HOUSE OF ASSEMBLY

Tuesday 4 April 1989

The SPEAKER (Hon. J.P. Trainer) took the Chair at 2 p.m. and read prayers.

ASSENT TO BILLS

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

Arthur Hardy Sanctuary (Alteration of Boundary),
Holidays Act Amendment (No. 2)
Motor Vehicles Act Amendment (No. 2)
Stamp Duties Act Amendment,
Superannuation Act Amendment.

DEATH OF SIR ARTHUR RYMILL

The Hon. J.C. BANNON (Premier and Treasurer): I move:

That this House expresses its regret at the recent death of the Hon. Sir Arthur Rymill, a former member of the Legislative Council, and places on record its appreciation of his meritorious service and, as a mark of respect to his memory, the sitting of the House be suspended until the ringing of the bells.

Sir Arthur Campbell Rymill, an outstanding South Australian, died after a short illness on 27 March, aged 81 years. Members would be aware, of course, that Sir Arthur was a member of the Legislative Council from 1956 until 1975. However, that was only just a small part of a career in public affairs which would be very difficult to match.

Sir Arthur was a true South Australian, born in North Adelaide in 1907 and educated at the Queen School, St Peters College and Adelaide University, where he completed his legal studies in 1928. He was admitted to the South Australian Bar in 1930. During the Second World War he served with the AIF in the 2/7th Field Regiment and was a lieutenant at the time of his discharge in 1942 following a car accident.

But it was in business circles, I guess, that Sir Arthur was best known. In fact, the companies he was involved with read like a roll call of Adelaide business in the post-war period. Among others, he was Chairman of the Bank of Adelaide, of Adelaide and Wallaroo Fertilizers Limited, of Bennett and Fisher Limited and Advertiser Newspapers Limited at some time or other during his business career. He was also a director of the AMP Society, South Australian Brewing Company Ltd, the Adelaide Steamship Company, Wills Holdings, Executor Trustee and Agency Company, and a number of other companies.

As if those business interests were not enough, he was also active in a number of artistic and other areas. He was President of the National Trust of South Australia from 1954 until 1963, a founding governor of the Adelaide Festival of Arts, and a member of the board of the Art Gallery of South Australia from 1969 to 1973. He had a passion for music, especially popular jazz, and this was well known.

It was not so much in the Legislative Council, of which he was a distinguished member, but in local government that Sir Arthur made his early mark. In fact, he was only in his late 20s when he first became a member of the Adelaide City Council in 1933. It was 50 years ago last year that he retired at the end of his first stint on that council. Again, he was a member of the council from 1946 until 1964, and for a period of four years, from 1950 to 1954, was in fact Lord Mayor of the City of Adelaide—still, of course, at a comparatively young age.

He was knighted in 1954 during the first royal visit to South Australia by Queen Elizabeth II and the Duke of Edinburgh. Sir Arthur was also interested in sport and was actively involved in athletics, polo (in which he represented the State) and speedboat racing, in which he once held an Australian waterspeed record.

The Hon. G.F. Keneally interjecting:

The Hon. J.C. BANNON: As my colleague interjects, he was also remarkable for his dexterity with the billiard cue, particularly in Parliament House. Sir Arthur is survived by his widow, Lady Rymill, and his two daughters, Mrs Rosemary De Meyrick and Mrs Annabel Caffrey. He had a long, distinguished and varied career involving significant contributions to State Government, local government, and business. He was heavily involved in South Australian charities, sports and the arts. He had a quite remarkable career, and I ask all members to join with me in extending sincere sympathy to his family.

Mr OLSEN (Leader of the Opposition): I join the Premier in supporting this motion. There is no doubt that Sir Arthur Rymill was a gentleman in every sense of the word. He was well respected and held in high esteem by all who had contact with him or were involved with him in sporting, social or business interests. There is no doubt that his long and effective community service has left a lasting contribution to this State.

He was a man who, in his younger days, occasionally excited the passions of his political opponents. The *Advertiser* of 6 July 1936 records an incident that occurred the previous evening at the declaration of a poll for the Adelaide City Council elections in which Sir Arthur had been opposed by an ALP State Parliamentarian. The *Advertiser* report described how his opponent attempted to assault him in front of more than 500 people at the declaration of this poll. However, Sir Arthur was not disliked so intensely by all Labor sympathisers. It was in his law firm that the then young Don Dunstan took his articles. Whilst, more recently, it had become fashionable for some to suggest that Sir Arthur was a conservative member of a typical establishment family he did, in fact, have many interests and a great deal of involvement in a range of activities that brought benefit to the whole South Australian community; for example, Sir Arthur was a founding governor of the Festival of Arts, a Vice-President of the Elizabethan Theatre Trust, a Vice-President of the Adelaide Children's Hospital (which his grandfather had helped establish), a member of the Art Gallery board and President of the National Trust, as the Premier has already indicated.

In sport he had many achievements, being a successful participant in his youth representing the State at polo and holding the Australian unrestricted waterspeed record in speedboat racing. He also came to government service at a very young age, being elected to the city council for the first time at the age of 25 years, and until 1964 his civic service included four consecutive terms as Lord Mayor of the City of Adelaide.

In this Parliament he served my Party with loyalty and distinction from 1956 until 1975—an outstanding contribution. In Parliament he continued to apply his considerable business expertise to the development of this State. Mr Walsh, a former Labor Premier, publicy acknowledged the part that Sir Arthur played in helping the Labor Government finalise the arrangements set in train by Sir Thomas Playford to provide South Australia with industrial and domestic gas from the Cooper Basin. Without Sir Arthur's involvement, it is possible that the Walsh Government might not have been able to raise the finance at the time

for this project, which has been of tremendous importance to the State of South Australia.

In many respects, Sir Arthur Rymill was an outstanding South Australian, having made a very significant contribution. Lady Rymill and members of his family can look back with pride at his contribution and service to South Australia. On behalf of my Party, I extend condolences at the passing of a great South Australian.

The Hon. E.R. GOLDSWORTHY (Deputy Leader of the Opposition): Briefly I will pay my personal tribute to the late Sir Arthur Rymill. In his latter years he resided in the Adelaide Hills at Woodside, which is in my electorate. Although we did not see much of him, on the occasions that we did we remembered what he had done and what he had been to South Australia. Due tribute has been paid to his civic and parliamentary contributions and also his contribution to the business life of this State. I remember him as a fairly shy man in this place but one imbued with a great sense of fun, with quite a sharp wit. From time to time his sense of humour would come to the fore in the refreshment room when we were in conversation with members of the Legislative Council.

He was also a man of cultured tastes, as has been mentioned, and his love of music, the arts and nature generally is well recognised and well regarded. Probably one of the most fitting tributes and memorials to Sir Arthur Rymill are the Rymill Gardens, which have been established as part of the green belt around the city of Adelaide. I guess many members in this place can remember when there were open cow paddocks, brown for most of the year, surrounding a fair bit of Adelaide. During Sir Arthur's term in the City Council, a lot of that area was turned into the very attractive green belt that we now have around the city. At any rate, even if my memory is not correct, the Rymill Gardens are a very fitting tribute to a man who was a great lover of nature and, in some ways, a man of quite simple tastes. I pay my personal tribute to a man for whom I had a great deal of respect and affection and who was, indeed, a great South Australian.

The SPEAKER: I will ensure that the tributes of honourable members are conveyed to the family of our departed colleague.

Motion carried by members standing in their places in silence.

[*Sitting suspended from 2.15 to 2.20 p.m.*]

PETITION: HOUSING INTEREST RATES

A petition signed by 240 residents of South Australia praying that the House take action to persuade the Federal Government to amend economic policy to reduce housing interest rates was presented by the Hon. H. Allison.

Petition received.

PETITION: Hon. J.R. CORNWALL

A petition signed by four residents of South Australia praying that the House urge the Government not to pay costs for the Hon. J.R. Cornwall and consider legislation that would permit citizens to appeal against such administrative decisions was presented by Mr Becker.

Petition received.

PETITION: BURBRIDGE ROAD PEDESTRIAN LIGHTS

A petition signed by 179 residents of South Australia praying that the House urge the Government to install pedestrian lights on Burbridge Road, West Beach, was presented by Mr Becker.

Petition received.

PETITION: RURAL INTEREST RATES

A petition signed by 326 residents of South Australia praying that the House take action to persuade the Federal Government to amend economic policy to reduce rural interest rates was presented by Mr Lewis.

Petition received.

QUESTIONS

The SPEAKER: I direct that written answers to the following questions on the Notice Paper, as detailed in the schedule that I now table, be distributed and printed in *Hansard*: Nos 132, 181, 184, 185, 209, 211, 222, 232, 237, 242, 243, 246, 248, 250, 262, 263, 267, 276, 282, 287 and 291; and I direct that the following answers to questions without notice be distributed and printed in *Hansard*.

GOVERNMENT LAND AND BUILDING SALES

In reply to **Mr OLSEN (Leader of the Opposition)** 13 September.

The Hon. J.C. BANNON: It is estimated that surplus property sales to the value of $14 million will be completed by the Department of Lands on behalf of Government agencies during the financial year 1988-89. These sales are expected to comprise approximately 70 residences and other minor properties located principally in country areas. The following table is a summary of property sales made by the Department of Lands on behalf of Government departments/agencies during the financial year 1987-88:

Department/Agency	Location	Sale Price $	Purchaser	Method of Sale
Housing and Construction	Carrington Street, Adelaide	1 300 000	Housing Trust	Negotiation
Health Commission	339 Wakefield Street, Adelaide	440 000	City of Adelaide	Negotiation
Education	Part Primary School, Ascot Park	108 000	Children's Services	Negotiation
Police	Lot 69, Balaklava	10 000	District Council	Negotiation
Marine and Harbors	Railway Terrace, Beachport	40 000	K. Smith	Auction
Health Commission	49 Sheaok Road, Belair	740 000	Ehrman/Mulvaney	Auction
Government Employee Housing	4 Vivian Cock Street, Berri	18 000	A. Monaco	Auction

Department/Agency	Location	Sale Price $	Purchaser	Method of Sale
Government Employee Housing	7 Coombe Street, Berri	35 200	D.A. Seekamp	Auction
Police	Police Residence, Blanchetown	45 350	P. Halsall	Auction
Government Employee Housing	13 Patterson Street, Bordertown	43 000	J. Bell	Auction
Environment and Planning	73 Port Road, Bowden	215 000	HIA Services	Negotiation
Environment and Planning	7-11 Eighth Street, Bowden	69 300	Housing Trust	Negotiation
Environment and Planning	50 Chief Street, Brompton	57 000	G. White	Auction
Environment and Planning	10-13 Hawker Street, Brompton	120 000	Normus Nominees	Negotiation
Marine and Harbors	5 Merchant Street, Ceduna	35 000	M.D. Shipard	Auction
Government Employee Housing	13 Sismey Street, Christies Beach	48 000	D. Joyce	Auction
Government Employee Housing	12 Colbert Road, Christies Beach	48 000	T.B. Tonkin	Auction
Government Employee Housing	23 Sismey Road, Christies Beach	50 000	C.W. Bennetts	Auction
Further Education	Section 42, Clare	78 500	R.M.N. Corp	Auction
Health Commission	9 Fairview Road, Crafers	382 000	P.J. O'Leary	Auction
Police	Lot 1, Edith Street, Edithburgh	14 000	P.C. Day	Auction
Government Employee Housing	19 Judd Road, Elizabeth	44 000	G. & D.K. McEvoy	Agency List
Government Employee Housing	10 Talbot Road, Elizabeth East	42 000	S.G. Marton	Agency List
Government Employee Housing	6 Kirk Street, Elizabeth Park	43 000	V. Manno	Agency List
Government Employee Housing	30 Broughton Road, Elizabeth Vale	43 000	J. Richards	Agency List
Health Commission	Markham Avenue, Enfield	2 640 000	Housing Trust	Negotiation
Agriculture	Agriculture Residence, Flaxley	84 000	R. Sidler	Negotiation
Lands	3 Day Event Land, Gawler	660 000	Lord, Cavallaro, etc.	Auction
Lands	Portion Samcor Land, Gepps Cross	1 575 000	Recreation and Sport	Negotiation
Health Commission	50-53 Clark Avenue, Glandore	202 000	Housing Trust	Negotiation
Woods and Forests	Section 298, Hundred Goolwa	101 577	M.W. Hodby	Auction
Housing and Construction	3-7 Rellum Road, Greenacres	375 000	City of Enfield	Negotiation
Government Employee Housing	18 Forbes Street, Jamestown	36 500	R. Duke	Auction
Government Employee Housing	44 Muirkirk Street, Jamestown	25 750	G.W. Haines	Auction
E&WS	402 Grange Road, Kidman Park	80 000	B. Stoodley	Auction
Woods and Forests	Forest Reserve, Kuitpo	234 000	R. Fieldhouse	Auction
Environment and Planning	Lot 105 Daly Street, Kurralta Park	57 000	P. Ioannou	Auction
Government Employee Housing	7 Shearer Street, Mannum	35 000	B.D. Forrest	Auction
Environment and Planning	148-150 Richmond Road, Marleston	247 000	D. Luca	Auction
Education	Part Primary School Morphettville	1 300 000	Housing Trust	Negotiation
Housing and Construction	24 Margaret Street, Mount Gambier	45 000	Scout Association	Negotiation
Government Employee Housing	1 Sims Street, Mount Gambier	44 000	Mourel Pty Ltd	Auction
Housing and Construction	Lot 14 Commercial Street, Mount Gambier	80 000	City of Mount Gambier	Negotiation
Government Employee Housing	12 Mulgundaweh Road, Murray Bridge	40 000	P.J. Aunger	Auction
Government Employee Housing	28 Gail Crescent, Murray Bridge	42 500	S.M. Jeffrey	Auction
Government Employee Housing	45 Main Street, Myponga	41 250	D.A. Hockley	Auction
Government Employee Housing	13 Lochiel Street, Naracoorte	38 500	R.A. McLeod	Auction
Agriculture	9 Leicester Street Naracoorte	28 000	M. Haebich	Auction
Housing and Construction	Butler Avenue, Pennington	440 000	Housing Trust	Negotiation
Education	Part School Site, Pennington	75 000	Children's Services	Negotiation
Government Employee Housing	1 Kidman Place, Penola	35 000	G.J. Marcus	Auction
Government Employee Housing	71 Hill Street, Peterborough	17 000	M.D. Hughes	Auction
Government Employee Housing	135 Tassie Street, Port Augusta	68 000	E.T. Spencer	Auction

Department/Agency	Location	Sale Price $	Purchaser	Method of Sale
Education	Part Area School, Port Broughton	30 196	District Council	Negotiation
Education	48 Esmond Road, Port Pirie	48 000	Assembly of God	Auction
Government Employee Housing	19 Meadow Crescent, Port Pirie	27 500	R.R. Oaklands	Auction
Government Employee Housing	40 Hannan Street, Port Pirie	29 500	B.L. Pollard	Auction
Education	100 Spring Street, Queenstown	90 000	N. Volkoff	Auction
Education	Part School Site, Reynella	50 000	Children's Services	Negotiation
Environment and Planning	3 Deacon Avenue, Richmond	196 000	Milpana Pty Ltd	Negotiation
Coast Protection Board	Old Customs House, Semaphore	383 250	D.G. Bignell	Auction
Health Commission	Lot 4 Aroona Road, Sheidow Park	200 000	A.E. Sheidow	Negotiation
Education	Junior Primary School, St Leonards	500 000	Housing Trust	Negotiation
Environment and Planning	27 Phillips Street, Thebarton	80 000	Moscos Nominees	Auction
Environment and Planning	27 Maria Street, Thebarton	29 000	F.J. Renfrey	Auction
Lands	Section 773, Victor Harbor	24 000	F.S. Crosier	Auction
Government Employee Housing	22 Williams Street, Whyalla	27 000	R.T. Bodinner	Auction
Government Employee Housing	67 Viscount Slim Avenue, Whyalla	28 000	D.J. Thompson	Auction
Marine and Harbors	19 Cruickshank Avenue, Whyalla	59 000	A. Vornam	Auction
Government Employee Housing	39 Clutterbuck Street, Whyalla	30 654	P. Cooke	Auction

Property sales for the Engineering and Water Supply Department, the Highways Department and the State Transport Authority are not handled by the Department of Lands. However, details of property sales for those departments were given in replies to questions asked of my colleagues during the Estimates Committee (see *Hansard*—Estimates Committee B—Replies to Questions—Pages 569, 570 and 575).

POLICE RETIREMENTS

In reply to **Hon. B.C. EASTICK (Light)** 9 March.

The Hon. D.J. HOPGOOD: As at 15 March 1989, 24 members of the Police Force have notified their intention to retire on 31 March 1989 under the age retirement provisions. The total number of separations from the Police Force (excluding invalidity terminations and death) for the current financial year to date (15 March 1989) is 72. The total number of separations in the current year to date is consistent with separation figures as at the same stage in past years.

Any changes to the Police Pensions Act 1971 resulting from the review of police pensions should not affect the rate of police retirements. The Minister assisting the Treasurer has advised that it is his intention to phase in the new provisions for persons near retirement. This would allow those police officers close to retirement to retire under their existing basic retirement provisions during the next five years, rather than retiring early to obtain those existing provisions.

GAS GUNS

In reply to **Mr TYLER (Fisher)** 9 March.

The Hon. D.J. HOPGOOD: Explosive bird scaring devices (commonly known as gas guns) are devices that make a loud explosion at intervals, and are intended to frighten birds away from crops as fruit is ripening. The noise is intended to be loud and, therefore, if a unit is located near neighbours, it can be very annoying. Farmers claim that, if they do not use gas guns, their crops may be severely damaged by birds. Research apparently indicates that gas guns may be effective, especially if used in conjunction with other forms of bird scarers. Complaints to the Noise Abatement Branch of the Department of Environment and Planning are common over the summer months, and often refer to early starts (at dawn), frequent use during the day, or extended periods of use.

Section 16 of the Noise Control Act makes it an offence to use an audible bird scaring device outside the hours of 7 a.m. and 8 p.m., if it exceeds 45 dBA on a neighbour's property. This limits the time at which gas guns can start operating near to neighbours, but is considered by some complainants as still being too early. Conversely, farmers claim that, during summer, gas guns should be started before sunrise to prevent birds damaging crops at dawn.

Research indicates that gas guns are most effective if they are used about three to five times per hour. If they are used more frequently, birds become used to them and they are no longer a deterrent. Some operators, however, insist on using them every few minutes, and this increases the potential to cause annoyance. The Noise Abatement Branch is therefore discussing, with officers of the Department of Agriculture, the development of a brochure or similar which will describe the best methods of using gas guns, taking account of the effect on neighbours, as well as the effectiveness of the device to keep birds away.

Given the conflicting needs of residents and farmers, amendments to the Noise Control Act to further restrict the use of gas guns have not been developed. The Noise Abatement Branch will, however, continue to monitor this issue.

POLICE COMPLAINTS AUTHORITY

The SPEAKER laid on the table the report of the Police Complaints Authority for 1987-88.

Ordered that report be printed.

PAPERS TABLED

The following papers were laid on the table:

By the Treasurer (Hon. J.C. Bannon)—
Lottery and Gaming Act 1936—Regulations—Licences.

By the Minister of Employment and Further Education (Hon. Lynn Arnold)—
Roseworthy Agricultural College Act 1973—By-laws—Trespass and Traffic.

By the Minister of Transport (Hon. G.F. Keneally)—
Local Government Finance Authority Act 1983—Regulations—
Hamley Bridge Memorial Hospital Inc.
Lerwin Nursing Home.
Metropolitan Taxi-Cab Act 1956—Regulations—Standby Licences.
Road Traffic Act 1961—Regulations—
Elliston and Stirling Hospitals.
Reversible Traffic Flow (Amendment).
Traffic Lights, Bridges and Lights.
Corporation By-laws—
Port Adelaide—No. 4—Garbage Bins.
Port Lincoln—
No. 5—Street Hawkers and Traders.
No. 9—Nuisances.
No. 11—Garbage Containers.
No. 13—Poultry.
No. 14—Bees.
No. 17—Traffic.
No. 18—Parklands.
No. 20—Rubbish Depots.

By the Minister of Education (Hon. G.J. Crafter)—
Supreme Court Rules—
Supreme Court Act 1935—Admissions Rules.

By the Minister of Labour (Hon. R.J. Gregory)—
Motor Fuel Licensing Board—Report, 1988.
Workers Rehabilitation and Compensation Act 1986—Regulations—Disclosure of Information.

MINISTERIAL STATEMENT: NATIONAL SAFETY COUNCIL OF AUSTRALIA

The Hon. J.C. BANNON (Premier and Treasurer): I seek leave to make a statement.

Leave granted.

The Hon. J.C. BANNON: On Thursday, 23 March 1989, the Victorian Division of the National Safety Council of Australia was placed in receivership following allegations of serious fraud on the part of the Chief Executive of the organisation. The State Bank of South Australia was one of 21 financial institutions which had lent money to the National Safety Council of Australia. The bank's loans are now at risk as a result of the organisation's being placed in receivership.

The Chairman of the board and the Managing Director of the State Bank have appropriately responded to questions which have been raised about the bank's commercial dealings with the NSCA. However, I am concerned that statements made by some members opposite suggest that, in this case and in general, the Government, and in particular the Treasurer, should have the power to control and direct the bank in its operations.

This is not provided for in the legislation passed by this Parliament to establish the State Bank. Indeed, such a power would be quite wrong in principle. The Government has an obligation to maintain the bank's commercial independence in the interests of its clients and the State. In creating the State Bank of South Australia, this Parliament guaranteed its independence and gave it broad powers of operation. I would remind members that this principle was previously supported on a bipartisan basis.

Indeed, at the time of the establishment of the State Bank the Opposition was insistent that the bank and its Director should be free of instruction or conditions. In the words of the Leader of the Opposition, the bank and its board members should be free from 'riding instructions' from the Government. To give this Government or any future Government the power to direct the bank in lending policies or to look into the files and provide information on the financial affairs of individuals or corporate clients would be quite wrong and would undermine confidence in the bank.

The State Bank of South Australia Act is quite explicit in setting out the role of the Treasurer in relation to the administration of that bank. Section 14 of the Act gives the board of the State Bank full power to transact any business of the bank. Under section 15 of the Act, the Treasurer's powers extend only to consulting with the board. The same section requires the board only to report to the Treasurer on any proposals the Treasurer may make. It precludes the Treasurer from issuing directions to the board of the State Bank.

In this context, I have asked the board of the bank for an assurance that its lending policies in relation to the National Safety Council of Australia followed normal banking procedures and that the necessary checks and safeguards were undertaken. As I have previously stated, I received and have accepted that assurance.

I would remind members that losses on loans are an inevitable part of banking but, as long as the State Bank's procedures follow appropriate banking practice and the performance of the bank remains profitable, there is no cause for alarm over individual cases. I point out to all members that the State Bank's management of its loan losses is generally better than other comparable financial institutions.

Last financial year the State Bank group posted an operating profit of $69 million—a 33 per cent increase on the previous year. Its profit in the first six months of this financial year stands at $50 million. The State Bank group's assets are valued at $11 billion and it is the seventh largest banking institution in the nation and one of the most successful.

Mr D.S. Baker interjecting:

The Hon. J.C. BANNON: I note the hostile interjections of the member for Victoria. Since it commenced operations in 1984, the State Bank has brought tangible benefits to South Australia through its promotion of development and through the many services it offers South Australians. The Government will continue to support the State Bank in its development of this State. I would hope that members opposite will join us in doing so and will return to their previous bipartisan support of the principle that the Government should not control the bank's operations.

MINISTERIAL STATEMENT: Mr TERRY CAMERON

The Hon. J.C. BANNON (Premier and Treasurer): I seek leave to make a further statement.

Leave granted.

The Hon. J.C. BANNON: The statement is in relation to the activities of Mr T.G. Cameron. A series of questions concerning Mr Cameron was asked in April last year and then in February this year by Opposition members, including the Leader of the Opposition, the Deputy Leader of the Opposition, the member for Mitcham, the member for Light, and the member for Alexandra, and in another place by the

Hon. Mr Cameron, the Hon. Mr Griffin and the Hon. Mr Davis.

The Government undertook to have inquiries made and referred the matter to the Commissioner for Consumer Affairs (Mr Colin Neave) for investigation. The Commissioner asked for a report from his officers in respect of these matters and I seek leave, Mr Speaker, to table that report dated 16 March 1989, together with the Commissioner's minute to the Minister of Consumer Affairs of the same date.

The Commissioner has concluded that, based on the advice that he has received from the Senior Legal Officer of the Department of Public and Consumer Affairs and the report made by the officer of the department in charge of the investigation, it has not been established that Mr Cameron at any stage contravened the Builders Licensing Act 1967 as alleged. From the evidence, he concludes that building work was carried out for Mr Cameron rather than by him.

The Commissioner also refers to section 26 (3) of the Act. That section provides that proceedings for an offence under the Act may only be commenced within two years after the offence was committed. Accordingly, it is no longer possible to prosecute for any building offence which may have been committed between 1976 and 1983.

The report of 16 March 1989 was then referred to the Crown Solicitor for an opinion in respect of the issues raised in the investigation. The Crown Solicitor has advised as follows:

1. The evidence is not sufficient to justify a prosecution of Mr Cameron for being an unlicensed builder.

2. That the time limit for bringing a prosecution for being an unlicensed builder covered under section 21 (3) of the Builders Licensing Act was two years from the date of the offence (section 26 (3) of that Act).

That time has now expired, and for that reason alone no prosecution action can now be taken in respect of the allegations.

Members interjecting:

The SPEAKER: Order! The honourable Premier has the floor—no-one else.

The Hon. J.C. BANNON: The fact that the time has elapsed is relevant to a point later in my statement—not to Mr Cameron, because the solicitor's opinion is that no prosecution is justified. Further, the Crown Solicitor has advised:

3. The evidence would not support a prosecution in that there was no admissible evidence whatsoever that Mr Cameron had made any threats or had conveyed any threats to inspectors of the Builders Licensing Board. There was no record of these matters being reported at the time the threats were allegedly made.

4. That the time limit for bringing a prosecution in respect of an alleged threat to an inspector, covered under section 22 (2) of the Act, had expired. For that reason alone, no prosecution action could now be taken in respect of the allegation.

5. That, in respect of other allegations made against Mr Cameron, those allegations either do not involve the criminal law or there is no evidence which would justify any action.

6. The report raises some suspicion that other persons may have committed offences. However, all of these possible offences are now well out of time and the Crown Solicitor does not recommend any further investigation in respect of these possible offences.

MINISTERIAL STATEMENT: STA SIGNALLING SYSTEM

The Hon. G.F. KENEALLY (Minister of Transport): I seek leave to make a statement.

Leave granted.

The Hon. G.F. KENEALLY: During Question Time on Thursday 16 March, the member for Bragg alleged that 'the designers of the STA computerised signalling system, Westinghouse and O'Donnell Griffin of Britain, recommended some time ago that the outlying relay units should be protected with a special vandal-proof box'. He went on to say that 'the vandal-proof box recommended by the designers would have prevented the damage inflicted yesterday'.

Members would recall that, following vandalism of an outlying field box, rail services were severely affected on 15 March. Because of the ensuing two-week parliamentary break, I asked the STA for an immediate response and subsequently reported to the House later in Question Time that the STA advised that it had no knowledge of the allegations made by the honourable member. However, I instructed the STA to undertake a thorough investigation of all documents held and can now advise the House of the results of those investigations.

The honourable member referred to 'Westinghouse and O'Donnell Griffin of Britain'. There is, of course, no such company. The major contractors for the supply and installation of the signalling equipment were as follows:

John Connell Group, the consulting group engaged to provide technical and engineering advice on the resignalling project; and Joint Venture, a conglomerate of M.L. Engineering (Plymouth) and O'Donnell Griffin of Australia who are the main contractors responsible for manufacture, supply and installation of all safety related systems including outlying field boxes which house vital safety systems.

It was a Joint Venture field box that was vandalised; however, it is instructive to note that Joint Venture did not query the security standard of the field boxes. Westinghouse Signals Limited of the United Kingdom was subcontracted by Joint Venture to provide the solid state interlocking for the Adelaide yard area. There was no vandalism of this equipment and there is no record of any concerns expressed by this company as to the adequacy of field box security.

Another company, Westinghouse Australia, is the main contractor for the supply, delivery and installation of, amongst other equipment, outlying field boxes which house non-safety related signalling system. 'Non-safety' means that damage to this equipment would not affect safe operation of the signals. The STA at all times acted to ensure the security of the signalling system and on 13 November 1986 directed Westinghouse Australia to provide field boxes offering greater vandal resistance than those originally tendered by that company. On 3 December 1986 the STA Development Manager advised his General Manager that the original design 'permits cheaper construction' that would result in a large number of location boxes which besides being environmentally inferior would also increase vandalism risk. It was therefore the STA and not Westinghouse Australia which insisted on 'vandal proof boxes'.

On 28 January 1987 Westinghouse Australia questioned the adequacy of the locking device on the box required by STA and recommended an alternative plastic flush mounted lock. This lock was rejected following an examination by STA engineering and field maintenance officers as being vulnerable to vandalism. Recent discussions with the suppliers have confirmed that the lock has in practice suffered from vandalism. Additionally, ETSA found the lock to be unsatisfactory and a new lock was designed at its specific request. STA is investigating the new locking device to ascertain whether it would provide greater security. I strongly support that action.

The member for Bragg has earned a reputation for using the forum of this House to make allegations based on incomplete or incorrect information. He has done so again on this occasion.

QUESTION TIME

JAPANESE INVESTORS

Mr OLSEN (Leader of the Opposition): Has the Premier been involved in negotiations to sell some of the South Australian Government's forests to Japanese investors and, if so, have negotiations been completed?

The Hon. J.C. BANNON: The honourable member is apparently referring to one of the financial arrangements that reflect on, for instance, the practices adopted with ETSA, the STA and other organisations in the past. There is a detailed negotiation under way which, if successful, will certainly yield some immediate benefits overall to the State but in particular to Satco, Woods and Forests and the Government. Obviously, until such transactions are properly completed and can be accomplished, there is not much more that I can say at this stage. It is a commercial transaction—

An honourable member interjecting:

The Hon. J.C. BANNON: Yes, it is definitely a commercial transaction, and one of considerable benefit. However, I repeat that until the Minister of Forests is satisfied with the transaction and until negotiations are complete, I am not able to say anything more about it.

INTEREST SUBSIDIES

Mr RANN (Briggs): Can the Minister of Agriculture advise the House whether the payment of interest rate subsidies directly to farmers and their banks, equivalent to the loans for interest rate payments recently announced for some home owners, would assist Eyre Peninsula farmers more than the current rural assistance measures? The Premier's recent announcement of help to lower and middle income home owners in the form of interest free loans of up to $50 per week drew criticism from the United Farmers and Stockowners that such help was not available to struggling farmers on Eyre Peninsula. In addition, last week's *Stock Journal* reported that the Liberal Party had prepared a policy of paying a direct subsidy to the farmer's primary lender, thus reducing the interest payments and eliminating the need for the Rural Assistance Branch to administer the scheme.

The Hon. M.K. MAYES: I thank the honourable member for his question, because I think this matter is very important. Certainly, the letters to the Editor and the various articles that have appeared in the country and city media have not helped with respect to the provision of accurate information. The answer to the honourable member's question is 'No'. There would not be an advantage in farmers receiving the benefits that have been given to people with housing loans.

