer to two subjects this afternoon. The first is the semimonopolistic society towards which we are heading and about which I am greatly concerned. A couple of years ago I wrote an article for the *Sunday Mail* in which I said that, to me, a monopolistic society would be as bad as a communist society, and that I objected to both concepts. There is no doubt that when one looks at the retail, alcohol, petrol and raw material industries and to other commodities such as quarry products, building materials and fuel, there is a move for big organisations to have extreme power. It is dangerous for society and for many small business operators, because they can be exploited under the guise of private enterprise.

That gives fuel to some who may have a different philosophy from mine, in some degree, to justify a tax on the private enterprise system if we allow that process to continue. Unlike the member for Mawson, I will not mention the

names of business operations or companies: that is up to the individual's own judgment; sometimes it does irreparable harm.

This place gives us great power, but I do not want to exercise power in that way. Once we began land use zoning we provided the opportunity for the rich to exploit the consumer, through a middle man, the retailer, who in many cases is unable to make a reasonable income, even though, originally, a contract may have seemed to be reasonable and the associated person or company reliable. Under the circumstances it is easy to exploit others in the community by charging high rents.

However, the owner of the land is not the only party at fault. Government authorities can also use it as an opportunity to raise revenue, through water and sewerage rates, land tax, or local government rates. Water and sewerage facility use in relation to a shop is very small, but the contribution of shops to the State's revenue is reasonably high. The same situation applies in relation to land tax, because the owner of the land or shops involved adds on to the rent that the operator has to pay.

It is, therefore, a very simple process to exploit the community through the rental system. I am not saying that all owners of large shopping centres, industrial or commercial sites do that, but it does happen. The fewer the owners of complexes or properties, the greater is the opportunity for exploitation.

One can then refer to the fuel industry, which is what one might call a perpendicular type of industry, as today much of its ownership involves companies which own the resource that comes out of the ground, as well as the refineries. They also have control of the wholesale prices, and to a large extent control of the retail prices charged through outlets that they own and lease to operators.

If the margins of these lessees are cut by even the smallest amount, they are placed on the breadline. Some of these companies (not all) allow big discounts on the wholesale rate to some of the privately owned outlets. Those privately owned outlets do very well, but at the expense of other operators, and in some cases they make a lot of money by that discounting. The community thus becomes conditioned to buying from certain outlets offering discounted rates, but a company may then decide that for a couple of weeks it will put up its prices to the same level as which applies elsewhere (which clearly shows that it is exploiting the system).

The idea of this is to build up the company's sales to help it in relation to its negotiation with the federal Government and the figures it presents in relation to overall sales. The companies go further than that. In the eastern States they con some of the operators, the lessees, to enter into commission agent agreements; that contract has a 90 day clause to quit (able to be exercised by either party). One company set out to exercise its right to serve on certain operators the 90 day notice to quit. In one case, the operator had been operating for over 20 years and was a good, loyal and faithful servant to the principal company. However, not only did the company tell him to quit but it then put such a low value on the stock in hand that he could not afford to sell it to the principal company for that figure, and therefore had to try to dispose of it at home through a garage, or by some other means, thus contravening local government by-laws, but hoping to get rid of the stock in order to recoup some money.

We cannot go on accepting this situation, which is why I have placed a question on notice to the Premier. If in the end it means that in Australia we must say to these companies that they cannot own retail outlets, so be it. The people in the industry are nice people, as one finds when meeting and talking to them socially. I have no complaint about them as individuals; they are very polite people, some of them are good friends of mine, and I appreciate their friendship. However, unfortunately, in the corporate world today, when one gets into the boardroom it becomes a dog eat dog situation, regardless of what happens to someone else at the end of the line.

That is what has occurred. I hope that the Liberal Party takes note of the concerns in the community, not only in relation to operators but members of the public, who cannot understand this massive fluctuation in the price of fuel. It is totally against any reasonable philosophy, because people at one end of the scale can abuse the system.

Another matter about which I have some concern is the federal Parliament's select committee which is looking at animal welfare. I refer particularly to consideration of the use of guns. I want to speak only briefly on this. First, I do not believe that guns can be banned from the community. If a ban is placed on them, the only people who will have them will be criminals. If it is unlawful to possess a gun, law abiding citizens will not possess them, but criminals will still have them. If a person intends to perpetrate a vicious act against another person, he will use a knife, another sort of weapon, or even an explosive, to do that. I point out to anyone who is interested that I do not own a gun—that may not be quite right, as I lent a .22 automatic Browning pistol to a mate some 30 years ago, but the last time I saw it it had a bulge of about 4 inches at the end of the barrel. I make the plea that we should not get into the emotional argument that all owners of guns are bad. I believe that there will always be people who use guns irresponsibly: sometimes it may be an act on impulse, while on other occasions it might be a quite deliberate act.

Motion carried.

At 5.28 p.m. the House adjourned until Tuesday 27 August at 2 p.m.