Clearly, the program that is offered by way of rural assistance is far greater and more extensive than what is being offered at this time to people with housing loans. The $50 per week that is available to a person with a home loan amounts to $2 600 per annum; the interest subsidy that is available to a farmer ($150 000 at 8 per cent) amounts to something like $9 000 per annum—and they are just straight figures. Clearly, the interest subsidy that is being offered to farmers on the West Coast is far more attractive and extensive—

Mr D.S. Baker interjecting :

The Hon. M.K. MAYES: Well, the member for Victoria says—

Mr D.S. Baker interjecting:

The SPEAKER: Order!

The Hon. M. K. MAYES: I wish that the member for Victoria would, in fact—

Mr D.S. Baker interjecting:

The SPEAKER: Order! I warn the honourable member for Victoria for flouting the authority of the Chair. If he persists in the course he is following, he will be named. The honourable Minister.

The Hon. M.K. MAYES: The scheme that is offered to farmers on the West Coast—whether it be rural reconstruction, debt reconstruction, farm build-up, or the special package we have negotiated with the banks—is far more extensive than anything that is offered to metropolitan home owners. That fact must be clearly put: the package is much more extensive and involves many millions of dollars. In fact, on the West Coast alone subsidised loans amount to nearly $40 million, and it is increasing daily. Over the past three months we have lent something like $5 million at 8 per cent on the West Coast alone. In fact, we are increasing our debt to the West Coast quite significantly. We are significant lenders in that area. We have offered, with the banks, a package to those people who may not qualify under ordinary circumstances in relation to their viability as assessed by the banks.

This strange argument of the UF&S, which was supported by the Liberal Party in its press statements, warrants very close examination by the community to assess exactly what is being given. In relation to eliminating the need for the Rural Assistance Branch to administer the scheme, I advise members opposite that that would be a foolish step. That step was taken interstate and, as a result, farmers were left to the mercies of the financial institutions. If members opposite had taken the trouble to go to the West Coast to find out—

The Hon. Jennifer Cashmore interjecting.

The Hon. M.K. MAYES: The honourable member has not been there. If members opposite had taken the trouble to go to the West Coast to find out what was going on, they would know of the stress and anxiety that farmers have with respect to their financial institutions. If the Rural Assistance Branch was unable to operate in this framework and assist in negotiations as a lender of last resort, the situation would be more disastrous and far greater distress would exist.

The Liberal Party's scheme, which is a mirror of that offered in New South Wales, is nothing new—it has been done before. Farmers in New South Wales much prefer our scheme and believe that it gives the Government and the community some input into the process. So, once again, the Liberal Party has backed the wrong horse, and I am sure that people on the West Coast would much prefer that the Rural Assistance Branch had a role to play in the negotiations.

Further, the financial and social counselling available through our Rural Counselling Services—and we have just appointed two additional financial counsellors with extensive experience in the financial and Government environments—will be of great assistance to the people of the West Coast. The financial package of about $105 million in total rural assistance loans that is being offered to those people in particular (but also to the whole rural community of South Australia) is more extensive in terms of lump sum moneys than that which is offered to home owners in the metropolitan area.

STATE FORESTS

The Hon. E.R. GOLDSWORTHY (Deputy Leader of the Opposition): My question is directed to the Premier. Why is it necessary, for tax reasons, to sign in another country the document to sell some of the State's forests to Japanese investors? The Opposition has a copy of a draft submission to the Minister of Forests which proposes that the Timber Corporation and the Woods and Forests Department, in conjunction with SAFA, should arrange for Japanese investment in the State's forests.

The submission indicates that SAFA has sought authority from the Premier to participate in the transaction to a limit of $250 million. The submission states, in part:

> It is necessary for tax reasons to sign the transaction documentation off shore, most likely in Hong Kong.

The Opposition has been advised that such action would allow the investors to avoid Federal capital gains tax and State stamp duty which could amount to about $6 million.

The Hon. J.C. BANNON: First, let me refer to my answer to the Leader of the Opposition a moment ago. The transaction under contemplation has not been finalised. When it is, details can be made public. I would not rely on the particular document that the Leader of the Opposition claims to have because, by the sound of it, it is merely a notional description of a possible transaction. The reality will be as determined by appropriate investigation of all the various parties involved.

As with any such transactions, by their very nature the jurisdiction and nature of the financing arrangements of the parties involved necessitate the signing of documents in various parts of the world. Despite some years of attempting to educate the Opposition on this, with briefings by SAFA, banks and so on, it is still quite incapable of following how this is done. What is more surprising is that some Opposition members were in a Cabinet that undertook these very same transactions. A kind of collective amnesia has come upon them as they look at this. The reason is simple enough: when they wanted to make money on behalf of the State, they were very happy to try to do it. However, now that we are trying to make money on behalf of the State, and because that might improve the general State economy and therefore worsen their chances of occupying these benches, they try to undermine it.

The questions, and the emotive language such as 'selling the forest', are absolute nonsense. It is emotive, nonsensical language. Equally, it is wrong to say that these transactions are aimed at avoiding Australian tax liabilities. They are not: they are unreservedly not.

LAKE BONNEY

Mr ROBERTSON (Bright): Will the Minister of Water Resources advise under what conditions the proposed partial emptying and refilling of Lake Bonney will be undertaken and whether or not the floodwaters currently flowing down the Murray-Darling system will have any impact on that proposal?

Members interjecting:

The Hon. S.M. LENEHAN: To clarify some of the interjections, we are talking about Lake Bonney in the Riverland. I am delighted to answer the honourable member's question and put to rest some of the speculation and inaccuracy that has been perpetrated by the member for Chaffey. First, as background, the last time a purification strategy was used for Lake Bonney was in 1973 when the level of the lake was lowered by about .5 of a metre. Whilst this resulted in a 13 per cent drop in the level of salinity in the lake, the salinity levels in the Waikerie area rose by about 300 EC units. In addition, a number of pumping facilities between Locks 3 and 4 were inconvenienced.

With that information in mind, I asked my department to investigate the proposal raised in this House by the member for Chaffey in relation to lowering the level at Lock 3 and, consequently, the level in Lake Bonney to achieve some form of partial flushing of the Lake. The computer analysis presented an interesting situation. Following the analysis of that situation, my decision to undertake, cautiously, a partial flushing of Lake Bonney will be taken only in consultation with the local community and, in particular, with the local irrigators because, when we look at the scenario painted by the former Minister of Water Resources, we find that his suggestion to lower the level of water in Lake Bonney by one metre would result in a net impact—that is, a net increase—of river salinity from Lock 3 downstream of about 400 EC units. Of course, this would also have a very significant impact on the pumping stations and on navigation.

I do not have to tell the member for Chaffey the effects that such a massive increase in salinity would have on the irrigation industry. Therefore, as I have stated, in consultation with the irrigators and the local communities—including the boating community which uses that section of the river—I propose to lower the level of Lake Bonney by .3 of a metre and to lower the level at Lock 3 by .5 of a metre. This process would be undertaken only at the peak conditions: that is, there must be a flow at Lock 3 in excess of 15 000 megalitres per day; and the salinity levels of the river will be below 550 EC units. What this means for the irrigation is that there will be an increase downstream from Lock 3 of approximately 150 EC units for the 10 days during which this process is undertaken. Of course, that will depend on a flow in excess of 15 000 megalitres per day.

In the equation there is now a new scenario, that is, the flooding in Queensland. I understand that it will take about a month before the flooding reaches South Australia. I have asked the department to investigate what the level of the floodwaters reaching South Australia is likely to be. Those figures can then be run through the computer model. If the figures indicate that there is an increased flow at Lock 3 and, therefore, a subsequent reduction in salinity levels. I will then ask the department to proceed with the trial in advance of the July timetable which I indicated previously. I believe that the floodwaters may well have this impact, but I will not be prepared to commit my department and this Government to any action (in spite of what the former Minister of Water Resources is suggesting) that will in any way disadvantage the irrigators in the Riverland. I think it is grossly improper of the local member to suggest this.

Instead of this once every 15 years approach, I believe that a more planned and reasoned approach based on cooperation and consultation is the way to go. If this trial is successful, we could look at doing this on a yearly basis rather than once every 15 or 19 years, or whatever it is. That is the way in which this Government will attack the problem of very significant conservation for the local irrigators and the people of South Australia with respect to the Murray River.

SAFA TRANSACTIONS

Mr D.S. BAKER (Victoria): Will the Premier say what is the estimated financial impact of the risks SAFA is assuming in the sale of part of the State's forests to Japanese

investors? Why is the legality of the transaction open to question? The draft submission referred to in the previous Opposition question reveals that SAFA is assuming certain risks in this transaction. It also refers to the need for SAFA to provide certain indemnities to the investors in respect of Japanese taxes, other increased costs and illegality, which could bring about a termination event. These references suggest that SAFA could be exposed to considerable financial cost in this transaction, the legality of which is apparently still open to question.

The Hon. J.C. BANNON: If the legality of any final arrangement is open to question, obviously, it will not be entered into. However, in any financial transaction, one must weigh the benefits of raising finance in this way against any down side. In order to allow for this, certain indemnities are issued by both parties against certain unlikely occurrences and their possible impact. That is a standard practice and I would have thought that the member for Victoria, having perhaps a little more knowledge of business and finance than some of his colleagues, would know better than to take garbled messages from the Leader of the Opposition's office and retail them here.

At such time as is appropriate and if, indeed, an appropriate transaction has been negotiated, a briefing can be organised so that members might better understand. But I despair of that because, when such briefings have been offered in the past, they have tended to be ignored by the Opposition or, if members opposite have attended, to be completely misunderstood. To anyone familiar with these international financial operations and the system of cross border leasing, which is carried out widely, the sort of garbled way in which the honourable member has presented it is neither sinister nor significant. I repeat my assurance that no transaction of this kind could be entered into unless all the various indemnities and legal risks had been taken into account fully.

Members interjecting:

The SPEAKER: Order!

EMPLOYMENT CONDITIONS

Mr HAMILTON (Albert Park): I ask the Minister of Labour: does his office regularly monitor unfair employment methods? Will he carry out urgent investigations into alleged threats by an employer against employees in relation to their conditions of employment? Last evening I interviewed a constituent who is well known to me and who alleged that certain illegal work practices were carried out by a particular employer but, because of the seriousness of the allegations, I will not name the company at this stage.

The allegations included underpayment of adult wages; teenagers, who allegedly have a work output equal to adult employees, being paid at a much lower rate than adults; dismissal of 30 employees before Christmas, some of whom were nearly in line for superannuation pay outs; workers being threatened with instant dismissal if they dared to bring a union onto the premises; non-payment of recent Industrial Commission wage increases; and employment of illegal migrants who have accepted lower wages and do not complain, for obvious reasons.

Further, another group of migrants were allegedly dismissed when they began to demand their rights. An invalid pensioner is allegedly employed on the premises and is alleged to have received cash payments of $70 per day over a six day week. Before Christmas, workers in this particular industry were granted a 38-hour week—and this has not been complied with strictly. Cash payments were made to an employee who allegedly complained that he was not receiving his entitlement; he was allegedly paid $1 000 in cash every four months (this amount not being included in his weekly wage so that other employees would not be aware of this extra payment).

Two workers were allegedly dismissed because they demanded their 4 per cent wage increase. It was further alleged that, upon dismissal, they threatened to cause trouble for the employer. The employer allegedly then handed them cash from his own pocket and told them to leave, saying that he did not want any trouble on the premises. Pay slips are given, but at times they are illegible and do not specify what the amounts mean. Other serious matters include no exhaust systems for dangerous fumes and lack of windows providing natural light and ventilation.

The Hon. R.J. GREGORY: I thank the member for Albert Park for his question. In response to the first part of it, yes, officers of the Department of Labour do make regular inspections of various work places in relation to a number of matters for which they have charge under the various Acts of Parliament. In respect of the specific matters raised by the honourable member, I will have those investigated and the appropriate action will be taken where breaches of Acts or awards are found.

Mr TERRY CAMERON

Mr S.J. BAKER (Mitcham): My question is to the Premier. How does he reconcile his statement this afternoon that building work was carried out for Mr Cameron rather than by him with evidence showing not only that Mr Cameron nominated himself on building application forms as the builder but that he did so while not being the holder of a builder's licence?

When I asked the Premier a question about this matter on 14 February this year he replied, 'There is no basis for the allegations that were made. . .' However, the report that the Premier has tabled—and I suggest that everybody read this report—demonstrates a substantial basis for the allegations. I refer to the fact that Mr Cameron is nominated as the builder on an application to the Willunga council. The council's reference number is 6638. This application was to build a home at Aldinga Beach. On the space on the form for name and address of the builder, Mr Cameron's name is given. The council approval was given on 8 November 1976. The house was completed on 21 April 1977. However, Mr Cameron did not become associated with a company holding a builder's licence until July 1978.

Further, the report reveals substantial evidence that Mr Cameron did use a builder's licence held by another person to perform unsupervised building work. The evidence suggests that 30 homes in the Willunga council area were constructed in this way. Far from an exoneration of Mr Cameron, this report demonstrates that Mr Cameron was involved in blatant flouting of the Builders Licensing Act.

The SPEAKER: Order! I caution the honourable member in relation to debating the matter. The honourable member for Mitcham.

Mr S.J. BAKER: Sir, this Act was put into operation by a Labor Government and was introduced supposedly to protect home buyers.

The Hon. J.C. BANNON: I congratulate the honourable member on his speed reading ability and his valiant attempt to try to cover up the complete fool that he made of himself on this mission.

Members interjecting:

The SPEAKER: Order!

The Hon. J.C. BANNON: Vain cries of 'He has caught you out' by those people who have been caught out so many times that they would not know what being caught out was!

Members interjecting:

The SPEAKER: Order!

The Hon. J.C. BANNON: There has been a list of them a mile long—from the famous Grand Prix ticket case to imputations against the Minister of Tourism, and so on.

Mr Olsen: What about the building application?

The SPEAKER: Order!

The Hon. J.C. BANNON: I will certainly deal with that in just a moment. It is covered in the report. The reason for my confidence is the report from the investigating inspector to the Commissioner for Consumer Affairs and the subsequent opinions of the Crown Solicitor in assessing that report. That report has been tabled, and I would advise members to read it. As to the Aldinga property—and this is dishonesty, Mr Speaker—the honourable member infers that there is this great range of what he would call false building applications.

He implied that and he could not deny it. In fact, when he went on with his explanation, he had to narrow it down to one specific case—a house at Aldinga that Mr Cameron himself intended to occupy. That is the evidence, and the document being waved around by the Leader of the Opposition confirms that. That is the one he mentions in his explanation and dealt with in the report.

Secondly, I refer to these 30 houses. Indeed, I believe that it was 50 when the honourable member started on this matter and there is now no apology or qualification of that: he just thinks of a number and adds to it as much as he wants to, with absolutely no credibility. That matter is also covered in the report. I have no reason to try to defend the indefensible. I can simply do what I have done and what the Attorney-General is doing in another place—that is, table the report after a full and complete investigation, the sort of investigation to which no ordinary citizen would ever be subjected and the sort of witch hunt to which no-one else in our community would be subjected except for Mr Cameron, who happens to be the hapless person in the sights of Opposition members just as there have been many other such persons.

We are prepared to cop that. We will take it and deal with each and every matter and, if there is blame and responsibility, we will take it. However, if, as has been almost invariably the case, it cannot be proved that these allegations are nothing but statements wildly thrown around, we will reject them. Read the report I suggest, Mr Speaker, and it will be found that what the honourable member is saying is absolute patent nonsense.

DAMINOZIDE

Ms GAYLER (Newland): Will the Minister of Agriculture say whether or not he will ban the use of the chemical daminozide, known as Alar, in the production of apples in South Australia? It was reported recently in the *Advertiser* that the Australian Consumers Association is urging State Governments to ban the use of Alar. This followed a report by the United States Environmental Protection Agency linking the chemical with cancer. The EPA plans to ban Alar within 18 months. It has been put to me by many housewives in my electorate that such cosmetic treatment of apples is unnecessary because people have happily consumed non-perfect apples since the time of Adam and Eve.

The Hon. M.K. MAYES: I thank the honourable member for her question. Not only her constituents but I am sure many other South Australians are interested in this issue. I assure her that I have taken up the matter directly with my Agricultural Chemicals Advisory Committee, and also through that committee directly with the National Health and Medical Research Council, in order to assess the situation concerning Alar or, as it is more commonly known in the chemical world, daminozide. This matter must be handled sensitively in the interests of the community and the industry. At this time I have received no direct communication from the consumers association regarding this matter. As I am sure is the case with other members' families, I know that my eldest child has consumed much apple juice and will continue to do so as a favourite drink.

Certainly, a number of my constituents have contacted me concerned about the use of Alar. It is sprayed onto various varieties of apples during growth, as we know from the media release, to promote roundness and redness and to extend shelf life, for which growers and producers throughout the world are looking, particularly those seeking export markets. It is absorbed into the flesh of the fruit, so it cannot be washed off. That is one disadvantage of its use.

Maximum residue levels are set for this chemical by the National Health and Medical Research Council. Daminozide breaks down into an isomer, dimethyhydrozine (UDMH). At this time this has not been shown to be carcinogenic on testing of animals in laboratories, and currently a study is being undertaken by the EPA of a large industry in the USA to consider the exposure of workers, especially in the manufacture of rocket fuel where it is a component.

As members will know, there have been reports of the relatively high exposure of workers in those environments. These studies have not proved that UDMH is not a carcinogen for humans, although they offer considerable assurance against this possibility. The National Health and Medical Research Council, however, cannot say what dietary risk there is in a situation where it is consumed and chronic feeding studies are currently being conducted with UDMH, as the isomer forms after the breaking down of daminozide in the process.

So, I assure members that tests are being undertaken, present indications being that the tests are on the safe side rather than the risk side. The UDMH residue level on crops such as apples that have been treated with Alar in the USA is low. The EPA in the USA intends to ban the chemical within 18 months, and in the meantime it has asked manufacturers to withdraw it from the market. However, the major manufacturer, Uniroyal Chemical Company, has challenged the EPA findings and promised to contest any Government ban.

My advisory committee is awaiting the outcome of the National Health and Medical Research Council research on dietary intake of UDMH before making a final recommendation to me. However, in the meantime the committee has queried the need for the use of this chemical in our environment. I am advised that, if there is any use, it is very low. I am told that that is the situation and we are cross-checking. That is a positive indication. We have to advise consumers of this current information and ensure that consumers are aware of any information that we have. I will consider this matter from the point of view of the National Health and Medical Research Council's report to me and the Advisory Chemicals Committee's advice on labelling. That is another avenue of approach for us.

Summing up, at this time research is being conducted to assess the impact of UDMH forming from the breakdown of Alar, as it is known in the trade. We can assure the community that tests are being undertaken, that the risk at

this time is low, and that the likelihood of use in our environment is also low. So, it has been used mainly in the USA, where it has been transhipped to areas such as California and the large eastern markets in order to preserve shelf life and maintain the colour and the quality of the food. I should be surprised to learn of a large use in our local environment.

STATE BANK

The Hon. JENNIFER CASHMORE (Coles): Does the Premier agree that the obligations of the State Bank to client confidentiality are overridden by its obligations to its owners, the people of South Australia, in circumstances where bank advances are at risk and liquidators have been called in as has happened following the collapse of Equiticorp and the National Safety Council of Victoria? If he does, will he now reveal to the House the bank's total exposure to these two companies; and, if he does not, will he say when the bank's obligations to its owners do become more important than its obligations to its clients?

The Hon. J.C. BANNON: The honourable member keeps going around and around this business. It was she who suggested that I in particular should have responsibility for controlling and directing the bank's affairs, which is totally wrong in principle and practice.

The Hon. Jennifer Cashmore interjecting:

The SPEAKER: Order!

The Hon. J.C. BANNON: I have made a statement today in which I laid out clearly the circumstances under which that guarantee is provided and the assurances which a Treasurer—and the Treasurer as the representative of the owners, if you like (the community of South Australia)—must obtain. But that is where the responsibility ends. Incidentally, while I am on my feet, let me deal with another total furphy that is being pedalled by the honourable member in her attacks on the State Bank and its operations. She claims that taxpayers' funds have been put in jeopardy by this practice. First, the bank does not use taxpayers' funds: it uses funds that it raises from its banking operations and, far from being in jeopardy—

Members interjecting:

The SPEAKER: Order!

The Hon. J.C. BANNON: —the State certainly provides a guarantee, as I have explained, with the profits going to the Government of South Australia, to the taxpayer—

Members interjecting:

The SPEAKER: Order!

The Hon. J.C. BANNON: —the owners of the bank. Those profits increased 33 per cent as from 1986-87 to 1987-88, and they will increase again in this financial year: they will again increase substantially. The funds involved are not funds that the taxpayer has applied to the bank's operations. That is the first point. Secondly, the honourable member stirs up trouble by saying that corporate lenders are jeopardising the commercial assistance that can be provided to those involved in the housing portfolios of the State Bank. Wrong again! The State Bank's operations are in divisible sections and each section must properly account for and operate on its own profit parameters. If that was not the case, rather than charging corporate borrowers rates of 19 per cent or so plus they would be charged a good deal less and housing interest rates would be much higher than they are. The honourable member knows that that is not the case. It is very depressing—

Members interjecting:

The SPEAKER: Order!

The Hon. J.C. BANNON: The Leader of the Opposition tries to maintain a discreet silence because he does not want to muddy his hands on this. He is the one who goes down to a special seminar of State Bank operatives and makes this glowing speech about how fantastic they are, what a great job they are doing and how the Opposition supports them.

Members interjecting:

The Hon. J.C BANNON: Yes, a very two faced approach, I felt. There is obviously no communication between him and the member for Coles, who has some sort of brief in this area. He lets her run and make a complete fool of herself in a lot of the things she says, which is most unkind, and it gets the odium of those who know what damage she can possibly do to the State Bank and its borrowers, while at the same time he sits back discreetly and says nothing.

Members interjecting:

The Hon. J.C. BANNON: I suggest it is in the interests of the State that the Opposition take a more responsible attitude on this question. The answers to all those questions have been given. They are appropriately provided and will be so.

Members interjecting:

The SPEAKER: Order! I call the member for Coles and the member for Briggs to order.

EDUCATION PROPAGANDA

Mr FERGUSON (Henley Beach): Is the Minister of Education aware of the blatant political propaganda being circulated to schools by the Leader of the Opposition? Will the Minister inform the House on the implied allegation that our schools are not offering—

Mr Lewis interjecting:

The SPEAKER: Order! Is the member for Murray-Mallee withdrawing leave before leave has even been sought? Order! The honourable member for Henley Beach.

Mr FERGUSON: Thank you, Mr Speaker. May I complete my question? Will the Minister comment on the implied allegation that our schools are not offering a quality education? It has been brought to my attention by a principal that he has been put in a difficult situation in that he cannot actually comment on the statement because of Public Service regulations.

The Hon. G.J. CRAFTER: I appreciate the honourable member's concern and, as much as members of the Opposition do not want to hear the question or the answer, this is one of the most blatant and grossly political acts perpetrated on our State school system. Clearly, it is a proselytisation of our schools for blatant Party-political purposes. I reject it and urge the Opposition to desist from this manipulation of our schools. The Opposition has written letters to servants of the Crown under the Education Act, to principals of our schools, and asked them to respond to the Leader of the Opposition and to participate in the political process. I deplore that and ask the Opposition to reflect on the step that it has taken here.

One of the fundamental tenets of our education system in this State has always been that it is free, secular and compulsory. We now have an attack on that of the most blatant political kind. Further, the letter sent to schools claiming that the Opposition, if it was ever elected to Government, would provide additional resources unfortunately does not go on to explain how those additional resources are to be provided. The press statements and public comments made when the statement was released publicly clearly indicate that the Opposition would seek to find those sav-

ings within the education portfolio itself. That has been admitted in the correspondence sent out to school principals.

The Opposition is now clearly beholden to explain to the people of South Australia precisely where those cuts will be made. The Opposition has claimed that there is waste in our education system. We want to know where that waste is and, specifically, where those cuts will be made and how those funds will be reallocated. We know simply that that is the formula used in New South Wales, where some 2 000 teacher positions were cut in that State under the guise that there would be some reallocation of resources. We have clearly seen an unprecedented (in Australian terms) attack on our State school system in that State.

Further, in Victoria, before the last State election, the Liberal Party clearly said that it would make substantial savings in the education portfolio in that State if it was elected to Government. Indeed, I will quote from the Melbourne *Age* of 20 September 1988, where the Liberal Party set out the costing of its election promises and the savings proposed to be achieved to fund its election promises, and indicate what the Victorian Government said those promises would actually cost based on a Treasury investigation of them. I want to quote that information to the House, because the Liberal Party claimed it would have achieved in the education portfolio in Victoria in the four years of the current term of the Victorian Government savings of $45 million, $137 million, $171 million and $189 million, a total of $542 million, with an expenditure of $187 million over that period, leaving a net saving to the Government of $355 million out of the education portfolio under a Liberal Government in Victoria.

The costings announced at that time by the Victorian Treasurer (Mr Jolly) added another $112 million to those savings and, therefore, on that estimation there would be a total reduction in education funds, under a Victorian Liberal Government, of $467 million. We have seen it happen in New South Wales, where it is a reality. We saw up to 60 000 people marching through Sydney streets rejecting the Liberal Government's education policies in that State. We have clear public statements of that policy in Victoria if the Liberal Party had been elected, although fortunately it was not. Now in South Australia we see exactly the same policies being enunciated and unfortunately being conveyed to schools, yet the Opposition does not have the honesty to explain how those additional expenditures are to be achieved or the destruction that is to be wrought on our education system if the Liberal Party was ever elected to Government. Clearly, the challenge is there for the Opposition to come clean on this important area of policy.

STATE BANK

Mr OSWALD (Morphett): Has the Premier received information from the State Bank of its total exposure to the Equiticorp and National Safety Council collapses, and at this stage is he in a position to assess what impact any losses could have on the bank's contribution to the State budget?

The Hon. J.C. BANNON: I have received some information, but of course the fact is that in both instances cited by the honourable member the exact extent of any losses cannot be determined. First, in the case of Equiticorp, it would take a long time and, based on the experience of other such transactions—and there is a quite considerable distinction between that and the National Safety Council, where direct and explicit fraud has been involved—the loss could be quite variable or, indeed, may not eventuate. There is no real way of estimating that at this time.

Secondly, in the case of the National Safety Council, whilst transactions have not concluded—and I say again that this is a question of fraud—the State Bank has already indicated that it intends to take legal action to protect itself in this instance as well. With all those uncertainties, it is impossible to say. However, what can be said—and I have said this on a number of occasions, and so has the bank itself—is that, first, the State Bank makes provision for bad debts, and it makes those provisions very prudently; and those provisions will be drawn on as required. In fact, those provisions compare much more favourably with respect to most of the bank's private sector competitors.

Secondly, in relation to the profit predictions and budget of the State Bank for this year in particular, but extending on, I am advised that there is no reason to make substantial revisions. Certainly, for this financial year we expect the performance for the first half year, which has been quite spectacular, to be maintained.

The Hon. Jennifer Cashmore interjecting:

The Hon. J.C. BANNON: The honourable member cannot refrain from interfering in answers to her colleagues' questions, and from meddling in all their various areas of jurisdiction—

An honourable member interjecting:

The SPEAKER: Order! The honourable Premier has the call.

The Hon. J.C. BANNON: The member for Coles sits next to an honourable member who supports uranium enrichment, which is prohibited by an amendment she inserted into the legislation when she was a Minister. She sits two places down from the Leader, who praises the State Bank in its activities, while she undermines it. She sits near an honourable member who is fervently in favour of various tourism developments, while she is going to lie down in front of bulldozers. So, Mr Speaker, it is only reasonable when I am trying to answer the honourable member who asked the question that I make some reference to the chivvying by the member for Coles. To get back to the answer—

Members interjecting:

The SPEAKER: Order!

The Hon. J.C. BANNON: —I am advised by the bank—

An honourable member: You're talking garbage!

The Hon. J.C. BANNON: The garbage I talk will be revealed when the State Bank publishes its accounts and we see what profit it has achieved. On the basis of the first six months, it is already at $50 million, which is above budget.

The Hon. E.R. Goldsworthy: A smart-arsed lawyer's answer, as usual.

The SPEAKER: Order!

Members interjecting:

The SPEAKER: Order! Not only was the Deputy Leader out of order for interjecting but he did so using most unparliamentary language, and I ask him to withdraw.

The Hon. E.R. GOLDSWORTHY: Mr Speaker—

The SPEAKER: Order! I do not ask the Deputy Leader—I direct him—to withdraw.

The Hon. E.R. GOLDSWORTHY: I am quite happy to withdraw. I have heard a lot worse in here though, Mr Speaker.

SPORTS POLICY CHANGES

Mr DUIGAN (Adelaide): I direct my question to the Minister of Education. Have there been recent policy changes relating to sporting interchanges between city and country

schools? Yesterday I received a letter from the North Adelaide Football Club which included a copy of a letter that the club had sent to the principals of, in particular, primary schools in the North Adelaide zone area. The letter addressed to the principals indicated that the club wanted to express its concern over a decision made this year by principals in the North Adelaide zone area to abstain from annual sporting interchanges with country school teams. In the letter, the Chairman of the Youth Development Committee of the football club states:

> It was with some regret I discovered that our area was unique in the State because we were the only ones to not participate in these annual trips. Naturally my concern is that our youth is being disadvantaged by their exclusion, including possible State representation in SAPSASA teams.
>
> During my years of involvement with sport I can reflect vividly on the many friendships made during such trips and the satisfaction of having competed at that level. Surely the concept behind the country interchange, viz., the involvement in competition and the making of new friends who live in a different environment, is of some importance to the young people in schools. The education system must think it so to entertain the idea of student exchange to overseas countries.

The letter from the North Adelaide Football Club indicated that it supported these exchanges last year and would be happy to provide support again this year even if the principals stand firm on their decision to abstain from providing the necessary personnel. The letter also indicated that the club needed the permission of the principals to release the students.

In a covering letter to me, as the local member, the Chairman of the Youth Development Committee expressed his concern that youth in the area could be disadvantaged if the majority of principals continue to discourage the annual interchange with country students in team sports.

The Hon. G.J. CRAFTER: I thank the honourable member for raising this issue with me. I can understand that the North Adelaide Football Club is concerned about the development of junior football within its zone. It might like to take a leaf out of the example set by the Norwood Football Club which has the league's most extensive junior coaching and support network of any of the league clubs. It is an important component of any football club's history and success.

I was concerned to learn of the decision that seems to have been taken at the local level with respect to support for the country interchange program. Indeed, my son has participated in SAPSASA programs of this type and has travelled to remote areas of the State. He enjoyed the sporting and cultural experience and social intercourse of such exchanges, which are a valuable part of the education experience of any young person in our schools.

South Australia enjoys a very high reputation—at the national level and within this State—with respect to SAPSASA programs in the competitive area. Indeed, we provide far more resources for such programs than is the norm across this country. That program is well established. I will inquire into the particular circumstances to which the honourable member refers and bring back a report.

OVERSEAS MEDICAL PATIENTS

Mr MEIER (Goyder): I direct my question to the Minister of Health. Following the closure of half the orthopaedics ward Q3 at the Royal Adelaide Hospital and half the high dependency ward S4 with a loss of 28 beds, does the Government intend to reassess its policy of attracting patients from other countries for treatment at the Royal Adelaide Hospital? How many overseas patients have so far received treatment since this scheme was implemented last year and are any further patients to be treated while these beds are closed and public patients are waiting, in some cases up to two years, for elective surgery at the hospital?

An article in the latest issue of the publication *Australian Dr Weekly* refers to the activities of a company called Aushealth, which is involved in attracting wealthy patients from Asian countries to Adelaide for medical treatment and surgery. The article states that Aushealth hopes to complete 50 operations for heart, eye and plastic surgery and neurosurgery this year, with patients attending the Royal Adelaide Hospital, the Flinders Medical Centre and Calvary Hospital.

Last July when the former Minister of Health announced the Government's intention to sell South Australia's medical capabilities to wealthy people from Asia, he said that South Australians would not be disadvantaged because there was no waiting time for the services they were seeking. However, the Opposition has received representations from people who have been waiting up to two years for orthopaedic surgery, and others who have been waiting some months for heart bypass surgery—a problem which will be made worse by the bed closures at the Royal Adelaide.

The Hon. FRANK BLEVINS: At the moment I cannot say what the numbers are, but I will certainly obtain a report for the honourable member. I point out that patients coming from overseas are full fee paying and, in fact, there will be a reasonable and appropriate margin of profit for the Royal Adelaide Hospital to enable it to provide more facilities for South Australian patients. I could not quite catch the drift of the honourable member's question. Is the member for Goydor—

Mr Meier interjecting:

The Hon. FRANK BLEVINS: I am in the process of trying to get some clarification. Are the honourable member and the Liberal Party opposed to South Australia's attracting full fee paying patients from overseas? If so, let them say so. That is all I want clarified. If you are opposed to it, say so. Then, if the Liberal Party is ever elected, that will be one business that the health industry in South Australia will be able to say is off the agenda. If you are opposed to full fee paying patients from overseas—

The SPEAKER: Order! The honourable Minister should say, 'If members opposite are opposed'.

The Hon. FRANK BLEVINS: Quite correct, Sir. The necessity to close the beds temporarily at the Royal Adelaide is regretted. I point out that this year the Royal Adelaide Hospital has had a large increase in its admissions. It is a very efficient hospital with a tremendous reputation but, to some extent, it is suffering from that success. It just cannot digest, financially, any more patients at this stage. It is not a question of cutting back; it is a question of trying to slow down the rate of increase. That is what we are trying to do—slow down the rate of increase.

I was interested to hear the member for Goyder suggest that some patients had been waiting for over two years on the booking list for orthopaedic surgery. I would like to know precisely what orthopaedic surgery that is because, contrary to some belief that is put around, there are exactly four patients in the metropolitan area who are waiting for hip replacements and have been waiting for longer than 12 months. That includes three on the booking list at the Royal Adelaide and one at Flinders.

Mr Meier interjecting:

The SPEAKER: Order! The honourable member has asked his question.

The Hon. FRANK BLEVINS: I cannot help it if the honourable member does not like the information, but that is the situation. I will tell the honourable member what I would like to do for those patients. I would like to put them

into private hospitals and we would pay the hospital charges as well as the fees of the surgeons. I would like to do that so that nobody has to wait more than 12 months for a hip replacement. There are only four such patients, and I could get them into a hospital tomorrow, except that doctors will not treat public patients in private hospitals, even though we want to pay the full fee. The doctors have an ideological problem. I respect their view. I disagree with them, but it is a respectable point of view. It is not a ratbag point of view and, from where they stand, it has a certain legitimacy. There is no reluctance on the part of the Government to get these people treated and treated quickly, where beds and orthopaedic surgeons are available. If that is in the private sector, so be it. We have no hang-ups about that, but that cannot be done because of the reasons I have just outlined.

The many overseas patients who wish to come to South Australia are welcome—and will always be welcome—as long as they can pay the full charges. That applies not just to our hospital system but also to our education system. I am disappointed that the Opposition apparently does not agree. It is a great pity. We have tremendous skills in South Australia and we ought not be restricted in selling them, whatever the motives of the member for Goyder.

FRIENDLY SOCIETIES ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 15 March. Page 2429.)

The Hon. JENNIFER CASHMORE (Coles): The Opposition supports this Bill, which significantly amends the Friendly Societies Act to give these organisations much broader investment powers. The Bill also seeks to redress some of the inequalities which have put friendly societies at a disadvantage in comparison with other financial institutions. Because of the deregulation of the financial marketplace, this disadvantage has been felt most keenly in recent years, and has precluded these organisations from fully participating in the new opportunities that are available to other financial institutions. The disadvantage has meant that members of friendly societies have been unable to take full advantage of the benefits that deregulation has produced.

Historically, friendly societies have occupied an important place in our history. It has been estimated that, by the end of the nineteenth century, nearly 90 per cent of all urban manual workers were members of friendly societies. In fact, before the arrival of the 'Welfare State', the friendly societies offered an important form of mutual aid which saw the majority of underprivileged people provide themselves with sickness, medical and other benefits. The societies not only were a source of basic health care but also provided a centre for social life in which all members, whatever their occupations, enjoyed equal status. A good case could be made that the purely voluntary friendly societies achieved a much more efficient system than any compulsory organisation, such as Medicare, has ever done.

Over the past 70 years, of course, the role and size of friendly societies has altered significantly. There are, for example, only three or four societies which are affected directly by this Bill. Friendly societies have been living for some time with the challenge that our banking system is no longer conservative or restricted. Because of the legislative restrictions, they have been frustrated in their attempts to take full part in this much freer environment. The Bill we are debating deals in part with how friendly societies can invest funds. In the past, societies have been restricted to investment in freehold property, fixed interest securities having trustee status and other investments approved by the board or committee of management, the Minister and the Public Actuary. These restrictions have meant that investment in company shares, debentures and notes has not been allowed. While other financial institutions have been able to invest in these areas, often offering very high returns, this has not helped people belonging to friendly societies. The Opposition is pleased that this impediment is now being addressed by the Government.

As well as allowing much greater powers of investment, the Bill also allows the Public Actuary the power to defer payment of benefits to society members when such payments might prejudice the financial stability of the society or the interests of members. While this provision does not exist with respect to building societies or credit unions, it is the case with the Life Insurance Act, which oversees an industry that undertakes similar activities in the financial investment area. The Bill also allows the Public Actuary to withdraw from publication false or misleading advertising relating to friendly societies. The Opposition has some concerns about this provision. While it is acknowledged that in times of economic uncertainty—indeed, at any time—we need to ensure that people are not misled about investments they make (with what often amounts to their life savings), the Government has offered a fairly draconian attitude on this measure. In fact, the provisions regarding control over advertising are, upon examination, very restrictive and do not allow the right of appeal.

The Opposition believes that there should be an appeal process which gives that right against a decision to withdraw advertising and we ask the Minister whether he would give consideration to amending the Act to provide for this. Certainly, this is a major concern to industry operators who have contacted the Opposition about this Bill, and no doubt the same concerns have been expressed to the Government.

Incidentally, the same applies to the Credit Unions Bill currently being debated in another place. If the Government is sincere in its stated desire for deregulation and standardisation of laws governing financial institutions, it seems reasonable that this consideration be given and that there be consistency across the board in the application of such consideration. The Opposition also understands that the Corporate Affairs Commission, in the consultative process with the building societies industry, has agreed to provide for an appeal process to the Minister against the commission's actions. Therefore, in the case of the two other industries, the provision for appeal is there and, surely, that should be the case for friendly societies.

Another area of concern that has been pointed out to the Opposition is the treatment of friendly societies that have their head offices in other States. Some friendly societies that are based outside the State have indicated their intention to set up an office in South Australia. For example, the Order of the Sons of Temperance (OST) Friendly Society has indicated in its advertising that it intends to set up a branch office in Adelaide as early as June this year. The Credit Unions Bill is clear on this matter and I understand that the Corporate Affairs Commission has indicated a requirement that building societies from other States should meet prudential requirements for entry into South Australia. A South Australian friendly society operating in Victoria, for example, is bound by the rules in that State. This provision does not appear in the current legislation and the Opposition believes it should.

It has been suggested to the Opposition that the requirement in the principal Act about reporting on an annual basis has not always been enforced in recent years. The Opposition believes that, given the increased investment powers being granted to these societies, the Treasurer should ensure that officers of his department make sure that annual returns are submitted in accordance with the Act. Therefore, whilst the Opposition supports the initiatives introduced by the Government, the specific matters I have raised should be addressed by the Minister and we hope that his answers will indicate agreement with our requests.

The Hon. G.J. CRAFTER (Minister of Education): I thank the Opposition for its support of these amendments to the Friendly Societies Act and, given the general thrust of the honourable member's outline of the history of friendly societies and the role and status that they enjoy in the South Australian economic community, I endorse those comments. Friendly societies have a long and proud tradition of service to the community in a variety of areas and over a period of changing situations and a series of creditors, competitors and others who have come into and gone from the economic environment. In the main, these societies have survived.

Many of them are based on Christian beliefs or societies or structures where people of common interest come together to help others who have been traditionally identified as being in need in our community. It is that basic strength that gives friendly societies a special role in our community. Indeed, they have been given the protection of legislation and the support of Governments over many years. Some would argue that friendly societies have been too closely regulated and others would contradict that.

Whilst these amendments are designed to assist friendly societies and have been discussed with representatives of those societies, I note that the Opposition seeks to have further privileges and rights vested in those societies. I can say that, with respect to the questions of control over advertising and whether appeal rights should be provided in the legislation and, further, whether there should be a greater regulation over the activities of interstate friendly societies in South Australia, they are matters that I will ensure are considered by my colleague in another place. In fact, if amendment or other attention is required in relation to those matters, that can be dealt with properly in another place. Those matters are worthy of close consideration by the Government during the passage of this amendment Bill. Once again, I reiterate my appreciation of the support of the Opposition for the measures contained in this Bill.

Bill read a second time.

In Committee.

Clause 1 passed.

Clause 2—'Societies may make general laws or rules.'

The Hon. JENNIFER CASHMORE: I wish to confirm the Minister's response in his second reading reply that the Government will consider including in this Act a provision that friendly societies from other States that want to operate in South Australia will be bound by a provision that is similar to that contained in clause 9 of the Credit Unions Bill which governs foreign credit unions. I was not quite certain whether that commitment, or general attitude, was expressed alongside the general attitude of sympathy with the notion that there should be an appeal and that the Government would look at this matter during the passage of the Bill between both Houses.

The Hon. G.J. CRAFTER: As I said in my second reading speech, I will certainly have this matter referred to my colleague for his investigation as to the merits of including in the Bill in another place provisions which would strengthen the role of South Australian friendly societies *vis-a-vis* interstate friendly societies. I think there may well be some legal dispute about the interpretation that the honourable member has given to the House and that should be looked at to see whether the fears expressed by the honourable member are real and to determine what response the Government should make in this circumstance. As I said, along with the matter of control over advertising and the appeal rights against decisions taken with respect to those provisions, this matter is worthy of consideration and I can assure the honourable member that that will occur.

The Hon. JENNIFER CASHMORE: Is it a requirement of the Act that an annual report be submitted? I know it is a suggestion put forward by the Public Actuary and I would appreciate knowing the Minister's position in relation to friendly societies being required to submit an annual report.

The Hon. G.J. CRAFTER: I thank the honourable member for raising this matter. Section 29 of the substantive Act provides:

> On or before the first day of September in every year every society shall send to the Public Actuary a general statement of the receipts and expenditure, funds, and effects of the society so audited, which will show separately . . .

The Act then lists the details required by the Public Actuary on an annual basis.

The Hon. JENNIFER CASHMORE: Given that relatively few societies will be affected by the legislation, can the Minister advise the Committee how many societies have failed to comply with this requirement, over what period and which societies are they?

The Hon. G.J. CRAFTER: As I understand it, there is general compliance with the provisions of the Act. However, there may be some societies that find difficulty in meeting the strict time lines, and that is obviously the subject of negotiation. I will obtain more precise information for the benefit of the honourable member.

Clause passed.

Clause 3—'Mode of investment of funds.'

Mr M.J. EVANS: As I understand the position, this clause will give a much broader power of investment in somewhat more volatile commodities, that is, shares, than is presently the case. In many ways it alters substantially the character of friendly society investment from items which are relatively stable to the possible inclusion of securities which, on occasion, have been less than stable. One can think of several significant occasions in the history of friendly societies when the share market has been less than stable.

I am sure that the approval which is required to be given by the Minister and the Public Actuary would limit the investment to the least unstable product. I am also sure that the decision of the Public Actuary and the Minister would not be such as to expose societies to a substantial risk. However, it is inherently true that, the moment one alters the course of investment policy in this way, one produces greater risk.

It seems to me that many people have invested in friendly societies on the basis that they are totally risk averse and that they have a reduced rate of return but, in exchange for that, they gain very substantial security. With this provision, one would assume that a relatively small proportion of their funds will be in a different character. From the second reading explanation, it appears that the basic intention of that is to enable societies to compete on a more equal basis with their Victorian counterparts and other financial institutions to ensure that their rate of return can be matched with that of these more prominent institutions.

While that is a very admirable and reasonable course of action, I ask the Minister whether there is any intention that the new investment products will be in some way quarantined so that the risk is allocated only to those denominated products. What of those people who have taken out long-term investments, although they may be redeemable with some penalty, on the understanding that they would be in a very limited area of product with a known projected rate of return but who may find themselves with investment products with unknown potential for instability?

I do not wish to overstate that point, because I am sure that the limitations will be substantial, with approval from the Public Actuary and the Minister, but the change is there and, to some extent, existing investors will have to look at that in relation to their own policies. Is there any intention to limit this to new products so that investors will be clear as to which products are which, or is there an intention to have a pooled investment so that everyone is drawn into this revised category?

The Hon. G.J. CRAFTER: Obviously, friendly societies are in the marketplace and, as has been stated in earlier debate, they play an important role in the economic community of this State. These amendments are designed to provide for their ongoing viability and the entrenchment of the role that they play. To leave their ability to invest and market their products in a nineteenth century mode is to put down that important role, a role that they have carved out over a long time—and I am sure that that is not what the honourable member wants. However, it is fitting and proper that he should seek some advice about the directions that will be given to friendly societies about their investment policies and the packages that they may offer to their clients.

I assure the honourable member that the Public Actuary (the registrar of friendly societies in South Australia) and the Minister, who have supervisory roles within the checks and balances in these provisions, will exercise that function with all the proper sense of responsibility and discretion that is vested in them and on advice that they can obtain to ensure that those investments are secure and that any risk is minimal. In a number of other areas of investment activity, it has been shown that prudent investments can be made in a number of established companies that are listed on stock exchanges. Other forms of investment are quite secure, have always been secure and we anticipate that they will always be secure, so it is appropriate that there be investment in such enterprises. The Minister and the Public Actuary will take advice and promulgate directions and guidelines which are appropriate and which will provide the security that the honourable member seeks.

Clause passed.

Clauses 4 to 10 passed.

Clause 11—'Public Actuary may require withdrawal of certain advertisements.'

Mr M.J. EVANS: I move:

Page 2—
Line 31—Leave out 'the society' and insert 'every member of the committee of management of the society'.
Line 40—Leave out 'society' and insert 'person'.
Page 3—
Line 2—Leave out 'society' and insert 'person'.
Line 3—Leave out 'society' and insert 'person'.
After line 6—Insert new subsection as follows:
(4) It is a defence for a person charged with an offence under subsection (2) or a further offence under subsection (3) *(c)* to prove that there was no failure on his or her part to take reasonable care to avoid commission of the offence or further offence.

As has been pointed out by other members in this debate, friendly societies are established for a very special purpose and the nature of that purpose must dictate to some extent the way in which Parliament acts on these amendments. Quite clearly, the societies' funds are held on behalf of people who would, in normal circumstances in relation to the objects of the Act, attract considerable sympathy from the community as a whole. They are to provide funds in the event of the death of a family member, for medical purposes, for pharmaceutical operations and for a wide range of like activities which are not profit seeking or exploitative but which are entirely charitable and for the advantage of individuals who perhaps have not had the opportunity of being able to provide for themselves against all of these risks but need some assistance in so doing and, by pooling their funds, can help each other in that process.

Therefore, it seems to me to be very important that Parliament should take funds by way of a fine from such a society and from its members only if the case is overwhelmingly made out and the blame can be attached to the society as a whole. In this particular case, we are dealing with a measure which proposes that the society should be fined in respect of failure to comply with a notice from the Public Actuary relating to withdrawal of an advertisement. Therefore, the members of the committee of management of the society have a direct and personal notice of the offence upon which they are about to embark. In those circumstances, the penalty should fall on them for failure to comply, not upon the people who have formed the innocent part of the society.

While the members of the committee of management act on their behalf in the general course of business, they do not do so by breaking the law. That is an entirely different thing upon which they would have to embark consciously in order to attract a penalty for the society as set out in this clause. In fact, section 30a of the principal Act, which was enacted many years ago, states that, when the society fails to comply with a direction of the Public Actuary relating to improvements in its financial position, the penalty falls on the committee of management and not on the society as a whole. Therefore, the people who are responsible for the offence are the ones who are charged with it, not the members of the society who are in a somewhat disadvantageous position in this respect.

Given that it is the committee of management which must deliberately set out to breach this provision (if, indeed, anyone does, and I suggest that is most unlikely, but that is why the penalty provision is here), the penalty should fall on the committee of management and not on the people who form the society itself. My amendment provides for this, ensuring that the standard defence that Parliament has previously enacted in similar situations in relation to companies, for example, is contained in the legislation so that a member of the committee of management may prove that there was no failure on his or her part to take reasonable care to avoid the commission of the offence or the further offence.

I think in the circumstances in which we find ourselves here it is appropriate that those comprising the committee of management, given it is they who have the job of supervising the affairs of the society and given it is they who must have taken the deliberate step to contravene the notice, should bear the consequences of that action and not the people who have placed their faith, trust and investment with the society itself. It is for that reason that I urge the Committee to accept my amendments.

The Hon. G.J. CRAFTER: I understand the reasoning behind the honourable member's amendments. The Government does not have any substantial objection to the proposition, in the sense that it seeks to make more personally responsible those who have perpetrated some off-

ence under the provisions of the Act. The concern of the Government is that the provisions of the legislation have some teeth and that directives given by those persons vested with powers under this legislation can be enforced effectively. I am not sure whether the ultimate aim that the honourable member desires will be achieved by the Government's proposals or by the Opposition's proposals, because it is still open to the society to resolve these matters in other ways, although one would hope that persons who were proven to be guilty of offences under this Act would not continue to hold offices within the society perhaps as responsible as those held hitherto.

As to arrangements made within societies in respect of the payment of fines and other sanctions that are taken, I guess that remains as a matter for the business of those societies. As I have said, the concern of the Government is to ensure that this legislation has teeth and that what is required to be done is done, in the interests not only of the people who are members of a friendly society, those who have invested in the society and those who deal with it but also of the community as a whole. For those reasons, I do not object to the amendments proposed by the honourable member.

Amendments carried; clause as amended passed.

Clause 12 and title passed.

Bill read a third time and passed.

CLEAN AIR ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 16 March. Page 2513.)

The Hon. B.C. EASTICK (Light): The Opposition supports the Bill presently before the House. It does so on the clear understanding that, I suspect like the Government, the Opposition is moving in uncharted waters. I am not suggesting for a moment that the propositions before us are not worthy of consideration on their own merit or that they are a reflex action in response to measures undertaken by the Commonwealth and by other States. These issues arise from a very real interest and they are the subject of major consideration by worldwide organisations. However, they are new to the South Australian scene as such. Since this Bill was introduced, gradually questions have been raised by people in industry relating to whether the various circumstances relating to them have been given due regard. I will refer to these later on.

Certainly, provision has been made for exemptions and consideration. We recognise that there is a phase-in feature. So far as the Commonwealth Ozone Protection Act is concerned, upon which much of our legislation is based, the Commonwealth will return its Act for further consideration by Parliament in 1990. It may well be that even before that time—or certainly not much later than after that further consideration in 1990—we in South Australia will have to look at other facets of this measure.

In his second reading explanation the Minister indicated that the Bill supplements the Commonwealth Ozone Protection Act 1988, to which I have already referred. The objectives of the Commonwealth Act are:

> (*a*) To institute a system of controls on the manufacture, import and export of substances that deplete ozone in the atmosphere for the purpose of—
>
> (i) giving effect to Australia's obligation under the Convention and the Protocol, and
>
> (ii) further reducing Australia's export of such substances; and
>
> (*b*) To institute and to provide for the installation of specific controls on the manufacture, import, distribution and use of products that contain such substances and use of such substances in their operations.

We see there the use of two new buzz words, if we can use that term in its broader sense, and I refer to the (Montreal) Protocol and the (Vienna) Convention. Indeed, last weekend reference was made in *The Australian* and in a number of other newspapers to The Hague Declaration. Since the discussions that have already taken place, which are referred to in the Minister's second reading explanation, there has been a major discussion of these matters in The Hague.

There was representation at these discussions by senior Government personnel from a large number of countries around the world. The Australian public was represented by the Minister for Foreign Affairs and Trade and by the Minister for the Arts, Sport, the Environment, Tourism and Territories. I am not entirely certain at this moment, but I think we were also represented on that occasion by the Hon. Barry Jones, the Minister who has shown a great deal of interest in science and scientific matters. Quite recently he was interviewed on the ABC and there has been an in-depth exposure of a number of these issues on our media.

I was interested in a discussion that I heard on ABC radio last weekend: a large number of people were asked about the situation in relation to the ozone layer and about whether they could describe it. The comment made by the scientific expert on the ABC's panel was that, although the 30 people that were spoken to had some idea of what this was all about, none of them really understood the totality of the situation. It was found, for example, that the problem in relation to the ozone layer and the effect on the ozone layer of chlorofluorocarbons and halons was tangled up with the greenhouse effect. For example, some people talked about the whole of the problem being associated with there being too much carbon dioxide. There was an intermingling of thoughts on precisely what was related to this problem.

I believe that this matter requires further specific education of the public so as to produce a better understanding rather than the present mish mash of ideas. I hope that the Minister through his department can find the funds to provide at least for the schools and local government a better understanding of the basic principles of this issue so that the debate, as it continues, can be somewhat more on the ball than it is at present. The Minister's second reading explanation states:

> Almost immediately following the signing of the Montreal protocol, new scientific evidence suggested the need to significantly strengthen its control requirement. The Bill currently before this House provides sufficient flexibility to accommodate any changes that may be needed to more rapidly phase out these substances.

I do not dispute that statement, but it picks up the point made in the recent debate in the Hague where the British Prime Minister (Mrs Thatcher) indicated that she doubted very much that we had gone far enough quickly enough and that, because of the changed circumstances unfolding almost daily, it might well be that governments around the world would need to look more closely at the ramifications of the measure and exercise their rights through legislation to put into place the necessary requirements.

I tell the Minister openly that the Opposition stands ready to discuss and to consider any necessary amendments. Because of the circumstances to which I referred earlier, we are in uncharted waters and becoming aware almost daily of new information which may result in the need to make changes. However, that is difficult to read against the needs of industry and the responsibilities of the Government and the Parliament to ensure that those people who are undertaking actions at present based on legal right and who are providing services to the community in vital areas do not suddenly lose the business they have built up, because they

cannot accede totally to the drastic demands of the legislation.

I fully support the phase-out provision of the Bill. Indeed, it represents natural justice. However, let me refer to a couple of comments, one made last week and the other as recently as today. First, today I have been told of the circumstance arising concerning materials used as medicaments in treating asthma and asthmatic conditions. In this respect, it is suggested that 25 per cent or 30 per cent of all children may need such medication during their childhood and that 10 per cent of the adult population may need such materials which rely heavily on the presence of chlorofluorocarbons.

In fact, after discussion, I am aware that there is no intention to take away from the production of those essential materials at this time. Chlorofluorocarbons are administered in minute quantities, but there seems to be a resistance by manufacturers to the requirement that they label such materials with the statement that they include chlorofluorocarbons, the point being that this might destroy their market. I accept that such a problem exists although, as related to me, those manufacturers have the market almost sewn up through one organisation, so I cannot see that that would be a major problem. However, it may well be that we need to give a slightly longer time to that organisation to comply with the need to indicate on the label the presence of the appropriate chemicals.

I believe that that is something which commonsense and discussion can resolve and I would not see it as a reason for any Opposition, Government, or anyone else to become upset by the passage of the Bill. If the Act required that they take action and there was a subsequent test case, the courts would take the words of the Act and not an assurance given by the Minister, although I believe that such assurance from within the management of the Minister's organisation would be based on a commonsense approach and a reasonableness necessary to continue to provide the necessary medication for the community.

Then we have the other situation which was drawn to my attention last week. This concerns the serious problem in the minds of people in the industry involving, for example, fire extinguishers that rely heavily on halons and to this time the products used for sensitive equipment, specifically computers: for example, the use of such materials in the presence of operators as opposed to the use of carbon dioxide which can effectively produce the same effect but which has a serious effect on the manpower in the establishment at the time. Today, I have been told by members of the Fire Protection Industry Association of Australia, with permission from Mr Doug Greening, who is to give a paper to the Victorian EPA conference a little later, that halon 1211 (bromochlorodifluoromethane) and halon 1301 (bromotrifluoromethane) are used as group 2 products in fire extinguishers and have been included within the protocol, and that firefighting halons are unique in that no other agent, with low human life risk, does not cause physical damage to the protected facility.

Scientific questions might be directed against that assertion, but on the face of it that view is held by those in the industry and I take it seriously. They then indicate that the Fire Protection Industry Association expresses its concern at the possibility that the fire extinguishing agents halons 1211 and 1301 could contribute, along with the chlorofluorocarbons (CFCs), to a future depletion of the ozone layer. The debate on CFCs has been continuing for many years but the halons have only recently become involved, because there are at this time no alternative products. There has been neither the demand nor the requirement that halons be substituted and, if that is correct, necessarily we must consider that circumstance because the last thing on earth that we would want to do would be to expose our computers, our sensitive military equipment, and a whole host of other areas which are at present protected by the halons to a state of no protection at all.

Again, this is a matter where commonsense must and will prevail and where there must be considerable discussion. I understand from the documentation that has been drawn to my attention and the discussions that I have had that an educative role will be important in the work of the department in the early stages. Already discussions are taking place, for example, with TAFE, more specifically involving the refrigeration industry and the necessity to replenish from time to time gas in refrigerators, whether they be domestic or industrial.

As related to me at present, a number of replenishment activities are undertaken by people who have no idea of the consequences that may result from using such material, and who do not know that the transfer operation from the bulk quantity to the equipment in question is suspect and quite poor from a cost/efficiency aspect or from any other aspect in which the matter is looked at. Certainly, many people undertaking such necessary activities in future will, until an alternative material is available, need that education and instruction.

I now refer to halon 1211, the main use of which is in portable extinguishers where its combination of powerful extinguishing ability, relatively low toxicity and a moderate vapour pressure make it more acceptable than any other halon. It is fully suitable on electrical risks and has the advantage of leaving no residue, other than the residue which has gone into the atmosphere and which is the subject of the ozone problem to which we are referring in this legislation.

The risk of sparks from static electricity is considerably less than with carbon dioxide, which is an alternative to halon 1211 at present. Halon 1301 is used almost exclusively for total flooding installations in which sufficient material is discharged to give a fire extinguishing concentration in the whole of the space being protected. With halon 1301 this concentration is relatively safe to breathe for short periods so that personnel trapped in the space during discharge of the medium are usually able to escape without difficulty, whereas with carbon dioxide, which was commonly used for total flooding, there would be a significant and dangerous reduction of oxygen in the atmosphere, coupled with a dramatic loss of visibility. The halon used for total flooding in fire extinguishing systems is almost exclusively halon 1301. I thank members of the Fire Protection Industry Association for making available at short notice this information which needs to be part of the total debate on this issue.

What are the specific aims of the Bill? It has already been indicated that the Bill supplements the Commonwealth initiatives as it will permit the minimisation of the release of these substances to the atmosphere. It encourages the use of alternative substances and there is full support from members on this side to look to those alternatives so as to reduce the danger and exposure to the current materials.

It places controls on the emissions of the substances and, when one has diagnosed or identified a difficulty, it becomes incumbent on the Government to take the necessary monitoring action so that the community can be put at rest with factual information if the Government or its instrumentalities are questioned on the matter. Further, it allows for correct disposal procedures. As we have found with the materials with which the Minister of Agriculture has dealt

in the not so distant past, it is not only a matter of determining that there are problems with particular substances: it is also extremely important to know where to put those discharges or how to discharge or destroy those substances so that they cannot become a latent and continuing problem. It encourages collection and recycling of the substances.

Again, we are looking at cost efficiencies and the reality that so many materials available to us at present are wasted but could be recycled with benefit to the community at large, from not only the cost saving but also the safety side, which is the real thrust of this legislation. It ensures that the public is aware of which products purchased are manufactured using or containing ozone depleting substances and, in part, that is the area where the manufacturers of the medicament are in some bind, because they fear that the problem will be to have people go away from using their material, even though it is life-saving. As a result of the community debate on this subject they will perhaps want to move away from it.

Certainly, I note and welcome the further actions referred to in the Minister's paper. Coordinated policy papers as between the States are in the course of preparation, and it is expected that they will require constant monitoring and amendment based on global research and practice. I stress 'global research and practice' because we are by no means an island on this issue. For example, products which are ozone friendly and which aim to reduce the potential ozone depletion properties will be in demand, and therefore that movement of information is quite important.

Secondly, we have the development of disposal procedures for ozone depleting substances receiving urgent attention through the South Australian Environment Council. From the knowledge I have gleaned, the Government is supporting the activities of the Australian Environment Council and rightfully gains our approval for whatever can be done to assist in that urgent community project.

Thirdly, a public education program is being formulated to identify clearly the need for public understanding and cooperation in an orderly and rapid phase out of the substances. One of the vital areas of this measure involves the regulations. It is unfortunate but not uncommon that we have a Bill without the regulations. Therefore, the Opposition, the industry and the public at large are unaware of the actual impact that some of the measures are likely to have upon them. Parliament will have the opportunity to look at those regulations in due course, although with a break of some months coming up, if the regulations were brought in quickly (I doubt that they will be), they could have been in force long before Parliament had the opportunity to question them or even place them before the Subordinate Legislation Committee so that industry and people concerned about the activities of this industry have a chance to put their point of view to that authoritative body.

I have one further comment on this measure which I commend to the attention of the Minister should he be in a position in 1991 to take such action. Certainly, the Liberal Party in 1991 would want to see a major debate or report presented to this Parliament on the effect of this measure. We recognise that the Commonwealth is going to reassess the position in 1990, and I have already indicated that there may well be changes to the Act then.

Certainly, no later than September 1991 the Liberal Party would put into parliamentary circles an in-depth report on the effectiveness of the measures and the cost implications to industry and consumers, as well as indicating whether there was a need to amend the Act to overcome any difficulties arising from this legislation.

We stop at that point rather than suggesting a sunset clause because I believe there is likely to be such a degree of debate on this issue that the sunset clause will become a nonsense, having regard to the changes that might be deemed to be necessary. The exposure of the whole ramifications of this issue should be a matter of public concern, debate and report, no later than September 1991.

I think I have picked up the majority of the issues that relate to this Bill. I welcome the knowledge that departmental officers have been imparting to associations and companies—for example, Glaxo, Bridgestone, CIG, Lovelock Luke, AIRAH, the Aerosol Association, Email, the TAFE College, AFCAM, and the Conservation Council—that are using the prescribed substances relevant to them. I believe that other organisations will be identified on the way through as the availability or non-availability of particular products becomes known to users.

I again draw attention to the importance of making sure that medicaments are not adversely affected, on behalf of the community, and that the firefighting aspects that we have discussed are given due regard because of the financial implications to industry and to Government itself if protection is not afforded. I support the Bill.

The Hon. JENNIFER CASHMORE (Coles): My colleague, the member for Light, has at length canvassed the issues embodied in this Bill. I propose to be relatively brief in speaking in support of it. I welcome it as an overdue measure. I say 'overdue' because I believe that, despite assurances by the Commonwealth that speedy action would be taken last year and by the State Ministers that they would act in complementary fashion, we are, in my opinion, debating this Bill about 12 months later than we might have done had action been taken at the speed that the Commonwealth Minister originally proposed.

One might say that this problem of the ozone layer being affected by the release of chlorofluorocarbons has been building up for a long time and that one, therefore, should not tackle it without being very sure that the remedy will be appropriate and lasting. However, time is of the essence with this and with many other environmental problems. One only had to watch the television program on the destruction of the Amazon forests and the effect of that destruction on the related issue of global concern—earth warming due to the influence of the so-called greenhouse gases—to realise that literally every day counts. If thousands of acres of forest are being demolished every day, the effect of that on a global basis is profound, and time is of the essence. So, to let 12 months elapse is to allow a release into the atmosphere of a proportion of chlorofluorocarbons that may have been prevented had action been taken sooner.

I see the Minister looking disconcerted, if not mystified. I maintain that this Bill has been introduced later than it need have been, and the Opposition would have welcomed much more speedy action. In that regard, the Opposition expressed its support for the Australian Democrats' private members Bill, introduced by the Hon. Michael Elliott, simply because we believed that it demonstrated a commitment to action at a time when action was needed.

I want to dwell on particular aspects of the Bill and, more importantly, on its relationship with the Commonwealth legislation. The Commonwealth legislation aims to institute a system of controls on the manufacture, import and export of substances that deplete ozone in the atmosphere for the purpose of giving effect to Australia's obligation under the Montreal Protocol and to reduce Australia' s export of such substances. It also aims to institute, and to provide for the installation of, specific controls on the manufacture, import,

distribution and use of products that contain such substances and use of such substances in their operations.

The second reading explanation refers to the Commonwealth legislation prohibiting the importation or manufacture of do-it-yourself kits for recharging automotive air-conditioning systems after 31 January this year and disposable containers of five kilograms or less of scheduled substances for recharging air-conditioning and refrigeration systems after 30 June this year. That statement of intent leads me to that part of the second reading explanation which refers to the importance of public education in ensuring that this legislation is effective.

I take this opportunity to pay tribute to the work of the Institute of Refrigeration and Air-Conditioning Service Engineers of South Australia, members of which work in Parliament House and, therefore, have perhaps readier access than some to their elected representatives. It is interesting to note the confirmation of the great truth that political action invariably starts from the bottom up and not from the top down. I believe that it is those individuals and groups, informed by reason of their special interest or occupation about the effect of chlorofluorocarbons, who insist on action and in bring political efforts to bear to ensure that action occurs.

Two specific acts on the part of, in one case, a very small company, and, in the other case, a group (namely, the institute) brought home to me the strength of the forces for change in the way in which we use the earth's resources and act as stewards of nature during our time on earth. Those two actions relate, in the first instance, to my brake servicing company which distributes to all its customers a statement about chlorofluorocarbons and an invitation to join Greenpeace or any related conservation body and thus become better informed about the issues. When ordinary small businesses—dealers in brake linings and in the provision of brakes—start doing that with their customers, I think it is time for politicians to sit up and take notice.

The second act relates to the Institute of Refrigeration and Air-Conditioning Service Engineers, which has petitioned the Minister for action in relation to the control of chlorofluorocarbons and, through its journal, it has communicated to its members the impact of the depletion of the ozone layer and what they can do to help protect it.

I was certainly interested to learn that supermarkets readily supply various types of refrigerants for recharging car air-conditioners and cylinders by people who need have no qualifications or knowledge whatsoever and who will inevitably, in the use of these products, release the chlorofluorocarbons into the atmosphere. I commend the institute for its work in sending letters to the editors of newspapers and letters and petitions to the Minister and members of Parliament and in taking action in respect of what might be called the occupational level to ensure that the public is aware of the dangers and that the Government acts in response to them. I am certainly relieved to know that the importation of such do-it-yourself kits has been prohibited.

It is recognised that aerosols are major users of CFCs, so the prohibition on their manufacture or importation from the end of this year is a welcome move. The member for Light stressed the importance of ensuring that the medical use of such sprays continues to be permitted until substitutes can be found. He also mentioned that it is extremely important that we monitor the prohibition and, more particularly, the exemptions to ensure that there is no false sense of security, and that those manufacturers who have been given exemptions are very speedily urged to find alternative substitutes so that the exemption is for the absolute minimum period.

In his second reading explanation the Minister referred to the importance of the States adopting a coordinated approach to the reduction of ozone depleting substances, and naturally the Opposition is pleased that there is nothing in this Bill that is inconsistent with that approach. I also commend the notion of a national halon conference in Melbourne, with the Victorian and New South Wales environment agencies and the South Australian Department of Environment and Planning being involved.

In speaking to this Bill, it gives me an opportunity to pay tribute to those in the Department of Environment and Planning who were involved in the planning of the Greenhouse 88 Conference which addressed the related problem of global concern—that is, the warming of the earth due to the influence of the so-called greenhouse gases. If a similar conference could be arranged and were as successful, the public education program to which the Minister referred would be given a significant boost.

I conclude by stressing yet again that, although we charge Governments with the responsibility of controlling problems when they get to such vast proportions that only Government action can be effective, we must never overlook the role that each of us plays as individuals. Not only do we play a role as individuals in making choices about how we use substances, what we use and to what extent we use them, we also are potentially extremely powerful as consumers. The January 1989 edition of the Institute of Refrigeration and Air-Conditioning Service Engineers journal makes a very sound point, as follows:

> What you can do to help. Regardless of what Governments can do to reduce chlorofluorocarbon manufacture, it is you, the consumer, who has the greatest say in what is sold and used, and who can prevent CFCs being unnecessarily released into the atmosphere.

The publication goes on to identify the culprits, namely, chlorofluorocarbons, and states that their properties make them ideal as pressure pack propellants, refrigerants and expansion agents in foaming plastics.

The polystyrene and polyurethane foams—which are used, amongst many other things, for packing and disposable cups—have become part and parcel of modern life. Those products now need to be replaced by products which do not have a damaging effect, and this is where public education campaigns and public pressure, as well as legislation, can be a powerful influence. I support the Bill and look forward to hearing from the Minister with respect to the monitoring process which he intends to use on the exemptions and what action he intends to take at the end of the exemption period to ensure that compliance is reached and that, wherever humanly possible, exemptions are not extended.

The Hon. D.J. HOPGOOD (Minister for Environment and Planning): I thank members opposite for their indication of support for this very important measure. It is one which we should endeavour to process through both Houses of Parliament in the next couple of weeks before both Houses rise. I have to agree with the member for Light that there is indeed still a considerable amount of public misunderstanding in relation to, on the one hand, the greenhouse effect and, on the other, the depletion of the ozone layer. Put as simply as I can, ozone depleting gases are, for the most part, greenhouse gases, whereas greenhouse gases are not necessarily ozone depleting gases. Water vapour is a greenhouse gas and carbon dioxide and methane are greenhouse gases but, so far as I am aware, they do not have any depleting effect on the ozone layer. However, the CFCs widely used in recent years are both depleting substances on the ozone layer and a significant contributor to the greenhouse effect.

The unit effect of each of these chemicals is much greater than those greenhouse gases which are in much greater volume. That is to say, although there is far more carbon dioxide and methane around to have an effect, those CFCs which have been released to the atmosphere have had a greenhouse effect, and quite a considerable one. I am advised that perhaps in the region of 20 per cent to 30 per cent of the total greenhouse effect may now be as a result of the venting of these substances to the atmosphere. There is some excuse, I suppose, for the confusion of the two processes because the agents for one are in part the agents for the other. It is important that the public misunderstanding be cleared up as much as possible.

The member for Coles has talked about the workshop that was held not so very long ago, fully supported by my department, on the greenhouse effect and the great deal of public information that was made available at that time. Those sorts of efforts will continue. I also thank the member for Light for his indication of further support, if necessary, should this legislation need to be further tightened. We have tried to ensure that the legislation is sufficiently flexible so that, through the regulations and the way in which the exemption mechanism will work, this tightening can occur. For example, both members opposite referred to the refrigeration industry. It is important to understand that the way in which the exemptions will operate, the way in which the conditions on the exemptions can be varied, and whether the exemptions can in fact be removed, really constitute a *de facto* licensing system. It will be easier—not only from the point of view of those controlling it but also for those who are controlled—than some of the other sorts of licensing systems that have been canvassed generally.

The member for Light raised the matter of the use of CFCs in pressure packs to assist in the treatment of asthma. I fully recognise and concede the points that he has made on this issue. In fact, the Government will be guided by the National Health and Medical Research Council in this matter.

I again refer to the unique properties of CFCs. Because they are relatively inert they can be used in this way without irritation to those people who are easily irritated—in the physical sense—by anything they breathe. Indeed, the widespread use of CFCs is related to their largely inert properties which means that they can be vented to the atmosphere, either deliberately or accidentally, without immediate impact on the health of inviduals in the vicinity or on the wider environment. It is only after some years when there is a breakdown in the upper atmosphere that the halons themselves have that impact on the ozone layer. That is not simply a theoretical point, because it indicates that, were we to cease the use of CFCs and halons tomorrow, we would still have an ongoing impact from CFCs and halons released in the atmosphere in the last 20 or 30 years, as some of those have yet to break down and have any impact on the ozone layer. This problem will be with us for some time. Of course, that is all the more reason why these sorts of controls should be brought to bear.

The member for Light also referred to the difficulty of replacing halons in some uses; for example, the extinguishing of fires. Of course, it is certainly true that a carbon dioxide atmosphere of sufficient concentration could suffocate an individual, although it would not poison that individual. It does not matter, the individual is suffocated nonetheless. It could also have some effect on electrical circuitry because of the low temperature at which carbon dioxide, where it is used, would be vented to the air in order to impact on a fire incident.

A conference will be held in March on this matter. The issue will be the subject of an AEC policy document and it is important that a national position be adopted in this area. In relation to that matter, to the issue of refrigeration raised by the member for Coles, and to one or two other areas, there will be no rush to simply eliminate the use of CFCs or halons where no appropriate substitute is available at this stage. What we are doing—and I refer here to Parliaments around the world—is to provide some statutory incentive for industry to develop other products which are 'ozone friendly'. Certainly, we have seen announcements by Dupont Chemicals and other companies in the United States which indicate that they will phase out the manufacture of those products which have an impact on the ozone layer. Indeed, figures are available to indicate that in terms of per capita use the United States—which is a very large user and therefore very important in this equation—has probably had better results than almost any other of the developed nations.

The member for Light also mentioned a report in 1991. I would be quite happy to envisage that such a report on the effectiveness of the legislation should be made available to the Parliament and to the people of South Australia. By 'effectiveness' I assume that the honourable member means the reduction in use of the substances at that time. Such a report should also take account of the possible cost to industry. Obviously this is not a costless exercise: there will be some impact on industry that we must all accept because, in turn, those charges will be handed on to the end consumer. However, we all recognise the importance of the ozone layer to the continuation of life on the surface of the earth as we understand and experience it and that that must outweigh any inconvenience to the individual.

I have often wondered why it is necessary in, say, the pressure pack area, to have this form of technology. Our ancestors were able to get by perfectly well without having this form of venting to the atmosphere. There are mechanical means to vent material to the atmosphere, whether it be for killing flies, keeping our hair in place or anything else. Of course, I accept that in relation to certain pharmaceutical practices the best available technology should be applied but, in some areas which relate more to convenience and human vanity, it may be that we should be going back to the old ways. I commend the Bill to the House.

Bill read a second time.

In Committee.

Clause 1 passed.

Clause 2—'Commencement'.

The Hon. B.C. EASTICK: What program does the Minister envisage for the implementation of this measure? It was said that, if such legislation commenced yesterday, it would be too late in the minds of some and yet we must fully appreciate that the regulations, which will be quite demanding on some people and industries, must be very clear in their purpose and well understood before they are gazetted. Has the Government committed itself to the Commonwealth or to colleagues elsewhere to try to achieve a particular commencement date?

The Hon. D.J. HOPGOOD: Consultation in relation to the regulations will be quite extensive and I would not envisage that we would be in a position to proclaim within about three months. At this stage, I am not sure that I can be any more definitive than that.

Clause passed.

Clause 3 passed.

Clause 4—'Insertion of Part IIIA.'

The Hon. B.C. EASTICK: This is yet another of those clauses which inserts a series of new sections. But for the

general contentedness with what is proposed, I would have sought the Minister's concurrence to obtain an extension to consider each of the proposed new sections separately. I do not think that that is necessary under these circumstances.

We are getting into the very big league in relation to fines. With a Division 1 fine one is really at the top of the ladder. I accept the importance of a deterrent that will make people think about the consequences of their actions. I fully appreciate the reason for the changes in fines being expressed in this way but, for the record, what is the maximum Division 1 fine and the maximum Division 4 fine? That would be helpful in this debate. In addition, the public ought to be fully appreciative of the definite action being taken by Parliament—not Government—to make it necessary that they comply with what is a recognised and very serious circumstance.

The Hon. D.J. HOPGOOD: A Division 1 fine, which applies to a body corporate, is $60 000 and a Division 4 fine, which applies to a natural person, is $15 000. Parliament is being invited to make perfectly clear that it sees this as a very serious matter to which severe penalties should apply. As members know, the legislature proposes and the judiciary disposes. Therefore, the actual quantum of the fine would be a matter for the evidence that was laid before the court. I can imagine a number of circumstances in which a fine may be set by the court which would be considerably below the maximum, and that would be quite appropriate in those circumstances. Every effort will be made to make clear to the community that very severe penalties are involved for infringements of this legislation so that, should people desire to infringe, they know what they are letting themselves in for.

Mr M.J. EVANS: This issue can be looked at in a number of ways. Car air-conditioning units, home refrigeration units and home air-conditioning units are all designed fundamentally as sealed systems. In other words, the gas, be it freon or some other CFC, is kept in a sealed system. It is only when the gas in that system, through poor design, poor manufacture, improper use or improper disposal at the end of the item's useful lifetime, is released into the atmosphere that it can be very damaging, which we have already discussed. It is proving difficult to find substitutes for some of these uses. For medical purposes, pressure packs are used, releasing the gas into the atmosphere, and that cannot be prevented. In the case of refrigeration units across a wide spectrum of mechanical devices, it is quite clear that, if these items were designed with this consideration in mind and were designed so that ultimate disposal could include the recovery of the gases quite readily, we would have a different situation.

In this transition period, while we are looking for alternatives, does the Minister have it in mind to promulgate regulations relating to the design and ultimate disposal of some units, and to prevent the destruction of cars with air-conditioning units in crushing plants, as that releases the gas into the air immediately when the car body is crushed, or the disposal of refrigerators and air-conditioning units in just that way? That seems to be a very important part of this whole debate. The release of gas through pressure packs and the like can be stopped only by prohibition but conservation in the sense of continual reuse and recycling of these gases is another very important consideration, and I wonder to what extent the Minister is taking that into account, as well as the obvious prohibitions that are contained within the legislation.

The Hon. D.J. HOPGOOD: New section 30b (1) in Part IIIA makes quite clear that the legislation encompasses the prohibition of the manufacture, use, storage, sale or offer for sale or disposal of prescribed substances. With industry, the Government has a working party currently looking at codes of practice within the industry. In terms of the subsection to which I have just referred, I think we will have sufficient powers to be able to control that part of the industry that is involved in the installation of such equipment. However, ultimate disposal is something that still requires a good deal of work.

As far as I am aware at this stage, there is no viable commercial process which would enable us to evacuate from rusting car bodies all over the place chlorofluorocarbons that are used in air-conditioning systems, but there will have to be such a process. People are looking at that to see what can be done. That process should occur before the gas is leaked into the air because of the corroding process or because the car body is put into a crusher with the effect that what was previously an encapsulated material is released into the wider environment. I expect that there will be further discussion about this a little later this year at the Australian Environment Council, and we may be in a position to take the matter on board in terms of regulations.

What I am saying to the honourable member is that we really do not have the full answer to his question at this stage but, once the process has become available, we will be able to fit that within this legislation without having to come back to Parliament, although additional regulations may need to be prepared which, in turn, would be subject to parliamentary scrutiny.

Mr M.J. EVANS: I raise the question of the value of the substances. One of the reasons that these gases have been allowed to escape into the atmosphere with such wanton disregard for their ultimate disposition, not that people have always been aware of that, is the relative cheapness of these products. As has been shown from the way in which children collect cans at football ovals, the moment a price is put on the head of these things, conservation becomes a much more interesting proposition, and although I make no comparison—

Mr Gunn interjecting:

Mr M.J. EVANS: Precisely; I was just getting to this point. Although I draw no fundamental parallel between those activities, it is clear that the marketplace will provide some of the answers if the price is right. Has the Minister any intention of relating the application fee for the exemption to the amount of substance to which the exemption relates, or has he any other plan to increase the value of these products on a per unit basis so that the conservation incentive not to vent these apparatus to the atmosphere becomes stronger and the ultimate incentive to dispose of these products and to recycle them properly becomes commercially attractive?

One need only look at the practices relating to car air-conditioners and the topping up of those gases. I understand that in some cases the whole unit is allowed to vent and is replaced with new product. If the commercial price of those products was at a level at which the consumer—the car owner—would be financially disadvantaged by that practice (he is clearly financially advantaged by it now), one might see a complete change in industry practices more rapidly than might otherwise occur, and certainly with more enthusiasm than might otherwise be the case.

As the member for Coles said, the industry is well aware of these difficulties and is taking them to heart. However, if the value of the product was increased by some form of direct taxation or the exemption fee was increased to relate to the amount of the product involved, it might be that we could change the atmosphere of the commercial market-

place even more quickly than this legislation might otherwise do.

The Hon. D.J. HOPGOOD: I thank the honourable member for his suggestion. Many people have advocated that the use of incentives may be better than controls for environmental programs. One need only contrast the success in this State of the beverage container legislation, which involves an incentive to return, to litter fines, which involve a direct control or punitive approach. I cannot recall anyone being taken to court for dropping a lolly paper in the street.

Certainly, the use of incentives is an important question, but, as the honourable member is really indicating, it would be necessary, I think, to interfere in the market here to perhaps get the market flowing in another direction. At this stage we are a little like we are still, as I understand, with leaded and unleaded petrol: the honourable member would recall that this Parliament legislated to ensure that unleaded petrol was not retailed at a higher price than leaded petrol. We had to do that because, in fact, intrinsically unleaded petrol is a more expensive commodity to produce than leaded petrol. That may be partly because there is 50 years of technology behind the putting of lead into gasoline, whereas the unleaded product is fairly new. In the same way, my guess is that at this stage those ozone-friendly, those non-ozone depleting CFCs or other materials which are being produced, particularly for refrigeration, are probably intrinsically more expensive than the products we have been using, such as freon, for some considerable time.

I am advised that Government and industry are discussing the possibility of some sort of tariff system to produce an artificially high price for those ozone-depleting CFCs and halons, which, of course, would produce the economic incentive not only to curb waste but also to produce other products for the market which would be able to compete with those products that we are currently trying to phase out. So, I thank the honourable member for the suggestion and I can indicate that it is not being ignored, that work is happening at present and, again, I imagine that the Commonwealth will report to the States about this matter at the forthcoming meeting of the Australian Environment Council.

Mr M.J. EVANS: A final and quite brief question: will the Minister give an assurance that the exemptions will be for a fairly limited period of time, even if they have to be renewed? Will he also give an assurance that any person who obtains an exemption because that person is a holder of a licence or exemption under the Commonwealth Act (which then gives that person an automatic right to have a State exemption) and who loses that Commonwealth exemption for whatever reason will also automatically lose the State exemption, where that is relevant? I note that the conditions under which one loses the State exemption are if one:

(a) is convicted of an offence against this Act;
(b) contravenes a condition of the exemption; or
(c) has obtained the exemption improperly.

It does not refer to one's losing the Commonwealth exemption. I am not sure whether the two are mutually exclusive or whether in fact that covers all the options. However, I believe that, because we are granting as of right an exemption, where one gets a Commonwealth exemption, the reverse should be true. I want to ensure that both those points are covered.

The Hon. D.J. HOPGOOD: The answer is 'Yes', except that I am not sure that I should say 'Yes' to the automatic transfer of the loss of the right to market, or whatever, by the Commonwealth to the State. It seems to me that in 99 per cent of cases we would as a result of the Commonwealth action withdraw the exemption. But I would not want to rule that out altogether. With that qualification, the answer is 'Yes' to both questions.

Clause passed.

Clause 5 passed.

Clause 6—'Injunctions.'

The Hon. B.C. EASTICK: This provision gives the Minister the opportunity to proceed to the court. On first reading of the Bill it appeared that there was no provision for the right of an individual or a company to appeal. I am fully appreciative of the fact that the appeal procedures covered in the parent Act between sections 41 and 51 inclusive are relevant to the activity provided for in this new provision. I draw attention to this lest anyone considering this aspect of the whole issue should feel that natural justice is being denied.

Clause passed.

Clause 7, schedule and title passed.

Bill read a third time and passed.

COUNTRY FIRES BILL

Adjourned debate on second reading.

(Continued from 16 March. Page 2517.)

Mr GUNN (Eyre): I look forward to the debate on this measure which has been a long time in coming. It has taken a considerable time to reach this legislative stage. The matter has created a great deal of controversy and discussion. During the course of this debate there will be much discussion about the management of fires throughout privately owned land in South Australia and in Government reserves and parks.

This measure has come before Parliament as a result of a Public Accounts Committee inquiry—an inquiry by people who are skilled in this area and following a considerable amount of criticism and debate in the public arena. The measure has created a great deal of public interest in local government circles, that is, the councils, which have a very important role to play, amongst volunteers, whose efforts are absolutely essential if we are to have an effective fire fighting mechanism in the country areas of South Australia, in the insurance industry, which provides a considerable amount of money, in the United Farmers and Stockowners, which of course represents the landholders of this State, and in a number of Government departments that are concerned about the operation of this measure.

From the outset, let me say that the Opposition supports an effective, well run, efficient, and well organised Country Fire Services in South Australia. However, to have an effective CFS there must be cooperation and consultation. We must have cooperation and commonsense from all people participating in it. To have an effective CFS in South Australia, it is essential that proper recognition be given to the role of volunteers. Without volunteers there will not be an effective fire service. If a set of conditions or controls that are unreasonable, unfair, bureaucratic or draconian are imposed on volunteers, the service will fall on its ears. Further the district councils of South Australia have had a long involvement in administration, management and financing of adequate fire control machinery, equipment and personnel for many years, and those councils still have a very important role to play. It is the view of the Opposition that they should be given proper recognition in legislation and that due consideration must be given to the point of view of district councils.

The Opposition also believes that it is essential that we have a well organised and effective central administration

which is not bureaucratic, which is controlled by people who have an understanding of the needs of the community, and which is able adequately to communicate and cooperate with all those people to whom I have previously referred. Unless we have this cooperation from all sections and this commonsense applying, no matter what laws we pass in this Parliament or what regulations are drawn up, the service will not be effective.

Concerning the headquarters, the Opposition believes that we need a nucleus of people with access to sufficient funds to ensure the provision of adequate essential equipment throughout rural areas. Further, those people who are responsible for the central organisation should understand how to manage human resources and believe that it is far better to use a carrot than a stick on the donkey. After all, at the end of the day cooperation and commonsense work much better than resorting to ordering people about, threatening them, or trying to impose one's will on them because such behaviour will not work in the sort of society we have today.

Throughout the history of our country firefighting services, which have been based on volunteers, we have had three Directors. I was fortunate, soon after my election to Parliament, to be invited to open a competition and it was then that I got to know Mr Fred Kerr, who had been appointed Director of the Country Fire Services in 1949. He ran the service efficiently and was based in the Thebarton Police Barracks with few resources or assistants and limited equipment. The CFS at that time was a leftover from 1939 when the war-time Civil Defence Service was established. After the war, certain surplus equipment was made available to fight fires in country areas.

Following Mr Kerr's appointment in 1949, the service proceeded until 1972 when Mr Kerr was requested to establish a working party, the work of which led to a new chain of command and a new country firefighting service. Mr Kerr made numerous recommendations. During that period there was an ongoing debate about the role of volunteers. Indeed, from time to time comments have been made by people wishing to have full-time firefighting officers gradually taking over the service throughout the State. In 1975, in this House I moved a motion and made a speech—

The Hon. J.W. Slater: I remember it well.

Mr GUNN: I am pleased that the honourable member remembers it well and point out that, had greater notice been taken of it, the country firefighting service would today be better than it is. The then Deputy Premier responded, on 29 October, by saying:

> I want to make it perfectly and abundantly clear that the present voluntary system in the EFS has the complete backing of the Government. The Government has no intention of incorporating the voluntary firefighting service into a single firefighting body. The EFS will continue as a separate service.

Then, in 1976, the Hon. Des Corcoran (Minister of Works) introduced a Country Fire Services Bill in this House. That legislation incorporated many of the Kerr committee's recommendations, including a board of 10 members, formation of fire control regions and regional district committees. It also gave the board a specific power to require councils to provide adequate equipment for firefighting purposes. The establishment of that 10 member board led to problems. The Bill was passed and in 1977 the Act was proclaimed. There have been other committees of inquiry. The member for Alexandra, then Minister of Agriculture, in reply to a question that I asked him on 12 August 1982, pointed to accountability gaps or 'serious management deficiency in three areas', namely, the 'role and responsibility of the Country Fire Services Board, the funding and financial control of the Country Fire Services and management of Country Fire Service activities'.

The Minister of Agriculture requested Mr D.M. Curtis to look into the board's management, and a report was made in September 1982. Mr Curtis noted the absence of formal longterm planning both for purchase of equipment and also for facilities and said that the board needed to identify its overall needs around the State and then determine priorities for upgrading or maintenance at set standards. He also recommended a review of the organisational structure of the CFS.

In 1983, the Auditor-General reported to the Treasurer along similar lines to those recommended by Mr Curtis. Since then, the Public Accounts Committee has made an investigation and there have been various responses and inquiries following the Ash Wednesday fires. The latest report followed the Mount Remarkable fire.

I have given that brief history because it is important that when people are considering the direction that the CFS should take in future, unless there are a number of amendments to the Act, the spirit of the Act, particularly in respect of volunteers, could be affected. If we are to give due recognition to the important role that the CFS plays in protecting rural South Australia, there has to be local input into it.

As desirable as it may be to administrators to want to centralise control, that will have a detrimental impact on the service, in my view. All members recognise that it is essential that someone have overall responsibility. That is commonsense, but with that overall responsibility there has to be a complete understanding that the views of local communities must be taken into account. However desirable certain courses of action may be, unless local views are taken into account they will not effectively be put into operation. One could go around South Australia and point to the fires that have occurred and the problems that have resulted.

We have a great opportunity in dealing with this measure to ensure that we get the concept right. Certainly, this is the third occasion since the member for Light and I have been members that we have dealt with substantial amendments to the legislation dealing with the CFS. All members understand that the person appointed as operational director—that is, the Director, or the Chief Fire Officer—has a most difficult task. It is impossible for him to please everyone all the time. However, it is essential that any new policy directions be dealt with in a spirit of cooperation and understanding so that people who have been administering the CFS in country and regional areas for a long time are effectively taken into the confidence of the CFS board. If that course of action is taken, we will overcome a number of problems.

All members have been circulated with much material about this matter. Meetings have been taking place around South Australia debating and discussing this issue. Some of the figures circulated were based on incorrect information and there were many criticisms and complaints which I believe need further explanation by the people who promote this legislation. It needs further consideration. We all want to see at the end of the day an efficient and effective CFS which will protect the population and ensure that the limited resources available are employed to the benefit of all South Australians. Certainly, it is unfortunate that when considering this Bill the regulations have not been tabled at the same time. The Minister adopted this same course of action when dealing with the firearms legislation.

It is unfortunate that the regulations were not provided on this occasion because many of the concerns expressed

to all members could have been better resolved if we had the regulations before us so that we knew what we were debating. I did write to the Minister requesting provision of the regulations, but that request was declined, and that is unfortunate. Further, there has to be a proper understanding that, if we are to effectively develop and organise the CFS, it has to be properly funded.

I understand that the Premier has in his department a report prepared by Mr Whinnen, previously of the Department of Mines and Energy and now a Treasury officer. I understand that that report has gone into a number of options and alternative funding methods. I am not advocating any of them—nor is the Opposition—because I have not read the report. A number of people have told me what is in the report, but I do not believe that they know. They may have made some guesses, but I believe that the Premier should table the report so that everyone interested in this matter can make an informed judgment on whether the existing or alternative funding measures are preferable. Perhaps the proposals advanced by Mr Whinnen are the right way to go.

If that course of action is taken, at least the South Australian public will be in a position to make a judgment, and that would be a good thing. Certainly, I do not know why the Government is sitting on the report. Perhaps it is concerned about releasing it in the period leading up to an election. Perhaps the report makes some revolutionary proposals which could affect people. Perhaps the Government is concerned that there could be public controversy. However, at the end of the day the Government has to face up to the fact that the current arrangement is inadequate and does not serve the best interests of South Australians, particularly people who want to see an effective and efficient firefighting service in this State.

I refer to the 1987-88 annual report of the CFS. From the financial statement I note that in 1988 the State Government contributed $3.751 million, the insurance industry made an equal contribution, the proceeds from the sale of motor vehicles amounted to $219 000, borrowings amounted to $1.1 million, and there was a Commonwealth grant of $175 000 and interest of $91 000. If one considers the size of South Australia and the area over which the CFS operates, that is a modest amount to provide an effective firefighting service.

It is obvious that we have to make sure that there are sufficient funds in place so that vehicles can not only be purchased but also adequately maintained and to ensure that the people who maintain the vehicles have access to reasonable training and that there is an effective communication system and sufficient funds to educate the community on the dangers of fire so that they will take preventive measures. Also, the CFS should be able to take appropriate action on Government reserves and other land where it is absolutely essential that suppression action is taken.

The $9 million appropriated last year is limited. At page 21 of the report we see the financial losses that took place in that year as a result of fire. Rural fires incurred losses of $42 million, structural fires $32 million and vehicle fires $2 million, totalling $76 million. Further, 1.76 million hectares of land, 40 houses and 69 sheds were destroyed.

If we look at the amount of money invested compared to the losses experienced in one year and when we consider the damage caused on Ash Wednesday and the surrounding period, members will see that we have a reasonably effective and efficient CFS. However, no matter how long the Government delays publishing the report, an alternative funding method has to be devised. It is grossly unfair that people who insure their properties prudently, should pay for this protection. They have basically paid for it, yet people who do not take out insurance still receive the service and are getting it on the cheap. Many property holders do not take out any insurance, but they are still entitled to the same service.

Mr S.G. Evans: Some people take other precautions.

Mr GUNN: Yes, they do. I believe that all responsible land-holders should take reasonable precautions. I now refer to correspondence that I have received from a large insurance company in this State. The letter states:

Introduction

The general insurance industry fully supports an effective fire prevention and firefighting resource and acknowledges the incalculable contribution made in the protection of life and property.

These services are considered as essential services for the benefit of all South Australians and must be adequately funded to ensure that the high standards established can be further improved and maintained.

The general insurance industry has however argued the inequality in the present (and proposed) method of funding whereby the property owner who prudently insures his property pays a contribution by way of premium levy and heavily subsidises the uninsured property owner who enjoys the same levels of fire protection.

A more equitable and effective method of funding must be at the level of property ownership irrespective of fire insurance coverage . . . Clause 18 requires insurers to contribute between 25 per cent and 50 per cent of the total estimated expenditure in the coming 12 months. Such contribution is then recovered by way of a fire services levy imposed on country properties insured under fire or householders policies. Comment: it is estimated that less than half of all country property is insured for fire damage. This is due in the main to financial considerations. Unfortunately, additional levies or charges place further pressures on the fire insurance market resulting in a smaller collection base. Failure to adequately insure ultimately places fire losses into the public arena.

The Country Fire Services levy passed on to insured property owners currently is $17 per $100 premium for fire policies and $7.50 per $100 premium for home policies . . . The insurance industry as a whole has strong vested interests in ensuring total and accurate premium income declarations and is the appropriate body to self-regulate the proposed reporting requirements.

The insurance industry has expressed to me its considerable concern about the provisions of the legislation dealing with the inspection of its records. It believes that there is a more appropriate and effective way of inquiring into the records of companies in preference to the method proposed in the legislation. I hope that at the appropriate time the Minister will accept my amendments in this regard.

The industry is also concerned about the ability of the Government to collect money from off-shore insurance companies. The Minister's explanation of how the Government intends doing that will be interesting, because I think it will cause a time-consuming constitutional debate.

Mr Noel Thompson (who is well known to many members), from the Insurance Council of Australia, states in correspondence:

1. The overall concept of the Bill appears well structured to provide an efficient fire service and fair and responsible application to property owners.

2. It is disappointing to see that the Government intends, at least for the immediate future, to persist with funding the fire service by significant contributions from insurance companies. The insurance industry's views on this subject are well known and documented so I will refrain from writing at any length. The cost is borne by prudent property owners who insure and the iniquitous position is made worse by the application of Government stamp duty charges to the fire services levy.

And we know that the stamp duty net is cast very wide. In my consideration of this measure I wrote to every district council in South Australia seeking their views and comments on the legislation. Also, I wrote to a number of brigades—it was not possible to write to every one—and have had lengthy discussions with the Local Government

Association, the United Farmers and Stockowners, and with certain people from brigades.

I make it very clear that my proposed amendments are as a result of all those discussions. The Liberal Party has not been told what to do; it proposes these amendments, which protect local government in general, after a proper examination of the measure with a view to improving the legislation and to make it effective and workable. The response that I received makes it clear that there are many areas of concern and many conflicts around the State. A considerable amount of correspondence has been circulated. One such letter is from the District Council of Mallala (and the member for Goyder would be interested in this). It states:

Dear Sir,

Amendment Bill Country Fires Act

In relation to the abovementioned, I have been directed to write to you and express this council's concerns in regards to a number of the proposed changes to the Country Fires Act.

Council is aware that you would have a copy of the submission and concerns that the Local Government Association of South Australia has on this matter and council believes that its concerns are covered within its submission.

I advise that this council supports the Local Government Association submission and seeks your support in presenting and pursuing the debate within Parliament to enable local government's concerns to be raised.

The Local Government Association submission is similar to the comments that I have received from the large number of councils that responded to my letter. From the first few submissions I received it became clear that local government throughout South Australia has similar concerns, as do the brigades. They do not want to be placed in a position of having the privilege of paying without having any say. Unless there is appropriate local control of some of these provisions, I believe that there will be problems.

Considerable concern has arisen as a result of a document circulated to local government following a report from the Coroner. Having read that report, I can clearly understand their concerns. I understand that this document was widely circulated throughout South Australia, and that is one of the reasons why a number of meetings have been held to discuss this matter. It is a pity that it was not given more consideration. The document to which I refer is a memorandum entitled 'Coroner's Finding—Mount Remarkable Bushfire 1988'. It was sent to all councils, groups and brigades, and it states:

At its meeting on 9 March 1989, the CFS Board discussed the Coroner's report on the Mount Remarkable bushfire which occurred in January 1988 and legal opinions on those findings provided by the firm of . . . Because of the possible ramifications of the information provided and the views expressed by . . . both . . . the local government representative, and . . . the VFBA representative, requested that the . . . report be forwarded to every council, group and CFS brigade.

That was on 9 March—less than a month ago. This most detailed report and legal opinion was circulated following the Coroner's report, which made a number of suggestions and recommendations. It also referred to significant evidence and comments made by Country Fire Services personnel which, in themselves, were quite provocative and, in my view, unnecessary, and did not properly reflect the views of the volunteers or those in possession of the facts.

It must be clearly understood that local communities did not request that national parks or Government reserves located in their area be inadequately managed or that the Hills face zone be inadequately managed. The Government should have given more consideration to this letter so that those councils affected by the report could at least effectively respond to it. I understand that the recommendation has caused considerable debate within these councils.

It is most unfortunate that some of the evidence contained in the Coroner's report was supplied in this manner. There was a clear suggestion that the Country Fire Services was putting forward suggestions and comments which clearly indicated that it wanted to take control of, and have authority over, the volunteers.

The Hon. D.J. Hopgood interjecting:

Mr GUNN: Have you read the Coroner's report concerning Mount Remarkable? Have you read what the Country Fire Services officer—

The Hon. D.J. Hopgood interjecting:

Mr GUNN: It is a pity that you did not understand it.

The Hon. D.J. Hopgood: I don't understand the gloss that you are putting on it.

Mr GUNN: Let me finish. I am a reasonable fellow until provoked. I am absolutely sick and tired of the nonsense which has gone on in South Australia over the past few years. The Government and certain departmental officers have not had enough damn commonsense to make the decisions which would have fixed half of the problems. That is what has been wrong. The sort of nonsense peddled by the Country Fire Services officer at Mount Remarkable is an insult to the volunteers involved, and it highlights the need for commonsense.

The National Parks and Wildlife Service and the Woods and Forests Department did not have sensible fire management plans in place. There must be decent firebreaks in these areas, with decent access tracks and some controlled burning off. The amount of fuel must be reduced and commonsense must be applied. None of that took place. When the local people tried to have some input, a full-time officer (who was well meaning but misguided) stepped in. He is one of these people who dresses up in a flash uniform and races around the country. If you want to upset local communities, dress up someone as if he is going to the local fair and send him out to become involved in local communities—that really causes a problem.

Let us look at what Mr Secker told the inquiry. On page 13 the report states:

Mr Secker told the court that there were certainly cases where volunteer firefighters and indeed CFS personnel and others did not clearly understand their duties. He referred in particular to the difficulty in some cases of identification, difficulty where certain personnel could not [be located]. The comment generally applied to many volunteers of all descriptions when it came to rendering their services. At page 734 Mr Secker also commented on private units which were made available by various people. He agreed that there was need for greater control to be exercised over such units. Mr Secker pointed out that these people are not answerable to any authority and they are at liberty to leave a particular fire scene at any time, irrespective of the situation. Mr Secker emphasised that there was not any case where this occurred but that it was certainly a potential situation. I think what Mr Secker was getting at was that there be some authority with sufficient muscle to control these private volunteers.

Surely, if that is not a suggestion for paid officers to move in and start taking control of the situation, what is it? If you want to deter volunteers from becoming involved, all you need do is have these people racing around the country making these sorts of comments. The only people that I know who came and went at will were Government officials who, in one instance that I recall, knocked off and went back to the hotel. I know of occasions where volunteers have been on the job for three or four days without a break. They were not going back to the hotel, having a shower and a meal and putting on a new uniform.

If those sorts of comments are made, you will deter volunteers from becoming involved. I suggest to the Minister, and anyone else, that volunteers will not hand over their private equipment. They will either not attend or they will simply go home. As I have said, that is a most foolish

comment, and I hope it is retracted, or at least rephrased and put in a sensible context. If people think they will go out for two or three hours and then someone else will come along and direct others to operate their equipment, they just will not go.

There is talk of directing volunteers. Volunteers are under the control of the local Country Fire Services officer, and they attend because they want to. It is not their fault that a fire starts. Most of the people attend because they are concerned and responsible citizens. The community of Melrose and the surrounding area were greatly inconvenienced by the fire. It is not the first time that they have been inconvenienced—they have had about three fires in the past few years in that area and, unless a bit of commonsense is applied, it will happen again.

As a result of that fire, I made representations to the former Minister of Forests and even got him to go up and have a look for himself. If it had not been for the short-sighted policies of the Woods and Forests Department in putting up the rents in that area to the extent that it made it impossible for people to lease land for grazing, the situation might have been different. The land at Mount Remarkable should be grazed in order to reduce the fuel. The access roads should be maintained and, if it is necessary to spray them with Round-up, that should happen. Adequate firebreaks should be maintained and there should be controlled burning off to reduce the fuel.

The Minister and his officers and the Minister of Forests, during one of their overseas jaunts in the next few months, should look at the situation in Colorado and California. I had the opportunity a few years ago—and I hope the Minister does, also—to see a planned burning off program in Colorado. The officer in charge said to me, 'Unless you burn the material at the most convenient time, it will burn at the most inconvenient time.' In the control centre at the airport, there was a large monitor which actually indicated where lightning was striking. From what was shown on the screen, they knew that there would be no problem in certain areas because they had been burnt off. So, I strongly urge the Government to agree to a sensible burning off program in parks and other Government areas so that the community is not disadvantaged as it has been in the past.

When having discussions in relation to this matter, I called at a council and spoke to the person in charge, the overseer—a practical person used to handling these matters. He said that they had a problem a few years ago. There was only one park in the area, and, when a fire started, he sent out a couple of graders and fixed the problem. However, on the following day a National Parks ranger told him off.

The Hon. D.J. Hopgood: I should hope so.

Mr GUNN: The Minister says, 'I should hope so.' That clearly indicates that the Minister knows nothing about bushfire control. I have had a fair bit of experience in burning off operations, so I can say to the Minister that I have a reasonable knowledge of this subject. The best thing to do is put in firebreaks. The Minister says, 'Let the fire burn, call out all the volunteers and take up hundreds of hours of people's time.' I thought the Minister would at least have enough commonsense to say that the overseer did the right thing by putting out the fire as quickly as possible.

The Hon. D.J. Hopgood interjecting:

Mr GUNN: The Minister does not know what he is talking about. If a fire is burning and you have people who know what they are doing, there is no problem. It is only when you have fools who do not know what they are doing, and people making statements such as the Minister has made, that you have problems. You must control a fire as quickly as possible, otherwise you will involve the State in tens of thousands of dollars of expenditure, with hundreds of people involved, and at the end of the day you will still have to bring in the bulldozers.

On the Saturday morning of the Mount Remarkable fire, 18 bulldozers had to be brought in to start at 6 o'clock the next morning. What was the cost of that? If proper control measures had been taken prior to that time, all of that expense and inconvenience would not have occurred. Police escorts had to travel from Clare and all over the north. It is about time that a bit of commonsense was used. I am appalled at the Minister's suggestion.

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

Mr GUNN: Prior to the dinner adjournment I was completing my comments in relation to the Coroner's report. I wish to conclude by referring to a letter, addressed to the Leader, which was brought to my attention, as it affected my district. The letter states:

We wish to bring to your attention the misrepresentation of the volunteer in the Coroner's report re Mount Remarkable fire January 1988, by CFS headquarters. The proposed CFS Act is also of great concern to us. The CFS and director's reason for the proposed Act is to establish a clear chain of command. The proposed Act is no different to the old one in this regard. Government lands are still under separate responsibility until such time as an executive officer takes charge. This is the current situation. This split responsibility will lead to disaster again as has occured with the Mount Remarkable, Telowie Gorge and Alligator Gorge fires.

In regard to the Mount Remarkable situation when the fire escaped at approximately 2.30 p.m. on Saturday 9 January 1988 and proceeded to burn in a northerly direction, a decision was made to put in a bulldozer track from the watershed to the northern end of Mount Remarkable, which is on private land (grazing). Thus a third landholder became involved.

1. Why was not section 52 (7) used?
2. Was R.O.4 A. Secker instructed when section 52 (7) was to be adopted?
3. Did the board and/or the director give instructions to R.O.4 of when to bring in section 52 (7)?
4. What is the real purpose of the new Act—a clear chain of command would be simple to write in. Why has not this been done?
5. Why has not the voluntary nature of the CFS been maintained?
6. Why didn't the board and the director support the local supervisor at the inquest with legal representation?
7. Is this the future for all volunteer CFS appointees?
8. Where does the volunteer stand legally?

The letter was signed by the Secretary of the Melrose CFS. I believe that at the appropriate time it is important that a response be made to those questions.

During this debate another document was widely circulated to members of Parliament. The letter came from the District Council of Naracoorte where a very lengthy report made considerable criticism of the CFS and various other points. The document, dated 22 March 1989, states:

The subject of consultation can readily be expanded to include communication. Although there appears to be an abundance of paper emanating from CFS headquarters, little invites comment, rather, the paper invariably tells a council, what it shall do, how it shall do, and when it shall do. Such an approach fails to recognise that the councillors have been elected to their position to determine the level of services to be provided for the community and, having made a determination, raise funds *via* rates to meet these perceived needs.

Further, the report states:

The question is asked that as CFS is so emphatic as to the mechanical state of vehicles, why does this standard not carry over to their vehicles, particularly those on loan.

Obviously, a large amount of work has been put into this report by a concerned group. These are the sorts of comments which need to be addressed and tidied up if the

Country Fire Service is not to be diverted from its proper role—the suppression of fires and maintenance of a properly organised fire service.

Another concerned group of volunteers from the member for Davenport's electorate wrote to me of their concern to ensure that volunteers are protected. The letter, dated 31 March 1989 and headed 'Proposed CFS Act 1989', stated:

From the early beginnings (fifty or more years ago) the volunteer fire fighting organisations of South Australia have played a very vital and successful role in protecting their communities from fire. These organisations were set up because of actual damage in particularly the 1934, 1939, 1955 bushfires and more recently the 1981 and 1983 Ash Wednesday fires.

The very essence of the CFS has always been local communities helping to protect themselves, with the amount of resources committed in both equipment and volunteer labour being in relationship to the perceived threat of fire damage. In the final analysis each community or council district was individually responsible for its own level of protection.

The formation of the EFS, and later CFS, did much to improve fire fighting operations, particularly with the provision of good communications and the standardisation of equipment.

I have no problem with the standardisation of equipment, nor has the Opposition. We recognise that it is essential. If there are to be economies of scale it is far better to have a standardised service throughout South Australia. The letter goes on:

The proposed CFS Act 1989, if passed, will clearly give the CFS board both the mandate and the authority to have more control over the volunteers than ever before and enable the board to move even further in its present direction. The board's actions show a large degree of insensitivity to and disrespect for the dedicated volunteer who has invaluable experience fighting fires in the local area. Government from afar is not able to understand local needs and conditions to get the best out of available community resources.

In relation to clause 10, the letter states:

No specific requirement for the board to consult with CFS Brigade or members. Our recent experience over the standards of fire cover issue shows a complete lack of courtesy by the board, or interest in discussing its implications which . . .

I will not say where. It continues:

Community action and letter to Dr Hopgood required to force the issue. Previously responsibility for adequate protection began and ended with the local community. Now it appears to be the board's responsibility, and resulting loss of life and property must necessarily be attributed to the CFS board's 'expert advice'. We are concerned because the opinion of CFS headquarters reveal in some areas a significant lack of understanding of hills fire fighting needs. There are many examples of CFS headquarters directives to us to reduce our equipment standards that have been reversed by strong consultation. Headquarters has in the light of evidence changed its mind—they do not possess the necessary understanding to be in such a position of authority.

I have quoted those matters because this concern and misunderstanding appears to be rife in the community. The Country Fire Services will not be a successful organisation and this Act will not assist those who are giving dedicated service to the protection of the community. If the Country Fire Services is to operate successfully, these misunderstandings must be addressed. There are many other relevant points in the letter, but I shall not go into them because I am sure that the member for Davenport will deal with them.

The Opposition wants to make sure that there is no impediment in clause 5 which will prevent the board or the local Country Fire Services unit from clearing out vegetation and putting in fire breaks and tracks. On clause 6, there are some questions on why the CFS Board is set up and the reason for the manner in which it has been established.

There are some real worries about clause 16. The Opposition believes that the group officer and the brigade captain should be volunteers and that that should be clearly stated in the Act. Therefore, we shall seek to amend that clause. Clause 20 deals with information to the board from the insurance industry. Earlier, I quoted from a letter that I received from a well-known insurance company indicating that there was a clear need to address that clause.

The Opposition has some concerns relating to clauses 21 and 22, particularly clause 22. Local government has expressed real concern about clause 24, so there has to be further consideration of that measure. Questions have been asked about clause 25 to ensure that, if a council has paid for 25 per cent, 30 per cent or 50 per cent of the cost of a unit or a piece of equipment, it should receive that percentage of the proceeds from the sale of such an item. The Opposition is totally opposed to clause 27 and intends to go to the barriers with it. Who determines if a person is adequately insured: the board or the insurance company assessor? The clause states:

(1) Where the owner of property in the country (other than the Crown or a council) is inadequately insured against loss or damage to the property by fire and the property is damaged by a fire at which a CFS brigade attends, the CFS may recover the cost of the attendance, and of fire-fighting operations carried out to protect or minimise damage to the property, as a debt due to the CFS from the owner.

There is another problem. If people believe that they may be charged, there is a real likelihood that they will not call the CFS.

I do not know whether any members of this House have had experience in assessing fire damage, or any sort of insurance assessment, but I must point out that two assessors will give two different quotes. Who will determine whether it is a fair, adequate or reasonable assessment? This House is entitled to know and the Opposition wants to know. As I said earlier, I have no problems about people being properly insured to protect their assets. That is their responsibility. If the Government addressed those other matters, this clause would not be necessary.

Considerable controversy will be created by this measure because, when an organisation is not funded properly people always look to maximise the amount of revenue. I well recall being told in my first few months in this place by a senior Government official that it was his role to maximise the revenue to the Government. I have never forgotten that. I am not saying that this will be the role of the Country Fire Services, but it is always an option. This clause is not necessary and will cause a great deal of concern, controversy and confrontation.

I want the Minister to explain in some detail how the clause will operate and who will determine whether a person is inadequately insured. The insurance industry wants maximum insurance because it wants to maximise its return, but that is not desirable. Who will determine it? Will it be replacement cost or the actual value of the building at the time of the sale? There is a considerable difference. Replacement cost could be far in excess of the actual value of the building, plant or property at the time it was destroyed.

Clause 28 concerns contributions from outside the State. I wish the Minister the best of luck, because I ask members to imagine Lloyds being frightened by this particular clause. It will also create problems. I believe that people should insure locally and make their contribution because they will be in receipt of the services that will be provided, and they should pay their way. With respect to clause 32, there is a need for a slight amendment to subclause *(c)* to remove the provision regarding the need to prepare plans. That is not necessary. A certain amount of concern has been expressed to me in relation to district bushfire prevention committees because it appears that they could supplant the role of councils, although I realise that there is a need for community consultation.

I have no problem with clause 35, which creates the positions of fire prevention officers—it is a good idea. It is quite clear that these people will need authority to advise others and consult with them. Consultation should be the first line of attack. It will also be necessary for them to turn their attention to Government parks, woods and forests and other reserves because in the past they have caused great difficulties. There has not been too much difficulty with private landholders in cases of fire, but there has been a lot of difficulty with Government land. Some of the provisions of this Bill would not be necessary if Government departments had done the right thing and commonsense had prevailed.

The matters to which I referred earlier in my speech reflect the concerns that exist. I sincerely hope that these people will be given the support they deserve as they play a very important role, particularly in the areas of high fire danger. They will have a difficult role, particularly in areas where people are not inclined to trim back trees. We know the problems that were created when the Electricity Trust decided that it had to clear the power lines. I entirely support the concept of power lines being cleared, although ETSA perhaps went about its functions with a little more enthusiasm than was necessary and certainly caused some problems. However, I entirely support its having that right. If it is going to control the power lines adequately, ETSA must have enough room to get along in all weather. It is therefore necessary to clear a reasonable amount. In some areas of the State ETSA was a little more enthusiastic than was necessary.

Clause 40 contains power to direct. That is always a matter that will cause concern. Where we have an elected body such as the council being directed by an unelected body, conflict will always arise. In any of these provisions it is not only necessary but also absolutely essential that there be rights of appeal. We have passed too much legislation in this Parliament that has denied people rights of appeal and in which we have entrusted in people considerable powers which in my judgment are too draconian. We should be cautious and careful.

The Country Fire Services must have adequate power to effectively administer and control bushfires, but it is best to do it by cooperation and not by confrontation. We have a duty to prevent bushfires. I intend to move to insert in clause 42 a complete new provision to clearly spell out the necessity of all land owners in the State to take adequate action and to protect their property. There is no reason why Government land should be treated any differently from private land. Therefore, the Crown, as a landholder, should be subject to the same direction by councils and the CFS board as any other citizen of this State. I will look forward to a favourable response from the Minister on this clause, because it is one of the most important amendments that the Opposition will move.

We have some concern with clause 51. Clause 57 contains a power of inspection. People on private property need to be given reasonable notice. In most Acts, as I understand it, for the purposes of making an inspection one is entitled to be given reasonable notice, and the owners should be present. If we want to upset landholders and other reasonable people in the community, send some Government official in a new four wheel drive vehicle, which most farmers cannot afford, with the officer dressed up in a uniform with epaulets on the shoulder.

The Hon. D.J. Hopgood interjecting:

Mr GUNN: I am not. Some of these people must have had a deprived childhood. They were never boy scouts, and when they grow up they want to dress up.

The Hon. D.J. Hopgood interjecting:

Mr GUNN: No. Commonsense should prevail in the community. This is one of the aspects that brought about the demise of the previous Director. Certainly, all Directors had particular skills, but the previous Director was inclined to overdo it and was particularly keen on glitter. That is unnecessary. I am making the point that if we want cooperation and commonsense to apply when officers go out to talk—

The Hon. D.J. Hopgood interjecting:

Mr GUNN: The Minister can treat it as a joke, but this is fact. I spend most of my life dealing with people in isolated communities who want to get on and make a living. Certainly, the last thing they want is to be unnecessarily harassed. Most are reasonable people (like the member who is speaking) who always try to be reasonable. However, commonsense should apply, and people should not be sent racing around the country on an overkill exercise.

The situation relating to fire control officers is of particular concern, and there is an urgent need to allow councils in more isolated areas, where there is not the same sort of CFS involvement as in the Adelaide Hills, the Barossa Valley or elsewhere in the State, to be involved. In many areas there is a unit in the town that is responsible for a wide area, but the only people who understand the area and who have a general knowledge of it are the local fire control officers.

If this Act is to operate successfully and if commonsense is to apply, the local council and local brigades must have involvement in appointing local fire control officers. When a fire starts in such areas the local fire control officers are normally first on the scene. The CFS Board has had some problems where there have been too many fire control officers; some of them have held their position for years, and the situation has got out of hand.

That problem can be easily overcome and addressed, but the principle of allowing the local councils to be involved in appointing these people is terribly important. The Opposition therefore intends to go to the barriers on that clause. Some concern has been expressed by sections of local government regarding clause 65, and I refer to the letter that I received today on this matter, as follows:

Dear Sir,

Re: Country Fire Services Bill

We refer to recent communications herein. To deal firstly with a preliminary point, section 65 of the Bill is headed 'Immunity of Officers, etc.' Section 65 then goes on to say 'a person incurs no civil or criminal liability for an honest act or omission in the exercise or performance, or purported exercise or performance, of a power or function under this Act.' There is no definition of 'person' contained in the Act.

In our opinion, it is likely that a court would interpret the word 'person' to mean an officer, not a council. This is particularly so in light of the use of the word 'officer' in the heading and the separate use of the word 'council' in contradistinction to 'officer' elsewhere in the Bill. Therefore, it is unlikely that section 65 will have any application in order to limit liability of a council itself.

In view of what happened in the Stirling District Council, there is real concern about this matter, on which I have sought some advice. I believe that the Minister ought to address this clause because councils must be given some protection if they are acting in good faith in doing the right thing. I agree entirely that it is necessary for officers to have this protection. Clause 67 gives the Opposition cause for concern, and the members for Murray-Mallee and Davenport and others will refer in detail to this matter.

There is a need to clarify clause 68 because it is all encompassing and will catch just about everyone, particularly those people who have had no involvement in the decision which may be under challenge. As a matter of principle, the Opposition is always concerned when the onus

of proof is reversed, a course of action which is becoming far too prevalent in legislation.

The Opposition will raise a number of matters during the Committee stage of the Bill. In the course of my remarks I have attempted to go through this legislation and raise matters which have caused concern, because this is the place in which to bring them to the attention of members so that the Minister and the Government can respond in detail and so that those people who have the responsibility of administering this legislation can be clear on the comments that have been made in South Australia.

I believe that all members who will be involved in this debate and the overwhelming majority of people in this State want to see an effective, well managed, manned and equipped Country Fire Service with access to reasonable amounts of finance so that the public can be properly protected. This will happen only if goodwill and commonsense prevail and if we have a system which involves volunteers, councils, and local communities. Not only private landholders but also volunteers should be given the opportunity to participate fairly.

It should also be made absolutely clear that rural officers of the Country Fire Services will need sufficient power to carry out their functions in order to deal with fires not only on rural properties but on all Government reserves. I sincerely hope that members on this side of the House will never again have to be critical of certain Government departments but, unless they face reality and commonsense applies, this unfortunate course of action will continue until the Liberal Government comes to power after the next election. It will then reverse some of these—

The Hon. T.H. Hemmings interjecting:

Mr GUNN: It is all right for the honourable member to interject. He should go out and have a look at the files—17 per cent interest.

Mr Duigan interjecting:

Mr GUNN: It is all right for the temporary member for Adelaide to interject. He should make the most of it, as should a number of other temporary members. However, I will not be diverted and go down that course because this debate is far too important. I have attempted to raise these matters and briefly go through the Bill referring to the many amendments proposed by the Opposition.

Let me say in conclusion—because, as I said earlier, this is the third time I have been involved in debate on this matter—the Opposition will watch the operation of this Bill with a great deal of interest. If it proves to be unsatisfactory or causes undue or unnecessary problems or hassles, when in Government we will take the appropriate action to solve those problems quickly and effectively. We want to see councils and the Country Fire Services happy and we want to see the community protected. It is a pity that the Minister has not tabled the regulations and that the Premier has not tabled the report from Mr Whinnen because that would solve a lot of the problems in this debate concerning funding. In conclusion, I support the second reading and look forward to the Committee stage.

The Hon. D.J. HOPGOOD (Deputy Premier): I move:

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

Motion carried.

The Hon. B.C. EASTICK (Light): My colleague has demonstrated that quite a number of features of this Bill will be dealt with in the Committee stage. In other words, there will be a considerable amount of debate on some of the clauses as to their meaning, interpretation and effect. I would like to say on my own behalf and that of most members that it is an advantage to be standing here and debating this Bill. Unfortunately, it is two years too late—it ought to have been debated when it was first mooted and should not have been dragged out over this length of time, during which a considerable degree of mischief and misrepresentation has been permitted to take place.

This is an important Bill. Granted, it repeals the existing Act and replaces it, and if one looks at the clauses in this Bill one will find that many of them are precisely the same as, or within a word or two of, the sections in the Act which this Bill repeals. They are put together in a rather different way and they are based around the need for accountability.

One of the features of the Bill comes from the reports that we have received, and more recently the action taken by the Coroner in respect of Mount Remarkable. When one looks at the Public Accounts Committee and other committees one sees this constant reference to the inappropriate use of a number of the facilities of the fire service and the importance of restructuring so that people will get value for the dollar and everyone involved in the system will know where they are going. Basically, I believe that the Bill before us tonight provides for those important changes.

Why is accountability so important? It is important because we expect it of Government, the statutory organisations and of local government. We are in a position, more specifically if the Government is providing funds, of wanting to know that those funds are being expended wisely and that they are providing the type of service in the community which it urgently needs.

With due respect, the previous system of distribution to the fire service in the subsidy system did not provide the necessary assistance where it was most needed. That is one of the areas which was referred to and which the board in recent times has put constructively into place. One has only to go to many of the brigades and units to ascertain how satisfied the volunteers presently are. For the first time in their living memory they are working in a vehicle that provides safety, the likelihood of arriving on the scene, and the ability of providing the sort of cover that is expected. Many of them are responding, and the fact that they have responded so positively in the re-formation of the South Australian Volunteer Fire Brigade group gives a very clear indication that they see virtue in the direction in which they are presently being taken.

That has not been easily won, and the Director of the fire service has heard me say before, and others have told him, that unfortunately some of the public relations leading to those changes did not help. But, they achieved a result. Today it is a fact that there is a far greater appreciation of the services being provided, and this legislation works towards providing tangible back-up and assistance for that particular circumstance.

The other essential requirement with which we need to come to grips is that we live in a litigious society, and that a number of circumstances that were tolerated in the past are not being tolerated today. We have only to look at the circumstances surrounding the Ash Wednesday bushfire and the predicament in which the Stirling District Council presently finds itself to know that not only do people suffer as a result of fire but also there are some in the community who, having suffered, then try to squeeze every last dollar out of the community in which they live; and that creates problems.

On occasions, as part of their responsibility, officers may have to take actions which could be misunderstood by the person against whom the action is taken or against whose property the action is taken. These people must be given

the protection of the law, and this Bill will provide that sort of protection.

Some years ago, as a result of work done by my colleague, the member for Flinders, necessary amendments were inserted in the Act and they are not lost in this Bill. The amendments related to workers compensation for self-employed people who provided services in the community but who, because of the narrow nature of the then existing Act, were unable to obtain adequate compensation for any loss of equipment or personal effects or, if they unfortunately were injured, to look after their family until such time as they recovered.

These changes have taken place and they have provided a greater cost against Government. In that situation, one must have the accountability to which I referred previously. A line of command and a system must be in place that ensures that money is not being siphoned off in an improper way and to ensure that there is a clear indication of who will be paid, how they will be paid, when they will be paid, and when they will be protected against any court proceedings which may be instituted against them.

Those are the features of this Bill to which I want to refer, because I believe that this legislation picks up a number of inadequacies in the Act. Not only are we providing a service to the community based on Government funding (which all members were pleased to support during the budget debate) but also we are ensuring the effective use of those funds at the coalface and that is the way it ought to be.

I have already indicated that this Bill has been delayed for too long. The Government has procrastinated. I am the first to admit that I recommended to the Minister that he should not try to introduce this legislation at the beginning of a fire season because it would be too confusing and quite inappropriate to debate possible new effects at a time when we wanted the people to understand the current legislation as it applied to that fire season. The new provisions would then apply, following discussions on amending the Act, at the beginning of the next fire season. The Minister and I talked about that situation in relation to 12 months ago and, in some sense, two years ago. That is why I say that, against the background of those discussions and the importance of this legislation, we have procrastinated on some vital issues about which the Country Fire Services has been concerned for a long period.

My colleague the member for Eyre mentioned a letter from Finlaysons, solicitors, that was circulated recently by the Country Fire Services Board. That letter followed the Coroner's finding about a fire at Mount Remarkable and I believe that it is worthy of everybody's consideration. It clearly points out the liability which accrues to local government, to the Country Fire Services, and to others unless they institute action necessary to provide a proper and effective service. These days one cannot do whatever one likes in the name of an organisation and believe that one will be supported in the courts.

I refer to the Casserella case and footings for houses in the Campbelltown area, and to a similar situation which occurred in the Sutherland Shire, New South Wales. In those instances failure to act, or the improper actions of individuals, even though they were acting in the name of the organisation which they represented, were not sufficient. Suddenly, they and/or their organisation found themselves being taken to court and being found guilty, or being directed to provide compensation. Indeed, a number of provisions in the current Building Act and the provisions which are coming to us in the new SDP in relation to fire prone areas all have a connotation along the lines about which I am speaking.

I believe that the measures outlined in the letter from Finlaysons are quite important, and I will read the last two paragraphs which refer to the findings generally. The letter states:

> The Coroner has obviously carefully reviewed the existing situation and the interaction of the CFS Board with local government authorities. The Coroner has recognised that the CFS Board has considerable knowledge and expertise in all aspects of fire related matters, and that local government authorities should, wherever possible, seek to call upon that knowledge and expertise. However, the Coroner has made it clear that local government must assume far greater responsibility and involvement relating to fire control, fire management, prevention and suppression.

A major feature of the Bill now before us relates to management and prevention. It continues:

> The CFS Board should therefore seek to ensure that local government authorities take action in accordance with the findings and recommendations of the Coroner and seek legislative changes in certain areas, so as to ensure that local government authorities discharge the responsibilities which the Coroner clearly considers must fall on local government authorities.
>
> In summary, it is our view that local government should be responsible for the establishment and maintenance of prevention and protection matters associated with fires within local government areas. The board of the CFS must be provided with the necessary powers to ensure that such matters are adequately addressed on an ongoing basis through legislative changes and additional resources. Further, the board of the CFS should have complete responsibility for the management, care and control of vehicles, plant and equipment associated with brigades together with complete authority and control of fire management throughout local government areas.

That is the thrust of the measure presently before us. By virtue of the Bill having been pulled together and developed over some months, it provides for those general findings contained within the letter from Finlaysons. It is a matter of cooperation. My colleague the member for Eyre indicated that there are very clearly some misunderstandings between individual councils, individual councillors or individual people in the staff of councils.

We have a situation where councils are making one decision and staff are making another. We have a situation where the decision made by local government today is not necessarily the decision made by local government tomorrow. There are a number of examples, some of which my colleague referred to and dozens of which I could pull out of my files (having had responsibility for this area over some time), where changed circumstances and changed dates mean all the world of difference to the attitude of a particular organisation.

The District Council of East Torrens, in a letter dated 18 January 1989, puts it particularly well when it states:

> In forwarding this submission, it is necessary to provide the context in which considerations were given to this issue. It quickly became evident that no consideration could be given to this matter without first establishing the necessity to provide for and facilitate:
>
> - the effective and efficient operation of the CFS
> - the coordination of CFS operations and activities within and between local government boundaries and the State as a whole.

There must be a global view of this, not just a simple brigade or local government parochial view. The letter continues:

> There should be realistic minimum standards set for fire fighting across the State and they should be agreed by the four organisations mentioned above—

'they' being the CFS, volunteers, local government and the State Government. The letter continues:

> The minimum standards should be regularly reviewed and updated.

The Bill provides for that. We cannot stand still. Prior to the changes which have been effected over the past year, we were in a position where we had stood still for too long, and where some local governing bodies and others were not giving the sort of assistance which was essential to provide this service in the field in case of an emergency. In the middle of all this is that very important group, the volunteers. This Bill is based around the continued existence of the volunteers, albeit that sometimes there is a question whether the volunteers will be marshalled too much or whether the demands made upon them will lead to their feeling that they are being taken over by employees rather than by volunteers.

Volunteerism is an essential part of the Country Fire Service, and we destroy that at our peril. I noted very carefully the statements in recent times by the Minister, who still holds very firmly to the importance of volunteers in this system. I congratulate the volunteers who have served over an extended time under two different Chairmen (first, Mr Peter Swan, of Kapunda, who served the organisation very well for a long time and was the recent recipient of an Australian Fire Services Medal and, more recently, Mr Brian Wilson). I congratulate, too, the others who have played a part for local government, for the fire service or for whichever area they represented in the activities of the board.

The reality of the situation must be grasped. No-one can say that everyone will be satisfied at every moment with every decision taken or every direction given, but if we are to be totally accountable and if we are to make the best use of the funds available and the extra funds which are still necessary to give total protection to our communities, we must accept that there has to be an element of marshalling and a real effort in letting people know where they are going, why they are going, and how they are going and that they will be totally protected.

I was critical earlier on relative to the poor public relations, as I expressed it, of the Director, when I said that his communications were poor, but one vital comment he made which has endeared him to the volunteers and to many others who stop to think was that when we send them out we want to be sure we are going to bring them back. That must be the all-important issue in any consideration of an emergency service, whether it be under the Country Fire Service legislation or whether it be the type of protection and assistance we gave when passing the State Emergency Service Bill 12 to 18 months ago.

Mr S.G. EVANS (Davenport): I wish to make plain from the outset that I do not support the Bill, and that will not surprise a lot of people. I believe that this Bill completely reverses the process of a volunteer service, built up from the grass roots level of people working to develop a service and having a headquarters which could help them in the delivery of that service. This Bill provides that the headquarters runs all the operations and the volunteers will have to jump when they are told to jump.

I am sorry I must disagree with the majority of members of Parliament on that, but it is said that the volunteer system is to be protected. I say here and now that within five years there will be more paid people in services such as those provided at Blackwood, Happy Valley, Stirling and similar communities. It will come about that four to six paid officers will attend accidents and fires that take place during the day. The argument that the unions and others will use will be that not as many volunteers are now readily available and, as we need a quick turnout of units, the only way to do that is to have paid people. The volunteers will be used as fodder to back up the paid people, as is the case with the St John Ambulance Services. In the case of a big fire or when a fire breaks out after dark and paid officers are at home with their families, volunteers will be available as back-up.

A group in my area have prepared a document which they are frightened that I might use because they believe that some people in head office might penalise them for the views in the document. If that happens, let those who do it be condemned. The document contains the group's views of the historical perspective of the CFS. It states:

> From their early beginnings (50 or more years ago) the volunteer fire fighting organisations of South Australia have played a very vital and successful role in protecting their communities from fire. These organisations were set up because of actual damage in particular the 1934, 1939 and 1955 bushfires and more recently the 1981 and 1983 Ash Wednesday fires. The very essence of the CFS has always been local communities helping to protect themselves, with the amount of resources committed in both equipment and volunteer labour being in relationship to the perceived threat of fire damage. In the final analysis each community or council district was individually responsible for its own level of protection.
>
> The formation of the EFS, and later CFS did much to improve fire fighting operations, particularly with provision of good communications and the standardisation of equipment, and it has enabled us to operate much more effectively on a State-wide basis. Funding was greatly improved with the Government subsidy of 50 per cent applying to many items of equipment. In these years (1960s and 1970s) volunteer morale was very good and the State had a very cost effective CFS (many times cheaper than the MFS).

In relation to the point about the CFS and the MFS, my own colleague the member for Light said that there should be accountability. I agree with that. When it came to the accountability of the CFS, the Public Accounts Committee investigated it. What about the MFS? There has been no attitude at all that it should be investigated to see what its accountability is.

The Hon. D.J. Hopgood interjecting:

Mr S.G. EVANS: The select committee did not look at their accountability. I sat on it. The Minister knows that. It did not look at the accountability at all; it looked at the sort of provisions and facilities made and it ended up—

The Hon. D.J. Hopgood interjecting:

Mr S.G. EVANS: It was not its job. It was not given the task at any time to look at the way the finances were spent by that organisation. The Public Accounts Committee is the body that should do it. That is why some CFS officers are upset about that aspect because a judgment was made of them in 1984 but it has never been made of the other group as an all paid organisation. The document further states:

> After the 1981 and 1983 Ash Wednesday bushfires, however, the operations at the brigade level of communities responding to adversity became more complicated than ever before. This was a result of the Public Accounts Committee's severe criticism of the CFS operations in 1984, and required of it a much more 'professional' approach. Whereas in the past the CFS headquarters was very much a respected leader, serving the needs of the volunteers and their communities, it has now progressively changed its attitude to the volunteers until we are treated as if we are paid employees, required only to fulful the board's purposes! The proposed CFS Act 1989, if passed, will clearly give the CFS board both the mandate and authority to have more control over the volunteers than ever before, and enable the board to move even further in its present direction. The board's actions show a large degree of insensitivity to and disrespect for the dedicated volunteer who has invaluable experience fighting fires in the local areas. Government from afar is not able to understand local needs and conditions to get the best out of available community resources.

Who in their right mind would suggest that we have only five personnel to a unit? You need one as a driver, one on the pump and, possibly for safety reasons, one on the radio. In that steep country, how much hose can the others handle? It is a ludicrous suggestion, but that is the sort of suggestion that is coming through the system.

When I set out to put some lines on a map—I am talking about standards of fire cover—showing where units are or are not needed, I realised that I could do no better than refer to something written by somebody else, not by the group, which is pertinent to this aspect of numbers of units and how fires should be fought. I am talking particularly about the Hills area. The document states:

The use of scientific analysis of fire cover needs is not necessarily conclusive, since data collected is subject to individual perception or assessment, and may not adequately highlight localised circumstances which reach beyond the issues currently being considered as part of the standards of fire cover project.

Further, having collected the data, weighting of each on a generalised basis will also screen the aspects identified below. Weighting is also subject to manipulation 'to fit' prejudicial assessment.

The 'scientific result' aspect of the standards of fire cover is accepted as one of the valid aids in rationalisation of resources, but should be applied in the light of other issues of commonsense, local experience and practicality.

The proposed rationalisation has ignored significant sociological impacts, and has failed to incorporate certain practical criteria. The following comments have been made in the interests of providing the best service to the community.

1. The provision of fire cover relies totally on the availability of firefighters, their attitudes and expertise. Irrespective of scientific logic, this must be incorporated in final implementation.

2. Location of firefighting equipment should take into account not only fire risk, but its accessibility to willing crew. Centralised fire equipment will commit firefighters to greater travel to the station—increasing personal risk and delay in turnout. The impact of fire station siting and crew travel needs to be considered in overall performance of the service.

3. Distinction should be made between centralised brigade administration and centralised equipment. The option of main and substation arrangement should be investigated before brigade closure.

4. The cost of providing 'adequate' equipment and housing is not necessarily reduced by brigade closure, amalgamation or 'rationalisation'.

5. The sociological impact of 'closing' local brigades affects both brigade and community, and can significantly diminish or destroy the ability of the service to function. The cost of rationalisation cannot be assessed in dollars saved, because final effectiveness of the revised service cannot be evaluated, and depends on the people both in and outside of the fire service. The decision to alter existing services should only be taken by mutual consent of brigades and community.

6. The number of calls attended by a brigade (or station) should be considered against their ability to respond to every call received, and the number and quality of crew available for every call. (Some highly respected brigades have been known to be unable to respond due to not having a driver, or respond with only one firefighter.) In such circumstances their 'backup' brigades is more critical.

Another area of discrepency needs to be considered. The qualification and abilities of personnel engaged on the standards of fire cover project are not being challenged, but certain practicalities have not been taken into account.

Without operational fireground experience in the rural-residential environment of the Adelaide Hills, firefighting practices and procedures essential to fire control cannot be fully appreciated. These practices and procedures are further impacted on by the board policy to limit the numbers of firefighters carried on an appliance.

A detailed map would reveal a geographic configuration where side roads (many of which are dead-ends), gullies, ridges, and houses created a situation where having larger numbers of vehicles is critical to be able to cover the multiple danger points in a fire situation. The geography complicates movement of plant between adjacent points on a fireground, and can only be adequately handled by maintaining larger numbers of appliances. In the wooded gullies the firefighting is personnel intensive and, through board policy on crewing, more (not less) appliances will be needed. Even if personnel transport is provided, the need for personal firefighting equipment and adequate support appliance numbers in such an area is critical to crew safety and combatant activities.

The need to control crew numbers for safety is acknowledged, but such a policy must be countered by allowing for retention of existing appliances, or even additional ones. Failure to do so will disable many even 'routine' fire fights. It is essential that brigades like Coromandel Valley be retained, with appliances to match crew numbers needed to control fires in an area with identified complications. The scientific model must be applied along with commonsense and practicality, some of which may have been adequately defined to date. Even if administrative combination of brigades is carried out, the location of stations (and substations), the number of appliances and crew availability must all be included in the decision-making process. The 'standard' scientific model might not always provide the right solution.

That is a true indication of how many people feel. The lady who decided to write that probably has a lot more commonsense than have some of the people who believe they have all the answers.

The Director may be a very capable person, but some of the bland statements that he makes do not do anything to excite or help people. To say to a particular individual after you have just arrived in a State that you have been to more fires than that individual has ever seen, without knowing the individual's background, is absolutely ludicrous. In addition, some of the statements from senior officers have made some brigades frightened. I realise that some of the new brigades in the South-East think that it is great. However, the Hills towns have always had a lot of brigades. They were the first to start the volunteer service and build up their units. Without access to the modern technology that is available today, 500 people fought the 1915 fire, and the records show that it was a very bad day.

The point is that, if there is a push down from the top, in the end the volunteers will go. The union will step in and work through the paid officers down the line. Because Joe wants an assistant, the assistant will want an assistant, and so on. The same will happen with the CFS as is happening with the St John Ambulance. When Overall was a senior union officer in the mid 1970s, I had a barney with him. We met again later when he was President of a football club of which I was a member. I have no doubt that the present Director strongly supports the volunteer system. There is no doubt in my heart about that, but I believe that this Bill will let him be used as the second tool in the process of getting more paid people into the service, gradually eliminating the volunteers. Everyone else may say that I am wrong, but let us wait and see what happens in the next 10 years. I hope that I will still be alive for someone to tell me who was right and who was wrong.

The Hon. D.J. Hopgood: You will still be here.

Mr S.G. EVANS: If the honourable Minister keeps acting like he is, I am sure that the people will keep me here. Clause 5, which deals with non-derogation, states that the provisions of this Act do not derogate from the provisions of the Native Vegetation Management Act. Recently a judge said that, if a fire hazard is maintained, it can be considered a nuisance. A great big patch of native bush six feet high right up against a property is a nuisance, but we can do nothing about it. We cannot sue if we are burnt out. If it is a rubbish tip—that is topical—or any other fire danger and we do not remove it and we are told that it is a danger, if a neighbour writes saying that it is a nuisance, we are liable. We are not liable for native vegetation. We can get cooked and no-one can sue.

Clause 67 concerns unauthorised fire brigades. I ask members to think about this very deeply, because the clause states:

(1) A person must not, without the approval of the board, be a member of a fire brigade in the country that is not a CFS organisation.
Penalty: Division 8 fine.
(2) In this section—
'fire brigade' means a group of people equipped to deal with fires on behalf of a local community.

Let us take the Ironbank unit as an example. It is one of the brigades that is tagged to go; it gets a miserable $1 400 a year. However, that brigade is at a critical point at the head of the Sturt Gorge. The area is not easy to get at from

Upper Sturt, as it is virtually impossible to get down Pole Road, nor is it easy to get there from Cherry Gardens or Coromandel Valley in the event of a bad fire.

They are at a critical point of fire fighting in the Hills. If they decide to continue on their own, the board can say that they cannot do so and it is then illegal. They can be charged as volunteers wanting to protect the community. Who said that the board will allow it? Power is a great thing when it comes to human beings. It can involve a country area. Two or three farmers can put their heads together to protect their own community. If they are denied registration or recognition, they cannot do it—they cannot protect their local community.

When it comes to the brigade entering one's property, I do not have much objection, except one area that has been missed. I keep about 50 goats. Adjacent to me is a nursery with $30 000 worth of nursery plants. If the brigade goes through my fence because it needs to and the goats get out and into the nursery, within an hour they can do $10 000 or $20 000 worth of damage. They wiped out my trees in about 10 minutes. There is no protection for me in that instance. The nurseryman can sue the owner of the land. I understand all other aspects, but on that point the Crown should pick up the cost because the landholder could be up the other end of the farm fighting a fire. I know that the CFS must have power to go through your property, even if it is not burning, perhaps to get to another property. In my case the gates are locked because of the risk of people leaving the gate open out of sheer spite and the animals doing much damage. We have not thought about that example at all.

Another example is that the CFS can come onto your property and you may not be fully insured, an aspect to which the member for Eyre referred. My property may be well maintained as far as water reticulation and sprinklers are concerned and I may have spent a lot of money in that area. A brigade can come onto my land without my permission. I can say that I do not want them and will fight the fire around my own house. If they still come on when I am not insured, but they send me a bill, is that justice? Surely it is not. If it has been identified as a property in which the council and local fire officer see a danger, that is a different thing.

The next point is the line of command. How can we, in a volunteer system, say to people that if they do not take notice of the commands from above they will be penalised in some way? For example, if the regulation provides for five or six crew and you take 10 because it is a steep slope and you need extra length of hose, it is breaking the rules at that point. So, what happens? I have no faith in the Act as it is written because volunteers have been ignored.

The ACTING SPEAKER (Mr Tyler): Order! The honourable member's time has expired. The honourable member for Goyder.

Mr MEIER (Goyder): We have heard several excellent contributions on the Bill from this side of the House. I do not intend to go over many of the points that have been raised, particularly by the members for Eyre and Light. The member for Eyre went back into the history of the CFS and referred to some of the correspondence that he has had from various councils. I know that many of those councils are in my own electorate. The aspect of concern in this Bill is that of volunteerism and its not being eroded. Previous speakers have referred to this. Only recently we saw the disagreement between volunteers and paid ambulance staff which has come about over time. It would be a great tragedy if in 10 years the fears expressed by the member for Davenport were proven to be correct and there was antagonism and disagreement in the CFS between volunteers and paid staff.

This is something that we need to keep in mind in order to avoid these conflicts at all costs. I realise that society is becoming more complex and that there seems to be a trend to go for more legislation to enable regulations to be put in place. Nevertheless, we should remember that the CFS came from the grassroots and its direction has tended to be from the grassroots up, rather than, as this Bill appears to be doing, bringing it from the administration down. In his second reading explanation the Minister stated:

> The Country Fire Services itself is the largest volunteer organisation in the State with a current membership in excess of 19 000. These men and women provide an incalculable contribution to the protection of South Australia not only from bushfire and fires generally but, increasingly, in the areas of road rescue and dangerous substance incidents.

How true that statement is and how we must extend full compliments to members of the CFS. There is a divergence of opinion amongst volunteers. There is a significant divergence of opinion between the Hills brigades and those in other parts of the State. This divergence of opinion can depend on the location of the brigade, even in areas that might be described as being generally the same, depending on the involvement of certain people. Certainly, it is important that we do not, by being too regulatory, exclude anyone whose main aim or concern is to help others or who, as the member for Eyre indicated earlier, does not want to dress up in a uniform but who is happy to help his or her neighbour whenever the situation arises.

During the limited time available to me, I would like to refer to a letter from a constituent who has been involved in the CFS for many years. I believe that my constituent at present is a fire control officer in his area, and he makes some interesting comments which, although they would not apply to all areas, certainly need to be considered in respect of this Bill. At the beginning of his letter, he states:

> In my district fires are fought not by the CFS but by the community in general. I do not drop what I am doing and run to the assistance of my neighbour who is at risk of being burnt out because I am a member of the CFS, but because I want to do what I can to help him when he is in trouble. I also know that I could be the one in trouble tomorrow, and I would like to think that he would come to help me.

Surely, that should continue to be the key ingredient in the CFS. When there were reports in the paper earlier this year that many CFS brigades would disappear in the coming years, probably as a result of a directive, I spoke to a couple of the small brigades and asked them, 'What will your situation be?' They both replied, 'We will go; the writing is on the wall.' I asked, 'Will that inconvenience your area?' They indicated that it would not make any difference because they would continue to operate not as an official CFS unit but as their own group. It would be a shame if these people had to operate outside the CFS, an aspect to which I will refer later.

If it has to be, then let us at least ensure that they can operate in their area when an emergency arises, particularly if all units are needed at any one time. I know that one CFS brigade was upset by the suggestion that all its units could be called out to a major fire. The person in charge said, 'John, while I am in charge we will always keep at least one major unit in our brigade because that is what we are here for. We are responsible to the local people, and we will not allow our own area to be undefended or lack suitable fire fighting equipment simply because another area needs our services.' He said, 'We are quite happy to help them, but within reasonable limits and bounds'—and I

think he has a reasonable point. The constituent to whom I have referred states in his letter:

The present system provides for a system of locally appointed fire controllers whose role is primarily to place people and resources around the fire. Some people have seen fit to ridicule fire controllers as 'unprofessional' on the basis that they do not necessarily have formal qualifications and are often appointed simply because they are reasonably well respected and happen to live in a convenient place.

These people are general managers of fires, and no amount of formal training can possibly give them the basic managerial skills required—knowledge such as the skills or otherwise of the local who happens to be standing next to him; what useful machinery might happen to be in the neighbour's shed; and, if what is needed is not there, where is the next closest place and, if he doesn't know, whom amongst these people he should ask.

He goes on to indicate the importance of local knowledge. Clause 63 provides for the appointment by the board of a fire control officer. Immediately we see the board coming in, whereas the present system looks to local people for fire controllers. This constituent further states:

Under the proposed Act, the control of fires will lie with the most senior CFS member present. This will mean either a member of a brigade or paid officer. Therefore, a fire could be under control of someone who moved into the district last week, decided he would join the CFS yesterday and just happened to be passing by.

I understand my constituent's concern and feel that he is correct, because under clause 54 the most senior member will be responsible and in charge. I do not think anyone denies that there needs to be a person in charge, but I refer to my constituent's earlier point that the person who knows the area best—that is, a local—is ideally suited to be in the position of a fire controller. I hope that this will not mean that people who know little about an area will take control from a person who would be much better suited in a given situation.

As I said earlier, each area differs and in some cases this new system will work satisfactorily. However, I have a great fear that it is too rigid and that some local communities will not be happy with it. My constituent makes the further comment:

As command moves further up the hierarchy, the chances of group captains and professional officers having the necessary intimate local knowledge become increasingly remote and by any logical standards, without that knowledge, no-one, no matter what his formal qualifications, can be considered competent to be in charge.

This is an interesting comment which again shows the hierarchical structure which this Bill will reinforce rather than detract from. He points out some exceptions: for example, a chemical spillage where a specialist team would be needed or house fires in certain circumstances. So, that point is acknowledged.

We need to be very careful that the hierarchical structure does not simply override commonsense in many of our rural areas. My constituent makes the following point:

Under no circumstances should a situation be allowed to arise where a paid officer is permitted to give an operational instruction to a volunteer.

That point certainly could be considered both ways, and I acknowledge what my constituent has to say. I believe that that was an area of contention in the ambulance dispute, and in all probability my constituent is right again. How will the CFS relate to this particular situation and overcome it? My constituent says:

I can not emphasise too strongly the community rather than CFS commitment to fighting fires. Rural people are generally independent minded people who are used to making their own decisions—whether they volunteer as members of brigades or simply turn up to fires, or provide support by offering back-up such as machinery or man communications links, or cut sandwiches. They volunteer under their own conditions and no-one elses.

The volunteer aspect is vitally important, and we must not forget that. My constituent, when talking to a senior member about the new Act, was met with the following reaction from that person: 'Well, that might be what the new Act says, but they could never actually do anything like that to us because if they did we would simply all leave unless they are going to pay us $30 000 a year for the job.' Again, that was a reference to being overriden by people who the local people would feel did not understand the situation, and I hope that that situation will not arise. This, coming from a person who has had a lot of experience in the CFS and who has expressed many concerns, needs to be considered in relation to this Bill.

Another concern relates to clause 24, which deals with funding. A few of the other members have made some relevant points in relation to that, but my constituent puts forward another interesting concept:

It effectively says that local communities shall pay for their protection not what they believe is correct but what the CFS board in its superior wisdom decides they should pay. This is a case of the Government pandering to pure Public Service arrogance. Despite the statements of the Minister, this effectively takes all control of firefighting out of the hands of local councils.

Demanding that persons not fully insured pay for fire services adds further insult. One wonders what insurance company the Government is trying to get into bed with. There would be very few farmers (or anyone else for that matter) at present fully insured—most would only insure up to the level they think they cannot afford to lose. For instance, I insure my standing crop against fire but I would only insure the minimum amount I guess the crop might yield. My guess might be a long way short. Under this provision I would be, in fact, required to over insure if I were to be sure that in the case of having to call for help with a fire I did not get a bill. At present, being part of the community's firefighting system (whether formally or not) is considered by most people to be part of their 'insurance'.

Those points are very relevant. What if a farmer is under insured? Will he still be liable for payment? What about the volunteers who dedicate so much of their time to fight fires? Will they have to pay if a fire occurs on their place? What about the person who does not want a CFS unit on his property when a fire starts? If he has sufficient equipment of his own, can he refuse that help, or will he be charged anyway? All these questions should have been addressed in this Bill but, as far as I am concerned, they have not been dealt with.

An area supervisor (as the paper refers to him) pointed out that the information contained in the Country Fire Services' annual report 1987-88 may not necessarily be correct. The area supervisor pointed out that on page 17 an example is given of some 4 000 hectares having been reported burnt out in the Maitland-Minlaton area on 28 November 1987, but at that time (and apparently this person knew the area fairly well) the newspaper indicated that some 550 acres, which on my rough estimate is about 1 300 hectares, was burnt out. That is a considerable discrepancy. On the same day (28 November), at Cunningham 160 hectares were burnt out with some five appliances in attendance along with 31 personnel. I compare that situation with the Wilpena fires which occurred on 9 January 1988 where 10 000 hectares were burnt out with 23 appliances in attendance—a considerable increase—but with only 20 personnel compared with the 31 at the other much smaller fire.

One can understand CFS personnel, after discovering these sort of statistics, querying the accuracy of the information. As the area supervisor, who I believe is a local fire controller, said, 'It is ludicrous and meaningless.' I must agree that, based on the figures he gave me and the figures indicated here, there is good reason for querying the information.

Clause 67, which prevents the establishment of unauthorised fire brigades in this State, causes me real concern

and I believe that it is of real concern to all people in the CFS, especially in light of the indication that there is every chance that many brigades would be terminated. So many reports on fires mention that the number of helpers who assisted was unbelievable. Very often many other units, such as private farm units, attend fires. What will happen if some of these CFS units, which will be declared inoperative in the next year or so, decide to continue? Will clause 67 include those units? Will they be prevented from being a brigade? I certainly hope that that will not be the case and I ask the Minister to clarify that issue.

I am concerned about many areas in this Bill. Certainly, it contains some positive moves and, as the member for Light said, it is long overdue. It is a pity that the whole thing was not tidied up in a neat package rather than including all the disadvantages also.

The Hon. E.R. GOLDSWORTHY (Deputy Leader of the Opposition): I support the Bill. I believe that it includes some good provisions, but we intend to move a number of amendments. I will refer briefly to the history of the CFS. After the Second World War the Emergency Fire Service was first mooted, I think by Ern Dearman of Lobethal (who, until he died some years ago, was one of my constituents) and by Sir Thomas Playford. Those two men got the Emergency Fire Service into operation. That was at a time when the Hills carried nothing like its present population.

At the outset, I declare my interest in this matter. Through personal experience, I have an intense interest in this legislation and I declare that interest immediately. In 1955 I went to live in the Hills and I think on 2 January 1956 we had Black Sunday, which involved one of those completely uncontrollable wild fires. That was a fairly salutary life experience for a young married man who had just moved to the Adelaide Hills.

The Hon. B.C. Eastick: It caused the death of a close friend at Inglewood.

The Hon. E.R. GOLDSWORTHY: Yes, Mr Pitman died in that fire at Inglewood. His son still lives there and I remember the occasion and the experience well. There have been fires in that area since, and on Ash Wednesday we experienced a similar wild fire. Nothing sharpens one's senses more or brings a sense of reality to the danger of fire than experiencing a fire such as this. My son-in-law, a migrant from Europe, experienced Ash Wednesday, and I well remember his reaction when I saw him on that evening. I do not think he will ever experience anything like it again. He had only just moved to the Hills at that time.

My main concern in relation to this Bill is the Hills area, where a holocaust will occur in due course. There will be a wild fire about every generation and the Adelaide Hills will experience a large loss in property, stock and life. It was fortunate that the wind changed as the Ash Wednesday fire approached the Old Belair Road. If it had gone up near that country, heaven knows how many people and how much property we would have lost. It would have been immensely more damaging than the ultimate result—which was damaging enough. The Adelaide Hills has the potential, as I say, for a holocaust, and in my judgment it will occur in due course.

I approach this Bill with a measure of first-hand experience and a great deal of concern about some aspects of activity in relation to fires in that area. The Bill is a step in the right direction. I will not go over the ground covered by my colleagues. It has taken 18 months to get it to the barrier and, although we have had it for less than a week, we are now debating it. Nonetheless, the Bill is here.

The Hon. D.J. Hopgood: We've had it for a fortnight.

The Hon. E.R. GOLDSWORTHY: Sorry, a fortnight—we have had a week off. It was promised in the Governor's speech when he opened the session before last, but it did not appear. It has now appeared, but I will not labour that point. I agree with my colleagues, that the public relations of the CFS and of successive Governments has been fairly poor in relation to the interests of country members in the Country Fire Services. I have no hesitation in saying that the CFS is the most important voluntary organisation with which many of us have any association. It has saved this State literally hundreds of millions of dollars during its existence. Country members are intimately involved with the CFS. People talk to us about it; we are involved with it as landholders; and as ratepayers we pay a fire levy which goes to the CFS. Gumeracha has had a fire levy for as long as I have been there, and we pay it willingly.

My two experiences—in 1955 and Ash Wednesday—certainly cost me a fair bit of my substance in terms of material property, and I will never regain it. If it were not for the CFS, I would be even poorer, so I have an enormous regard for the efforts of the CFS and for its importance. It is the organisation with which we are most intimately involved. So, it is with a certain amount of amusement, I suppose, that I have seen the efforts of succeeding Ministers and others in ignoring country members and their views with regard to the CFS. We were not even invited to the opening of the new CFS building at Keswick. The then Hon. Brian Chatterton had no regard for other country members' views. I did not set foot into that new building until I asked for a deputation to see the current Director in relation to a matter of concern at the time.

The Hon. D.C. Wotton: With the member for Heysen.

The Hon. E.R. GOLDSWORTHY: Yes, with the member for Heysen. We were there for an hour and we might as well have talked to the wall, but no matter. I heard the former Director of the CFS say that members of Parliament stuck their nose into the affairs of the CFS when it was none of their business.

The Hon. Jack Wright, when Minister, had the good sense to come to some of us and ask for a bit of advice. It does not happen often, but I remember that Jack Wright asked me what we should do about the CFS, and I told him, and it was some pretty radical surgery. I was quite surprised to get a ring from Jack Wright about a year later, asking me to go to his office in Victoria Square; no word had passed between us in the mean time. He said, 'Here is the new Bill, Roger. I've done what you suggested I do. It's been difficult but I've done it.' I was quite surprised, but here was a man who had the good sense to try to get the Opposition on side and listen to what we had to say because, despite what other people think, we do live in these areas, we are intimately involved and intensely interested, for personal and other reasons, and Jack Wright had the good sense to recognise that.

I thought that he was fairly successful as a Minister in his administration of these events. He sought to make changes which were good changes and which had the support of all of us. So, it is with a fair bit of dismay that I have watched the public relations of the CFS over the past two or three years and thought that it had a fair bit to learn. I do not for a moment question the motives of the people from the headquarters of the CFS. I think they are well motivated, but they could have gone about the business of dealing with the volunteer organisation much more sensibly if they wanted to get those people on side, and if they wanted to get on side members of Parliament such as the member for Davenport, who spoke earlier, the member for Heysen, who will speak following me, and all the other

members who are so intimately involved with this vitally important organisation.

I laud a lot of what is in this Bill, although some things in it will not work, and they have been alluded to by some of my colleagues. However, the thrust of the Bill is correct, and it determines who will be in charge. We will be moving some amendments to make things a bit clearer. I am particularly attracted to the fire prevention provisions, because the one thing which has been lacking in this State, as the Director stated before the ETSA select committee, is in the area of fire prevention. We lag behind the other States in this area. I will not resile from the fact that Crown land poses the biggest threat to landholders who live in the Adelaide Hills. The two wildfires to which I have referred and which I have suffered both started on Crown land. It was not Government owned originally, but during the last fire it was in Government ownership and was in much poorer condition, and the fire was much fiercer.

So, when the fire got out of the Government land we had the Cudlee Creek brigade burnt, one fellow scarred for life and, in due course, someone at Lobethal was killed. So, I am pleased that the Crown is roped in under the provisions of this Bill. The idea of committees is great, and I am dying to get on one. The original concept was to have local committees, but those now proposed are a bit bigger than I envisaged. We will get a district committee which involves a council or group of councils. I want to get down to the local level where the people who have to live with the hazards have a say.

The Hon. D.C. Wotton: I can see you as a Director one day.

The Hon. E.R. GOLDSWORTHY: No, just on a little local committee where I will get a bit of sense into some of these dopes and some of the stupid Government dictates about planting of trees, etc. When you live there you know the hazards. People who live in the hills, as I do, are fire conscious throughout the whole summer. It is probably what is at the forefront of most people's minds.

Every time I drive down Anstey's Hill I think of the stupidity of the Mines Department demanding that the quarry be shielded by a row of inflammable trees on one side and on the other side the new water treatment works where the scrub has regrown. We now have a lovely forest on either side, so when there is another wildfire we will not be able to get home again.

An honourable member interjecting:

The Hon. E.R. GOLDSWORTHY: Yes, the European trees are non-flammable.

An honourable member interjecting:

The Hon. E.R. GOLDSWORTHY: My word they are! Many people went and thanked David Thompson at the Piccadilly nursery for advising them 20 or 30 years ago to plant these so-called exotic trees, which some people seem to have a prejudice against, because that advice saved their properties. I can tell the Minister that I pushed out half the wind break I had of cypress pines—half of them burnt on Ash Wednesday. I pushed out the other half and planted the fastest growing exotic English plane trees I could get, because those trees do not burn, nor do oaks, ashes or elms.

The trees that ETSA tells people to plant will flare in a fire. They may not grow tall, but planting natives is stupid. I came back from overseas last year to find that some very tall trees along our road, historic trees planted on the old carriageway when the land was first settled, had been hacked down. They had survived the fire. The tree planting program from the local primary school was to plant a double row of Australian natives. I said, 'Over my dead body.' They are just the trees that burn, that flare, that carry the fire, and that create a hazard. So, we got a row of oak trees planted. Unfortunately, they were not watered by the authorities and half of them have died. However, they said that they had plenty more and that they would plant them. Wrong planting is the sort of stupidity which allows the spread of fires and which allows rubbish to accumulate. The worst type are the Australian eucalypts, because they are full of oil and they flare and burn. They recover, but they are an enormous hazard in times of wildfire.

So, there is a lot to be done, and I think the Director is awake to this, quite frankly. He gave evidence and he said that there is a program in Western Australia. I have been there in the middle of summer, in January and February, when they have had a burning program on appropriate days to reduce the fire hazard. I certainly hope that we give the Director his head in relation to fire prevention, because a lot needs to be done to reduce the fuel which on a bad Ash Wednesday-type day, a red alert day, will lead to uncontrollable fires.

So, I like the provisions in Division V of the Bill. I think they are very good. There are a lot of other things that I want to say, but I will not be able to. I have referred to two clauses. Clause 27 will not work, and the member for Davenport has referred to this. As to the idea concerning the owner of a property in the country being inadequately insured, what on earth 'inadequately' means I do not know. If a person is inadequately insured against loss or damage to the property by fire that person will be billed for the cost. It just will not work. The fire might pass over a whole heap of properties. Part of my problem was that I was underinsured on Ash Wednesday. As a member here suggested, one simply insures enough to stand the loss, but one does not insure further, because the premiums become just too much to bear, year in year out. So, one just makes sure that one has enough cover to avoid going under. Thank goodness my house did not burn—I would have been in queer street. I went down the following Monday and tripled the insurance on that.

The provisions of clause 67 have been mentioned. I think this clause is quite obnoxious in a so-called free country. Clause 67 provides that people cannot form any association at all, gang up together and get a group, to fight fires. I think that is an absurd proposition, and I agree with the member for Davenport. So, I think that clause 67 certainly needs restructuring. If it means what it says, in a so-called free country it is absolutely untenable.

I do not want to prolong the debate. Many of the things that I would have referred to have been said. A lot can be done to rationalise the Metropolitan Fire Service in the country. Eudunda, a little town in my electorate, has an MFS and a CFS. I have never come across anything so absurd. They jacked up and said that they were not going to pay their MFS levy. If we want to save money in fire services, let us have a reverse of the row over the ambulance workers, where the unions were involved.

We know what it is all about—they want to take over the whole of the metropolitan area for ambulance services, and in due course they will then want to get into the bigger country areas. Let us do a job on the MFS in the country areas. They are only there through history—it is just historical. Why on earth should a town like Tanunda, for argument's sake, have an MFS, when the larger towns of Nuriootpa and Angaston have CFS brigades? How can a town of the size of Mount Barker, an enormous community, be serviced by a CFS and poor little Eudunda need an MFS?

The Hon. D.J. Hopgood: Salisbury will argue the other way.

The Hon. E.R. GOLDSWORTHY: I do not care. That is probably because they do not want to raise the money. I do not know. Here we have Eudunda.

The Hon. D.J. Hopgood interjecting:

The Hon. E.R. GOLDSWORTHY: Well, if people think the taxpayer would pick up the tab some will grab the chance. Don't let us encourage that, surely.

The Hon. D.J. Hopgood: I am not encouraging it.

The Hon. E.R. GOLDSWORTHY: Well, someone will ask for it. Have a look at what it costs to run the MFS at Port Pirie. We could run the whole CFS on that budget. If we are going to get stuck into efficiency, let us have a look at rationalising the MFS. That is too hot to handle. I know what the Minister has done with that. It is typical of this administration: it is in the too hard basket. This administration tells the warring parties to go off until they have reached agreement. You will never reach agreement with the unions in relation to cutting back some of their dunghill, not in a million years. 'Reach agreement' is just a cop-out. If the Government has the will to make many savings, it should get stuck into that aspect for a start. A bit of rationalisation is needed.

I do not think I need to say any more. This Bill is a move in the right direction. I agree with the member for Davenport: there are a couple of bad points. That does not impel me to vote against the Bill. I think it could be tidied up in one or two places. But, as I have said, this Bill is vital to the people of my electorate and to those people who live in the Adelaide Hills who suffer these devastating and damaging fires every few years. I only wish some of the people who fight against sensible measures for fire protection would go and live in those areas for a while and experience one of these fires. I am quite sure they would learn a salutary lesson.

Ms GAYLER (Newland): I also support this Bill. I will do so briefly because I know that time is short. I also recall from a different perspective the sentiments and feelings of the member for Kavel on the Ash Wednesday fires. At that stage I was working for the present Minister and, on that day, remote as we were looking from the tenth floor of the New Zealand Insurance building, observing the weather and the fires, we witnessed a terrifying spectacle. It was, indeed, a salutary experience.

I support the key initiatives of this Bill, particularly in relation to the command structure that it introduces and the new fire prevention approaches that it proposes. I am a little bit uncertain about the potential value of regional fire prevention councils, but at the district level, which is the other level of fire prevention structure that is introduced by this Bill, we should be able to inject a whole new effort into fire prevention in South Australia. I share the previous speaker's priority that fire prevention in the Adelaide Hills, and in my north-eastern hills area in particular, needs a big shot in the arm.

In addition, apart from the prevention work, we need to do whatever we can to overcome, or be alert to, the lunacy of arsonists, who have been a feature of recent summers, most particularly, in the summer that has just passed, in the One Tree Hill/Kersbrook area. These actions threatened the whole of the north-east hills, including the Tea Tree Gully and Gumeracha areas. It is beyond comprehension that fire bugs can threaten property and lives, including the lives of the volunteers who, on this particular series of evenings, spent night after night out at the fires that apparently resulted from the activities of a fire bug who was beserk in the area. I know that the police have carried out an operation to try to track down the nut. I am not sure about the outcome. I hope that the penalties for arsonists are increased in the Bill.

Mr Lewis: Have you read the Bill?

Ms GAYLER: Yes, I have. I believe that they are. I attended the region 2 meeting of the Volunteer Fire Brigade Association at which the CFS Board and volunteer representatives introduced the standards of fire cover report at the recent meeting at the Gawler Paceway. I heard about the theoretical structure on which the proposed standards of fire cover is based relating to rural fires, building fires and special incidents, such as motor vehicle accidents to which CFS brigades are increasingly called out. I was also interested to hear how resource allocation was to be related to hazard and risk in future allocations of CFS resources, equipment, and so on.

I have some worries about the draft fire cover management prescriptions based on that theoretical model that has been developed. I recognise that the model is a useful beginning, but I wonder whether sufficient regard has been given to the practical side of CFS operations. Regarding the Tea Tree Gully brigades and the brigades covered by the Gumeracha district council, I wonder whether the theoretical model, which the CFS headquarters has developed, has taken sufficient account of the nature of the topography and accessibility for brigades to the risk areas and, in addition, the nature of the hills face zone in that area and the way that fire behaves in the gullies in the hills face zone where there is substantial population, property and buildings at risk of wildfire.

My second worry is the extent to which the personnel needs of the CFS brigades have been taken into account. I am referring to the volunteers. Without the volunteers, the preparedness and capacity to cope with wildfires comes to nought. Therefore, we must take account of where the volunteers come from and how rapidly they can answer a call and respond as a brigade to the unpredictable demands to which they have to react.

The third matter I wonder about is whether sufficient regard has been given to the population growth in my area. For example, there has been an increase of about 900 houses per annum over the last couple of years, and that will continue in the foreseeable future. I am not convinced that the theoretical model has taken account of the population growth and, therefore, the increasing demands on the Tea Tree Gully brigade in particular.

Those matters can be dealt with in submissions to the CFS on the draft fire cover management prescriptions. I will be doing that in consultation with my local brigades, putting forward our view of both the theory and practice of operating an effective, local CFS brigade system.

I take the Director of the CFS up on his offer. He made the point that the draft prescriptions are exactly that—a draft—an invitation to brigades to examine the factual presumptions upon which the prescriptions are based, to put forward any additional factors that have been overlooked and to argue the case on a sound, practical and reasoned basis. We will be doing that and I certainly hope that the CFS, in looking at submissions that must be in by 30 June, will take very seriously the views from the local level about how those ideas, proposals and resource propositions will affect the preparedness and capacity of local brigades to respond.

Overall, this is a very good Bill. As I said, I am particularly pleased that the fire prevention measures have been introduced. The command structure is excellent and the clarification about total fire ban days is a good move. The recognition of volunteer fire brigades is important, and I look forward to the detailed consideration of the Bill.

The Hon. D.C. WOTTON (Heysen): This is a vitally important piece of legislation and I concur with the comments that were made by my colleague the member for Kavel. As far as I am concerned, it is probably one of the most relevant pieces of legislation relating to the Adelaide Hills. It is of major importance how the CFS is run in that area. At the outset, I point out that the thrust of the Bill is okay, and I have had an enormous amount of representation about it. As the member for Kavel said, as Hills members we have the opportunity to spend an enormous amount of time with people who are connected with the CFS professionally, as regional officers, or with the volunteers and supporters of the volunteers. I do not know what percentage of time I spend with these people at a social and business level but it is considerable. They have the opportunity to have their say and to make representation on a number of matters.

There are a few problems in the Bill. Some of those have been referred to and I will take the opportunity to refer to others in the Committee stage, which is the appropriate time to deal with them, but those concerns are not of considerable significance to me. As I said, the thrust of the Bill is okay. It heads in the right direction and is certainly a vast improvement on what was in place. As has been said by so many of my colleagues, it is a great pity that we have had to wait so long for the legislation. I recall more than two years ago asking a question in this House about pending legislation and I was given an assurance that we would see it very soon. We then heard that there would be some changes.

On a number of occasions we have been promised that the Bill would be before this House. I was certainly told that that was the intention of the Government. A large part of the Bill has been prepared for some time. It has needed to be brought into line in a few areas in recent times, but most of the Bill has been on line for some time. I was certainly told that we would see it before the last fire season. We are now debating it in March or April—at the end of the fire season. At least it will give us time to understand the workings of the Bill and give those involved in a voluntary capacity time to acquaint themselves with the provisions of the Bill before the next fire season. Certainly, the legislation has been promised for a long time. It is a great pity that it has taken this long.

I understand that the legislation went into and out of Cabinet with regular monotony. I believe that something like six times the legislation came before Cabinet and went out for some more changes. There were probably reasons for that—I do not know. I understand that after it had been in a few times local government wanted a bit more say, so it came out for more consultation, and so on. However, that is all in the past.

Legislation is now before us and, while some problems will be dealt with in Committee, generally I support the Bill, and that is the feeling of the majority of people who have made representations to me. The majority from the CFS who have spoken to me are supportive of most of the legislation. One of the main reasons for my wanting to speak at this stage is to show my respect to those people involved in this organisation, particularly at the local level. I have had opportunity to spend a lot of time with those people. They are great men and women, who spend an enormous amount of time in the CFS organisation. They are totally dedicated.

I admire the way in which they drop everything at any time and go out, whether it be for a fire, an accident or whatever. They are totally dedicated, as are their supporters. Not only members of the CFS but also their spouses—work in the auxiliaries to raise money for appliances and other purposes, and they are to be commended. I was amazed to learn only recently that one of the auxiliaries associated with the brigade in my area had raised over $100 000 for the CFS through a secondhand shop. They are totally dedicated.

The women work in that shop gain absolutely nothing financially for the hours that they put in day after day. They have been able to raise that magnificent sum of money for their brigade. They are nervous of speaking about it, so I will not identify them because, if people know that they have that much money, they will feel that they do not need to raise any more. That is typical of the type of support that exists, at least in the Hills, and I know that that support is general throughout the State. The work in which the CFS people are involved has changed so much. Originally, when the CFS started up in the districts, it was intended purely to fight grass fires.

Then we saw, particularly in some of the large regional areas (for example, Mount Barker which is now a large regional area), how the majority of people working in the CFS are fighting not bush or grass fires but house fires or are out on the South-Eastern Freeway treating accident victims. My office is directly underneath the Stirling sirens, and I certainly know when its members are called out. Day after day they go out in response to accidents, and not so much in response to fires. It is a different form of responsibility, but they are always there, they are always available when they are needed. Certainly, the responsibilities of those involved with the CFS have changed significantly, certainly in my area.

I will not go through the clauses, because we can deal with them in Committee. I will mention one or two of my concerns. The first has been referred to by the majority of members who have spoken on this side. Clause 67 causes me many concerns, and I hope that the Minister will reply to some of the concerns that have been expressed when he sums up the second reading debate. My concerns are similar to those of my colleague.

I refer to what happened in the early days when a few people in the community got together to raise money. They might have bought an old truck or converted an old shed, and that was how it went. Certainly, I remember going out with my father when I was a small kid in an old International K5 with a drum on the back. That was the extent of the fire appliance in the Uraidla-Summertown area. We went out in summer in that capacity. There was no Government funding then—none whatsoever. If the community wanted something, it paid for it.

We used to have dances, street stalls and the rest of it, and they raised much money within the community in that way. Gradually, those services built up and now we are in a position where, unfortunately, too many groups rely too heavily on Government funding. Certainly, if the community wants to have its own appliances and does not necessarily want to be affiliated with the CFS, it should be able to continue to serve its own area, as has been the case for decades in the past. That is one of my concerns in regard to clause 67.

I again refer to the concern that has been expressed in my district. There is confusion about what is going to happen between the CFS legislation and what is happening in respect of the standards of fire cover. The member for Newland, and members on this side of the House, referred to well-organised meetings that have been organised by the volunteer association, where the opportunity has been provided for CFS personnel to learn more about what is a

consultative report. As the member for Newland said, it is a consultative report.

Through that report there is the opportunity until 30 June for the CFS brigades, organisations and supporters to have their say if they believe that the facts and figures referred to in the report are inadequate. The opportunity is there for them to make representation and, if some of that representation is not picked up, all hell will break loose. If it turns out, as we hear and see so often, that a matter or report is being put out for consultation, and it is just a whitewash, that will be a very different situation.

If some of the concerns expressed by brigades, particularly some of the smaller ones, are not picked up, questions will need to be asked. There is concern about the recommendations regarding the standards of fire cover. A couple of smaller brigades in my own electorate have been told that they will have to amalgamate with another brigade. Having spent a considerable amount of money of new facilities and sheds and built up their brigades to a certain level, both are now being told that they are not required and should amalgamate. I think it is a great pity.

I am pleased that the standards of fire cover are being dealt with on a consultative basis and that those people along with others have had the opportunity to have their say. As I said earlier, I hope that the board, which is responsible for receiving representation, will consider any such representation and make the necessary changes.

On the matter of MFS and CFS activities, I have some concerns. I think it is excellent that in more recent years we have seen some joint activities. I am poles away from a situation where we would ever see the MFS and CFS coming together as one organisation and I do not support that at all. However, some of the joint training programs organised between the MFS and the CFS and the use of joint equipment in some cases augers well for fire services in this State.

In closing I reiterate that this is an extremely important piece of legislation for all South Australians in rural areas, particularly in the electorate I represent. I am pleased with the consultation that has occurred. Few people have been denied the opportunity to learn what is in the legislation. I hope that the Minister will recognise some of the problems and concerns expressed on this side of the House. When amendments are brought before the House I hope that he will be sympathetic, because the majority of members on this side of the House have a good understanding of what the CFS is about, its responsibilities and the way in which it should be run. It would not be wise for the Minister to ignore the opportunities which many of us on this side have had to learn about the workings of the CFS. I support the Bill.

The Hon. H. ALLISON (Mount Gambier): I want to pay a great compliment to CFS volunteers. I have seen them in action during the last 34 or 35 years in the South-East ranging from the 1958-59 bushfires, the Kongorong bushfire, the Myora bushfire, the fires at Wandilo when a number of volunteers lost their lives and, more recently, in the 1983 Ash Wednesday fire when I spent most of the afternoon, evening and early hours of the morning at Tarpeena. I have nothing but admiration for the bravery, dedication, self-sacrifice and willingness of CFS members, not only in the South-East but elsewhere, to give their time for others. I am sure that all members would share that admiration. When one lives in a country area one is all the more acutely aware of the importance of CFS volunteers. I support the legislation largely because I believe that most CFS members would acknowledge that it is essential.

I hope that it will ultimately improve the relationship between the CFS, field volunteers and headquarters staff, because it deals with a very important component—that volunteer component—of the firefighting service in South Australia which is absolutely invaluable to the State and which would be extremely hard to replace if one had to pay for that sort of dedication.

I believe that the intentions of the Director, headquarters staff and the Minister are admirable, but over the past two years of being on the receiving end of criticism from volunteers who have made a regular pilgrimage to my electorate office I would like to say that I felt the CFS people had been treated in a cavalier fashion (which I wrote in a letter to the Minister prior to Christmas) because, immediately prior to the bushfire season in 1987, almost every fire truck in the South-East was defected—put off the road—some for very minor reasons, others for major ones; and, again, in 1988 a large number of units in the South-East were told that they were to be closed down, while a certain number—12 in the Mount Gambier District Council area—were to be kept going. That occurred in the Mount Gambier district, Port MacDonnell, Millicent and elsewhere.

Imagine the consternation that still exists in those units which were told that they were no longer to exist. To their credit, some of them decided to tender for their trucks and to take upon themselves the registration and insurance (if necessary) in order to carry on defending their local communities and supplementing the recognised CFS units which still remained. I express my dismay that the Minister's department took far too long to respond to my pleas of a stay of execution on those units. It was only at the eleventh hour—in fact, a couple of weeks ago—that correspondence was placed on my desk in Parliament House, after I had received phone calls from the Minister's office a few days before saying that help was on the way. Even then the correspondence was inadequate, as it did not represent the information that I had sought, and I am still awaiting the answers.

The reason I asked the Minister for a stay of execution was that the Mount Gambier District Council had been told, in a peremptory letter dated 1 November 1988 from the CFS Chairman—incidentally, the Chairman is also the Director; it is a little like Mrs Thatcher taking the part of the Queen simultaneously, and I do not think the Brits would stand for that sort of an arrangement, but it prevails in the CFS—that he had invoked section 33 (2) of the CFS Act to force the Mount Gambier District Council to spend $360 000 on the purchase of four new vehicles. However, in 1987 all repair orders had been met by the district council, and that was only on a 20 per cent subsidy (now 30 per cent). I believe that the subsidy itself is inadequate; the Minister, in turn, said that the CFS equipment was inadequate. We chose to differ on both counts. I asked for a stay of execution on those units because the Mount Gambier District Council rejected the Chairman's and the Minister's allegations, and that letter has gone to the Minister, although as yet I have not seen a response from the Minister's department—once again, tardiness.

The South-East has a high call-out record; it has a very high fire risk, with high growth in the damp winters and springs; 300 000 acres of pines; a very large hay baling program—a lot of it export hay—with huge bales themselves generating tremendous heat in the centre which creates a new-found fire risk; access problems in some areas where, around Moorak, for example, there are tightly fenced small holdings; and access problems in the pine breaks, where the pines themselves were planted on substandard soils (the light, sandy soils of the South-East), creating prob-

lems for heavy vehicles to move around in with the chance of being bogged.

Despite that, the volunteers were willing to carry on, so really there seemed no reason why the Minister should have agreed with the Chairman's recommendation to close down. The CFS was told that those vehicles were unservicable but it felt that they were okay. Volunteers had a quiet laugh when two vehicles from outside the Mount Gambier District Council area recently attended a fire at Benara and suffered breakdowns. One of them broke a tail shaft and had to be abandoned in the middle of the fire and the other lost its braking capacity on the way home and had to stop and call out for help. So much for the CFS's inspection and passing of vehicles that it thought were servicable.

Meanwhile, I sought the Standards of Fire Cover document, which seemed to be very preciously guarded by the Minister and his CFS Board. In fact, I was told that this was the bible by which the units were being told they could remain in operation or would be closed. I thought that it would be a marvellous document. I did not receive the document from the Minister; rather, I received it when I attended a very belated meeting at Coonawarra. I had to ask whether I could attend that meeting.

The Hon. D.C. Wotton: How did you go along?

The Hon. H. ALLISON: It was by invitation. I was told that I would be welcome but, from the reception I received from one or two board members, I am not quite sure that that was the case. I found that the statistics in the Standards of Fire Cover document were based on reports from units and, also, on the accuracy of those reports being punched into the computer system. The irony of that is that members from one unit in Mount Gambier came to see me in 1987 and 1988 and advised me that on four occasions, on radio wavelengths, they had sent into head office the information and other statistics that were sought, only to be asked a fifth time for that information to be provided. I said, 'Why don't we just tell them to find it?' We did that and, of course, head office did find it.

The Standards of Fire Cover document listed Eight Mile Creek as having either nought or one callout. In my CFS file I have sheet after sheet of documents from Eight Mile Creek listing its callouts. The first document which I happened to check and which was found to be sadly inadequate was the Standards of Fire Cover document. That is the bible from which the Director and the board have worked. Is that based on similarly spurious statistics from all across the State over the past eight or 10 years?

I was not very happy when I attended the Coonawarra meeting, because I expected that, after weeks of waiting for the Standards of Fire Cover document and for a draft copy of the Bill, I would be regaled with masses of important and impressive statistical evidence to back the actions of the Minister and the Chairman. Instead, the 180 CFS volunteers who attended the meeting were presented with a sketchy and unauthenticated string of statistics, which were displayed on a tiny screen that I found hard to see from the front row. Statistics were also presented in red pen in an even smaller form on a metal whiteboard. Again, I was in the front row and could not see them very well. We were asked whether we understood what we were being told. It was unauthenticated, over-simplified and really an insult to the intelligence of the people who attended that meeting. I believe that they expressed their opinions in no uncertain terms during the course of discussions at refreshment time later on.

It was not good enough. We had expected far more from the board than we received. These volunteers do what they do out of the goodness of their heart and they deserve to be kept well informed. For its own part, the board claims that the statistics which it sought were not supplied. As I have said, I have evidence that statistics which passed across my desk had been supplied and perhaps may have been inadvertently misplaced or punched incorrectly into the computer.

By comparison, I point out that the liaison between councils and the CFS in the South-East has been exemplary. They have all worked well together and have had no fallouts. That has been in the face of some of the largest fires that the State has experienced over the past 35 to 40 years that I have resided in the South-East. I also discovered some strange anomalies. Despite the fact that the South-East has about 300 000 acres (and I am not sure how many hectares that is)—

The Hon. D.C. Wotton interjecting:

The Hon. H. ALLISON: Divide it by 2.39—well, the Minister can do that. No hazard has been allocated to the pine growing areas in the Standards of Fire Cover document. That really means that the biggest fire hazard in the State is being ignored for the purpose of setting up the Standards of Fire Cover. There was some suggestion that that was because the Commonwealth Government was more involved in looking after pine forests.

In the South-East we also have some excellent private fire forestry units, including CSR-Softwoods and South-East Afforestation Services—Sapfor. I do not think that anyone would doubt their experience in combating forest fires. After all, that is their bread and butter. They simply have to keep the forests in good order to survive as private forestry organisations. Does that mean that, by ignoring the forests for the Standards of Fire Cover, the Government is placing all of its trust into these private units which it does not even recognise in the Bill before us?

Will the Minister give some recognition to private fire units? Will they be given some form of authorisation, particularly in view of the fact that they contribute private funds and pay council rates—which is more than does the Woods and Forests (and that has been an issue of contention for more than a decade)? They also pay fire insurance levies (although, admittedly some of the pine plantations are not insured because they believe that their own fire units are sufficient insurance in some cases), and they provide their own staff and equipment. Does the Government intend to register them as CFS units in the knowledge that they may not be able to fulfil the requirements of a CFS unit should they, for example, receive a simultaneous fire call through the CFS in the South-East of South Australia and a call in their own privately owned plantations in Victoria?

They contribute greatly to fire protection in the South-East but they are not specifically recognised in the Bill, either by being invited to participate as fire prevention committees or by being recognised somewhere in the definitions as authorised fire protection units. Perhaps in the Bill or the regulations they can be referred to specifically and given some credit for the great part which they play, supplementing or complementing the work of the CFS units.

Another anomaly was highlighted at the Coonawarra meeting when, in view of the fact that funding is still part of the regime of the Bill (it is inserted into one of the clauses), I asked about the costing of the new Bill, the new regulations and the implications for local government throughout South Australia. The almost instant response from the Director's own accountant within the travelling lecture team was that no costing had been done. I ask members to compare that response with the immediate statements from local government. Indeed, I have letters in my file that generally state that, if the high standards are

to be met by local government, large increases in funds will be needed.

Of course, the $360 000 to be paid out by the Mount Gambier District Council for four new trucks at $90 000 each over the next two or three years is ample evidence that substantial funding will be required. Yes, they are subsidised; yes, the CFS has bent over backwards to try to help them over this crisis period but, at the same time, it still means substantial borrowings by the Mount Gambier District Council. At the same time the Government has insisted that the district council pay another $90 000 to the Mount Gambier City Council in view of the recent amalgamation.

It is not relevant to the CFS issue but simply adds to the financial burden in this one year. I also believe that the subsidy scheme shows some inequity. Some of the CFS groups attending the most fires—and Mount Gambier District Council would be among them—receive among the lowest subsidies. It was 20 per cent; I think that it may be 30 per cent.

Mr Gunn: I'm told they have been very naughty.

The Hon. H. ALLISON: They have not been naughty at all. They have responded to the Minister, but the Minister's department has not done much by way of responding, acknowledging and properly arguing the Government and CFS case. The Mount Gambier District Council has not been nearly as negligent as the Chairman of the board implied when he imposed that section 33 (2) upon the Mount Gambier District Council. That was most unfair, and it was the only district council in the State to have that done to it. As a 20 per cent subsidy council one would assume it is doing a very good job, because only the good councils have the low subsidies—and there is another anomaly in that.

I believe that other councils believe that the subsidy scheme has proved inequitable, and I would say that the Minister's invitation for councils to respond to the standards of fire cover document by 30 June will meet with a great many responses from CFS units all over South Australia. I know that those in the South-East will be responding. For the volunteers' sake and for South Australia's sake, I hope that the Minister will listen and will give a reasoned and reasonable response to all of their submissions, because South Australia simply cannot afford to lose the volunteers and their goodwill throughout the country districts of South Australia.

Mr BLACKER (Flinders): I wish to speak only very briefly at this stage and have a few questions I would like to ask during the Committee stage. The Country Fire Service (or EFS, as it was originally known) has played a very important part in the development of Eyre Peninsula and has been highly respected by the whole community. My family has been heavily involved in the CFS. My father was the originator of the first unit formed at Cummins, which was the first unit on Eyre Peninsula, so we have a long association with the CFS movement and its predecessors.

I would like to raise a couple of points as they have been put to me. Local government spokesmen have continually expressed concern that they will not have enough say in this legislation, and have virtually adopted the theme that those who pay should have the say. We should not take that issue lightly. The Government should see whether some better arrangement can be arrived at, but I appreciate that at some point some valuation of property needs to be arrived at. Therefore, some apportionment of funding should be looked at and an assessment made.

Whether the council is necessarily the right instrument to handle it, I do not know, but as councils are being asked to shoulder more and more of the responsibilities it is only just that they should be entitled to a little more of the say than has been proposed.

The other issue which seems to be coming into the whole debate is volunteers versus professionals. We have seen the debate within the St John Ambulance Service, where the volunteers and professionals seem to be at one another's throats, so to speak, and I would hate to think that this sort of antagonism could be seen to influence the efficiency of the volunteer service which has served our country areas so well in the past.

I only hope that the Government is ever mindful of that and that it will honour an undertaking given some years ago that the service should remain in the hands of the volunteers, and at least recognise that that is where the efficiency lies. If it were to be made a professional organisation, the funding obviously would have to be increased many times over to the extent where it would be impossible to fund the operation from Government resources.

A point that has been put to me by a constituent of mine concerns the actual assessment of responsibility for fire control. Legislation which we have had in the past has provided that, for instance, there must be a 12-foot clearance around an area to be burnt, that one is not allowed into a paddock without a spark arrester, that there must be four men for burn-off activities, that burning off must be undertaken during a prescribed period for burning off, etc. All those laws have penalties for infringements, and breaches might mean that a person is liable for a nominal amount or for an amount involving several hundred dollars, or a thousand or more dollars.

It has been put to me that the onus should be put right back the other way: the person who starts the fire must shoulder the responsibility. I would like this checked out to see whether it could apply in all instances, but the adoption of a principle like that could well avoid the necessity for all the other laws. If a person starting a fire knew that they would be held totally responsible for any damage caused, that person would act on the side of caution. The person would certainly make sure that there were appropriate fire breaks and appropriate manpower and resources to contain a fire, irrespective of how it was started. This proposition is perhaps quite at variance with the type of legislation that we have adopted in the past, but it is one that could be considered.

A new image of the CFS seems to be coming through, along with the updated vehicles. The cause for a lot of this upgrading involves insurance cover for people involved in CFS volunteer work. Unfortunately, we are living in an era where when any small thing goes wrong people go off to the lawyers to see what they can get out of the person who breached the law—or if it involves the Government people go for every dollar they can possibly get. It is unfortunate that that attitude is permeating the whole of our society now, and I believe it is taking a toll on our volunteer services. It has meant that the CFS has had to gear itself up with modern equipment and adopt much more stringent rules. This is in addition to the much refined methods of fire fighting and better training that we have nowadays. Of course, the better the volunteers are trained the more efficient they will be at their task.

It was mentioned earlier in debate this evening that there are some 19 000 CFS volunteers. It is probably worth noting that that is roughly the same as the number of farming properties in South Australia. I appreciate that not all volunteers are farmers and that there is give and take in this

area but, effectively, it means that for every farm in South Australia there is one volunteer fire fighter in the CFS. The CFS is probably one of the greatest voluntary organisations in South Australia and it is one of which we can be proud. It is also worth noting that, contrary to some reports, the number of volunteers is increasing and there is more demand for training services. People want to become involved and carry out their tasks in the volunteer services to the best of their ability, with the training that is available.

Reference has been made to the provisions of clause 67, and I relate this quite specifically to a locality where I have a farming property and where a number of local farmers have collectively acquired and built an add-on unit. This is a self-contained unit that can be quickly loaded on to a truck tray. I have had no personal involvement in this, as this arrangement was in place long before I bought a property in the area. I am somewhat concerned that clause 67 might have some impact on these farmers in the area who have financed this fire unit.

I have sought advice and I understand that that is not the case. I would like to put on record that, as I understand it, the purpose of this clause is to stop rebel fire brigades being set up in competition with the CFS fire brigades. I think we would all agree that, should that ever eventuate, it should be stopped. I have been assured that this in no way is aimed at the farmers who wish to jointly purchase a fire unit for the protection of their collective properties. If my interpretation is wrong, I would appreciate the Minister correcting me and puting it on record in *Hansard* to ensure that no-one is misled.

I support the legislation thus far. Concerns have been raised by various members in this debate and I note that a series of amendments will be debated this evening. However, from the information returned to me by CFS volunteers, they seem to be reasonably happy with the general intent of the Bill, although there are some areas in which alterations could occur. However, I again raise the concerns of local government in relation to funding, because it is believed that if those responsibilities are to be foisted on the shoulders of local government, it should have a say in the way in which that money is spent and the service administered in the communities that it serves.

Mr LEWIS (Murray-Mallee): I have no intention of repeating what has already been put before the House by other members. Many concerns, both general and specific, have been expressed by my colleagues in relation to this measure, particularly the lead speaker. However, it is clear from the remarks made that this Bill wins wide support in the Parliament. I am no exception to that. However, I want to put on record a few additional contributions in relation to the overall thrust of the legislation and some specific aspects that I find galling and disturbing about the way in which the Government fails to discharge its responsibilities in connection with fire fighting generally in South Australia. I commend the explicit statements made by the member for Eyre about those specific aspects of the legislation which were relevant to the general case. I know that the member for Eyre also made comments of a more parochial nature relevant to his experience in his electorate or nearby. Indeed, it is his prerogative to do so and I do not detract from any of it. It is a matter for him to judge the relevance or pertinence.

As the member for Kavel has said, the organisation arose out of a concern by people after the Second World War to establish an organisation of volunteers to fight wildfires and to have that action sanctioned by law. There is no question that the relevance of that vision was enhanced by the tragic consequences of Black Sunday, 2 January 1955. People then took the efforts made by a few dedicated volunteers during the preceding decade far more seriously. As a consequence, the organisation grew apace and Government commitment to it as a volunteer organisation also grew.

It is important for all of us to remember that it is a volunteer organisation. It has been effective, where any human beings can be effective in dealing with fires as they arise from either natural and spontaneous causes or, more likely, the work of irresponsible fools or deliberate arsonists, who do not command any respect from me or, I hope, from any other member here. I commend the remarks made by the member for Newland about those recent instances in her electorate where life, limb and property have been put at risk by possibly one nut who has a screw loose somewhere and has taken particular delight in setting fire bombs, departing from the scene, and allowing those devices to explode as incendiaries and start fires on days when there is the greatest risk of rapid spread and damage. So be it.

We need these volunteers, and we must ensure not only that their efforts are respected but that their safety and security are assured in so far as that is possible. In the main they are unselfish in their commitment. The member for Mount Gambier chose terms to describe them which I would endorse if mere words were adequate. They are very courageous and they deserve whatever sensible support we can give their efforts in meeting the threat of fire to our personal safety and the security of our property in rural South Australia.

I have some comments to make (and others have not put them on the record) which are of perhaps a trivial nature but which in my judgment ought to be mentioned. The practice of wearing a uniform came from the former Commissioner Kerr who wore a uniform, as I understand it, for more than 20 years. It was a practice or convention that was followed by Lloyd Johns during his term as the leading paid bureaucrat in the CFS. During those years it was called, as it had been since its inception, the Emergency Fire Service, not the Country Fire Services. The CFS is a recent change of name. It does not really matter, because it still has the same fundamental purpose. Therefore, it is not appropriate for any of us to criticise Mr Johns for having started something that he did not start; he merely carried on a convention. The practice of drilling on parade was not introduced by him either; he just followed the previous practice. I have no great quarrel with his decision to do so. Certainly no-one made a public fuss about the practice while he was in charge of the CFS.

I appreciate the work that has been done by the present incumbent since the departure of Lloyd Johns. It was a difficult period, because many people had strong feelings either way about the work that had been done by Mr Johns. Therefore, it was not easy to win the support and loyalty of all the volunteers. Mr Macarthur has dedicated himself beyond the call of duty and commitment of most public servants in such a senior post in dealing with a huge organisation and large numbers of people from all communities throughout this State.

It is as well to note that a significant number of people throughout the history of the EFS, as it was—the CFS, as it is now—have become permanent officers, having experience in the voluntary organisation in the first instance and perhaps wider experience in other organisations interstate. Mr Macarthur is not alone in that respect. A number of officers have had that experience, and Mr Fitzgerald is one who comes immediately to mind.

I do not share the view of the member for Flinders about clause 67. It is easy for us here to listen to what any Minister

may say a clause means, and I will quote the clause so that those reading the record from this day forward will know what I am talking about. It states:

(1) A person must not, without the approval of the board, be a member of a fire brigade in the country that is not a CFS organisation.
Penalty: Division 8 fine.
(2) In this section—
'fire brigade' means a group of people equipped to deal with fires on behalf of a local community.

No matter what a Minister says to Parliament and no matter what sort of assurances he may give—I think of some of the assurances that I have heard this Minister give in connection with the preservation of native vegetation and the relevant legislation—the end result in fairly short order is something quite different. I have sought assurances and either been given none or been given what I would say are assurances which were intended to allay my fears in the short run but which meant nothing when analysed, as to the form of words used, in the longer term. As a consequence, the things that I feared most came to pass.

Recent judicial opinion has been given on that matter. It does not matter a damn what one or more Ministers say the law means as it is written. It is up to a judge to interpret that and, if a public servant decides to take action to prosecute a citizen under the terms of that law, the court, not the Minister or any collective group of Ministers, will decide whether a person will be found guilty of the offence committed or whether an offence has been committed. Thus is guilt found and penalty apportioned. I feel strongly about clause 67 because it is explicit, and I reckon that it is very bad.

Some of the figures that were used in the determination of the location of units were a bit spurious with respect to distances across water, or across a range of sandhills through which there is no all-weather road, particularly in hot weather when the sand dries out, becomes loose and is impossible to pass or is so difficult to pass that it cannot be done safely at any speed—two or three miles an hour is the rate of progress on a winch. Yet one is led to believe that, where units have been removed as a consequence of the proximity of their location to another unit or units, factors of that nature were taken into account. I know that they have not. It is stupid to say that, because a unit situated at Strathalbyn, Milang or Goolwa is only 30 kilometres away from one at Narrung, either or both should go. Units do not swim. The distance by trafficable road between any of those centres is well over 100 kilometres. In the summertime, the distance between Waltowa and Coonalpyn is not less than 30 kilometres; indeed, it is over 80 kilometres.

You cannot simply cut down the fences and drive over the sandhills. It is about as sensible as saying that a unit in Penneshaw makes the one at Cape Jervis irrelevant. I am sure all members would know what I am referring to in that regard. Equally, a unit in Port Pirie does not make the one in Whyalla unnecessary—it does not follow. Having made that point in relation to clause 67, I think it will mean that a group of farmers or a group of people who live there, predominanly farmers, in any given locality such as Waltowa will not be in law permitted to retain a privately owned, but collectively owned, firefighting appliance. Yet, I know that it would be their intention to do so, and they had not envisaged that clause 67 would be as plain and direct in its effect in law as it is, because it prevents them, as it prevents any other group of people, from forming such a self-protection group and owning in common any equipment that they regard as being appropriate for the short run first response call need until the bigger unit gets there.

The bigger units from the major centres will take longer to get to some of those areas than might seem to be the case if we look at a map and calculate the distance as the crow flies. I hope that the point I am making is not lost to the House, because it is important. It is well illustrated by the examples that I have given. That is why I am utterly opposed to clause 67 in its current form. It is not my place to fix up the mess that Governments make of their legislation. It is my place simply to put on record the concerns which my consistuents have and which I believe are well reasoned and justified. I will not listen to tripe; nor will I repeat it.

As an aside, before making my next point, I say to some of the professional officers and to the very small number (less than a handful on my left hand—and that is fewer than four) who think that I would not know the back end of a fire truck from anything else, that I have had as much experience in fighting fires as any of them have had at the front. I have never been slow in coming forward to support the activities of the CFS, as it now is, and the EFS, as it has always been. I was indeed a member of the brigade on the Roseworthy College grounds when a student there.

I turn to my next point of major concern. Presently a district council in the electorate of Murray-Mallee, namely, Murray Bridge, must contribute about $14 000 annually to the Metropolitan Fire Service for the service that it provides for the people in that township. That is something about which many people may yawn and say is irrelevant. However, that contribution covers about two-thirds of the ratepayers of the District Council of Murray Bridge. Two-thirds of the people are serviced in the area covered by the Metropolitan Fire Service, and that is the levy calculated *pro rata* for that district council.

When, on the other hand, the percentage subsidy is calculated for the CFS in Murray Bridge on the cost of its operations that are to be provided as a proportion of the whole by the CFS itself, we get only 10 per cent. Other district councils in similar situations have the amount of money which is paid from rate revenue to the MFS taken into consideration and get up to 30 per cent subsidy. The Minister of Transport would know about this, and I just wish that the Deputy Premier would pay attention to it.

Damn it, the Minister of Transport, who represents the District of Stuart, has arranged for the people of Port Augusta to be relieved of that cost burden: they get a 30 per cent subsidy, yet people in Murray Bridge are no better placed to pay a greater sum towards the cost of preventing or controlling fires in their community than the people of Port Augusta. It is just bloody unreasonable of this Government to treat the people of Murray Bridge and Victor Harbor in that way.

The Hon. D.J. Hopgood: That's unparliamentary language.

Mr LEWIS: It may be unparliamentary, but the behaviour of the Government in the way that it has treated the community of Murray Bridge on this and other matters over the years is reprehensible, and the Deputy Premier knows it. The Government built a prison out there and it did nothing about providing a road to it, yet the Murray Bridge fire appliances have to get out to fight fires if they break out at that prison. The Government provides money for the road to the Port Augusta prison and it provides a bigger subsidy to the Port Augusta firefighting contingency, yet it treats Murray Bridge and Victor Harbor in this way, and that is disgusting.

The Hon. D.J. Hopgood interjecting:

Mr LEWIS: The Minister can say that this will be good for the local rag, but it will not be good for the Labor Party

in the ballot box at the next election. On that note I leave him to contemplate the consequences of his arrogant indifference.

Mr D.S. BAKER (Victoria): I support the views expressed by members on this side. This important Bill has been out in the community for consultation for about two years. Unfortunately, it has been mixed up at this time—and many of the volunteers have mixed it up—with the 'Standards of Fire Cover' document which has recently hit the community for discussion. There is tremendous concern about the 'Standards of Fire Cover' and the ramifications of that document, and the confusion that exists takes away from some of the good points in this Bill. It takes away from the rational debate that must take place. I believe the claim is accurate that there are 19 000 volunteers in the South Australian CFS.

The Hon. D.J. Hopgood: And growing!

Mr D.S. BAKER: The Minister says, 'And growing!' However, he does not say whether he means in age, stature or number. I have it on reasonable authority that only 1 000 CFS members are trained in the field in which they operate. So there is much work to do in the CFS not only in terms of communication with its members but also in ensuring adequate training for all volunteers. Many volunteers claim that this Bill will be the end of volunteerism as we know it.

In Committee, Opposition members will do their best through amendments to ensure that that position does not arise and that the volunteer aspect is not only enshrined in the legislation but also goes on for many years to come. We will be questioning the Minister closely on many of the clauses because it is important that the volunteer be recognised and not be swamped in the future by paid officers operating from a capital city. It is important not to lose the grass roots support of the volunteers, because this is so important.

The legislation is important because its primary concern is to recognise the volunteers and give them a chain of command that allows them to protect all of us in South Australia from the bushfires that have ravaged this State from time to time. Many members on this side of the House have experienced bushfires. Many of us went through—in fact, survived—Ash Wednesday. The discipline needed by volunteers at that time was just as important as the discipline needed by people living in farming areas, their wives and families. It was this discipline that enabled them to survive.

The training of volunteers is very important. It is equally important that the amendments to this Bill recognise the need to ensure that the position of volunteers is sound and also that local people have an adequate say in the fighting of fires in their district. It would be a tragedy if people in air-conditioned offices in Adelaide were to have a say in how fires are fought in the country districts of South Australia. That is not what this Bill is about and it will not achieve the best protection needed in this State. It will not have the support and recognition of the volunteers who jump on the back of fire trucks if they are not absolutely sure that they are able to make decisions in their districts and if brigade captains do not have the ability to give orders without interference from above. The Opposition will argue strongly in Committee to ensure that this happens.

I have been concerned to hear on the grapevine that 30 new positions have been called for in the CFS bureaucracy. It will be noticed in the Auditor-General's Report that considerable extra expense has occurred in the past two years. I now have it on good authority that the CFS is looking for a new building. This Bill has not passed through the House, but already we have more paid personnel and we are looking for a taller, bigger and better air-conditioned office for the board to sit in and tell us how it will run the CFS in this State.

This is the concern expressed to us by volunteers in the past couple of months. They have a genuine concern: because many of the members on this side of the House are country members, we hear of these concerns from the grass roots. We will argue strongly this evening so that those concerns are put before the Minister. I hope that he will listen and take a constructive view of our comments tonight, because these are the views of the grass roots of the volunteer organisation that we want to protect.

We will not support bad legislation. Some of the clauses in this Bill are totally unworkable—it is bad legislation and must be amended. When we debate these clauses we will see whether the Minister has a genuine concern to ensure that this Bill is in the interests of everyone in South Australia or only in the interests of his advisers.

I support the speakers on this side of the House. We genuinely want to see volunteers protected and we genuinely want the Minister to make this Bill something of which all volunteers can be proud and which they can use in the future to make them feel that they are doing something to protect the country people of South Australia from the ravages of bushfires.

The Hon. D.J. HOPGOOD (Minister of Emergency Services): It is obvious that I will not be able to please all members of the Opposition this evening, irrespective of what I do and of the way in which I treat the amendments which have been placed on file in the name of the member for Eyre. On the one hand, we have had the Stone Age approach of the member for Davenport, who simply wants to oppose the Bill outright. At the other extreme we have the member for Light, and probably I thought rather more of his speech in support of the Bill than the one made on my behalf introducing the Bill when I was out of the State at the time. Other Opposition members adopted various positions between those two extremes. It seemed to me that the member for Eyre was very much at pains to try to set up some sort of straw man so that that straw man could be knocked down.

The member for Eyre went right back into the dim dark ages, when he and I were young members in this place, to tell us a little bit about what had been said by various people in support of the CFS organisation. He said that there were those people who advocated a fully paid service. He did not actually come up with anything except the most indirect piece of evidence for that. I cannot find anybody anywhere who advocates that there should be a fully paid service. What we got was a quotation from a statement made by an officer of the CFS (Mr Secker) who was somewhat critical of some of the courses of action which were advised by some local volunteers in respect of a particular fire.

I have to remind the House that being critical of some individuals associated with the CFS volunteers in a particular situation is a long jump away from saying that we should professionalise and fully pay the whole service—a long way indeed. Let us put this matter to rest. Not only is this Government not in favour of a fully paid CFS but I can find no-one else who is in favour of a fully paid CFS.

Not so long ago one or two ambitious individuals decided to stage a town hall meeting to protest against the insidious professionalisation of the CFS, or something along those lines, and they tried to draw the CFS area into the St John

Ambulance argument. Well, about two men and a dog turned up, as I understand it, because there is just no credibility in the fears that were being put about by these particular individuals.

There is a great need to support the volunteers, and in fact the volunteers through their duly constituted association support this Bill. I will cite the contents of a letter that I have in front of me to the House. This letter, addressed to the Chairman of the Country Fire Services, stamped as received on 18 January but dated 15 January this year, signed by Mr John Forster, the State Secretary of the South Australian Volunteer Fire Brigades Association, states:

> Dear Sir,
>
> Proposed Amendments to the Country Fires Act
>
> This Bill has been examined by our management committee who wholeheartedly support the entire thrust of the document and request consideration be given to the following minor amendments:

The pagination in the letter does not, of course, correspond to the Bill in front of us because there has been some redrafting since the letter was written, in part in relation to some submissions we have received from volunteers. The letter states:

> Page 17—
>
> Division IV 26 (1)
>
> Provision should be made for the recovery of the cost of attendance at incidents other than those involving fire.
>
> Page 33—
>
> Division VI 45
>
> That this section be extended to require that an extinguisher be carried in a houseboat.
>
> In view of the very limited time available for comment, we understand that some regional associations may make separate responses to you.

I have checked, and there was one other response from a regional association. In fact, the two minor matters which were urged upon the Government by this organisation, which represents the volunteers—mind you, there had been many submissions prior to that time from all sorts of quarters, but this was when we were getting close to the end of the process—are of course taken care of. The first is covered in the Dangerous Substances Act (which covers matters in relation to chemical spills and so on) and the second in the Boating Act (where there is provision for those requirements to be imposed).

As to the possibility that regional associations would make their own submissions, I indicate that region 2 made submissions, both directly and through one particular member of the South Australian Parliamentary Labor Party, who in turn conveyed those concerns to me. Without going into a great deal of detail, my understanding is that just about all those concerns were taken up in the final drafting of the legislation which we have in front of us. So, whatever might be said to individual members by individuals out there in the field somewhere, all I can say is that this Government is under advice from that organisation which represents the volunteers and which, as I understand it, has their confidence. I do not see how these people could continue in office if they did not have the confidence of their own membership.

That organisation supports, virtually fully, the thrust of the Bill. Of course, I am not altogether surprised about that: first, because of the amount of consultation that has taken place in our effort to take on board the concerns of the volunteers; and, secondly, because the Bill embodies a more active role for the volunteers at the highest possible level in the organisation.

The Bill proposes to double the representation of the volunteers on the board. Surely that is some talisman of the value which this Government places on advice from the field. There will always be differences; there will be arguments about the way in which particular fire incidents should be handled. All I wanted to do in my disorderly way when, as I recall, I interjected on the member for Eyre (and it inflamed him just a little), was to point out that one has to make a variety of responses. The member for Eyre will remember fairly clearly one or two incidents in relation to the Danggali fire. I believe that the initial decision taken on the spot that earthmoving equipment should be used in that rather remote sort of environment was incorrect. As I recall, when control was assumed by the central headquarters of the CFS, the decision was taken to remove the earthmoving equipment from that situation.

One has to look at a response which is sensitive to the local environment and accept that in some of these remote locations less damage may occur by allowing the fire to burn on, at least for a time. I support fully the member for Light's statement that our prime consideration has to be for the safety of the firefighters themselves. By the very nature of what they are doing they are in a hazardous situation, but everything that can be done to minimise the danger to those individuals, including the way in which a fire should be addressed, should be done. Again, I believe that the thrust of this Bill is very much along those lines.

The better trained and more professional—not in a paid sense but in every other sense—an organisation like this is, the less likely it is that it will be subject to injury and loss of life as a result of inappropriate decisions. That is why I find the logic of the member for Victoria just a little strange. I do not think that I am misrepresenting him when I say that what he really said was that in every situation it really has to be the decision of the people on the spot rather than any expertise that might be proffered from the central authority of the CFS.

I do not think that I am being unfair when I represent that those were his very remarks. Earlier, he said that training was so very important—and I agree. Again, that is part of this thrust towards an unpaid but professional, if I can use that word, set of brigades. Who other than the people from the centre would do the training? Why is it that we so much value their expertise when it comes to training people on the spot, but are prepared to set that expertise at naught when it comes to the actual addressing of a fire incident itself?

I am sorry, but I simply do not follow the logic. Of course it is necessary to take into account local expertise and local experience, but at the same time to suggest that the central organisation has merely a role to play in terms of providing the resources and that is it, seems to me to fly in the face of the very logic that the member for Victoria in his better moments is urging quite validly on this House. It seems to me that the centre and the periphery both have a vital role to play in this case, and I believe that those members opposite who have implied that this Bill has the balance correct in this matter are spot on. They do understand that the balance is pretty well correct in this Bill.

A number of matters were raised in relation to amendments which are to be pressed at the Committee stage. It is not appropriate for me to canvass my attitude to them now because it will only waste time. I will address those matters as they arise. I do have to take the member for Davenport somewhat to task when he delivered either to me, the board or to the professional officers of the CFS some sort of gratuitous insult in suggesting that there would be any possibility that by reading out a document in this Chamber he might be somehow leading to a witch hunt against those who in fact had originated the document.

Not only is that insulting but it is also silly, because how can you ever undertake reprisals against volunteers? You

rely on the good will between the volunteer and the organisation, irrespective of what the organisation might be, for the continued involvement of those people. I have been in any number of voluntary organisations and you have got those people for only as long as they are reasonably happy with what is going on. If you go out of your way to insult them, if you go out of your way to institute witch hunts against them, they will just leave. They will say, 'Put out your own fires, Mr Minister, Mr Chairman of the board, Mr Board' or whoever else it might happen to be. I just found it somewhat offensive for the honourable member to raise it in that way.

Similarly, I found it a little strange that the member for Murray-Mallee should say that it really was not his responsibility to correct deficiencies in legislation, or words very much to that effect. I am not quite sure—I guess he will make it a little clearer as we go on—but he may only be talking about amendments to be moved by the member for Eyre. However, I would have thought that, as a legislator, that is basically what he is paid for. If he does not like the legislation that is before the House, he may vote against it or he may write up his own amendments which he can proffer on members in Committee rather than in a Pontius Pilate sort of way simply wash his hands of the whole business.

One or two other brief points of detail were mentioned that may not come up at the Committee stage, and I will refer to them now. So far as the member for Mount Gambier was concerned, the board has not closed down units at Millicent or Port MacDonnell. There may indeed be units that have decided to close their doors because of a voluntary amalgamation with surrounding units, but I have checked and the board knows of no units that it has required to close down. On the matter of the private forests, those people will be able to register as brigades, and section 67 cannot in any way be used against them. I will come to that a little later. Also, the member for Mount Gambier was concerned about the five year program of replacement. The council did not respond to the challenge to put up a workable proposal for us.

I must reiterate that, based on the returns from the brigades themselves, the number of registered volunteers has increased during the past 12 months. That is a strange index of dissatisfaction, and I say that by way of riposte to those members opposite who think that there is a great deal of disaffection in relation to the operation of the volunteers. I am not aware that the specific amendments which are to be moved by the member for Eyre or by other members opposite have the support of the Volunteer Fire Brigades Association, and would be interested to know whether they have been consulted in this matter. I commend the Bill to the House.

Bill read a second time.

In Committee.

Clauses 1 and 2 passed.

Clause 3—'Preliminary.'

The Hon. H. ALLISON: Later in the Bill there is reference to unauthorised units. Will the Minister deem it necessary to include the definition of an authorised unit? An authorised unit might include such units as the South-East Afforestation Service, Sapfor and the CSR-Softwoods units, which are first class. For a long time they have been dealing with fires occurring in their own privately owned forests, and to ignore them completely by not including the definition of an authorised unit is really saying that we do not need them, in which case I am not sure what the Minister will do with them. Perhaps the definition of an authorised unit to include those private units might be a way out, and provision for them could be included in regulations.

The Hon. D.J. HOPGOOD: I do not think it necessary, because those units would be included as part of the CFS and would be able to participate fully in the regional committees and all the other things envisaged under the Bill.

Clause passed.

Clause 4 passed.

Clause 5—'Non-derogation.'

Mr GUNN: I seek a brief assurance from the Minister that this clause will not prevent proper clearing of fire breaks and access roads owing to the provisions of the native vegetation legislation which is currently on the Statute Books. The Minister would be aware that it is absolutely essential that adequate access roads and fire breaks are cleared and continually sprayed to ensure proper fire prevention in national parks and other large areas of South Australia.

The Hon. D.J. HOPGOOD: The Native Vegetation Protection Act already provides that fire breaks can be cut, and it is one of the specific exemptions to the general powers of the authority laid down in that Act.

Mr S.G. EVANS: The Mitcham council issued a notice to me to clear all the undergrowth from five acres or I would be liable to a penalty of $5 000. It was in the Hills face zone. I take it, from this legislation, that if it is in the Hills face zone and is not native vegetation one can clear it. In the case I have mentioned it was native vegetation in the Hills face zone and I was caught in under threes Acts. It is now back to two Acts, but what happens where a person owns a patch of native scrub that has not been touched for 20 or 30 years? For example, some of the vegetation in the Sturt Gorge has not been touched since 1934—some 50 years ago. What happens in relation to that vegetation, where a neighbour believes that it poses a danger to his or her property?

This legislation will stop anyone issuing a notice or asking a person to clear the vegetation, to make it safe, even with a slow burn. However, it could put at risk people's lives and property—because the Native Vegetation Act takes control. The only thing that a person can do is to put a fire break around their property. However, the question of what is an appropriate fire break was recently argued in a court case: is it 100 metres, 200 metres or a third of a mile? With an Ash Wednesday-type fire, a fire break of 200 metres would most probably not be sufficient for a property on the top of a slope perhaps 500 metres long and where the lower 300 metres of that slope is covered in a mass of dense eucalypts and undergrowth.

I can understand what the Minister is trying to do in regard to native bushland—that is, save it, but there is a conflict, and it could involve real danger. It could be as bad as a rubbish dump. It could be a nuisance to a group of neighbours. The top of the Sturt Gorge is an example. The Loftia Conservation Park is another example. The one at Scott's Creek is not quite so bad, because there are not so many homes abutting it on the dangerous side. A fire going through there would most probably not affect any homes as it would rage on to the Engineering and Water Supply Department reserve and then on to Meadows, if it was not stopped. However, can the Minister explain the situation in relation to that inherent danger with a property of perhaps 200 or 300 acres adjoining a dense residential area, like Cherry Gardens, Ironbank, part of the Coromandel Valley and Upper Sturt and where nothing can be done with the native vegetation?

The Hon. D.J. HOPGOOD: There will be fire management plans for reserves under the National Parks and Wild-

life Act, and whatever happens would have to be in accordance with those fire management plans. The fire management plan would be a public document and the local CFS would have been consulted before it was drawn up. In relation to private property, the relevant legislation would be the Native Vegetation Act and this legislation—not the National Parks and Wildlife Act.

There is sufficient flexibility in the Native Vegetation Act for the Minister to require that there be a burn of an area—not such as to clear or obliterate the vegetation of the area. It might perhaps lead to a good deal of fresh germination, as in the time-honoured tradition of the Australian vegetation. There is certainly power in the Native Vegetation Act to allow that to occur where a certain area of vegetation is seen to be a hazard. However, certainly the balance is probably tipped against the wholesale clearance of that vegetation. I make no apology for that; indeed, I am quite happy to boast that I have been able to import that sort of flavour into this legislation.

The Hon. E.R. GOLDSWORTHY: I rather like the flavour of that answer. I refer specifically to the Hills face zone, to which I referred during the second reading debate, and to the hazard that vegetation poses to people who live above that area. Will the Minister indicate when these fire management plans are likely to be in place and whether the plans will deal with the question of reducing fire hazard? It is all right to talk about fire management when the fire starts, but I am more interested in the reduction of the fire hazard by various means and I referred to those means earlier this evening. I would like the Minister to elaborate in relation to that.

The Hon. D.J. HOPGOOD: First of all, the Hills zone, to which the honourable member has just referred, is, for the most part, in private property. Therefore, it would only be those areas which are in Government ownership and which are specifically—

The Hon. E.R. Goldsworthy: I am talking about Tea Tree Gully right through to Belair.

The Hon. D.J. HOPGOOD: Those areas of the hills face zone which are in Government ownership and which are, in particular, the property of the National Parks and Wildlife Service, will all be subject to fire management plans. Those plans are being drawn up at present.

The Hon. E.R. Goldsworthy: When will they be ready?

The Hon. D.J. HOPGOOD: Some are ready and some are not. I cannot provide specific information in relation to every reserve through that area for the honourable member, but I can obtain it for him. That is no problem. That applies only to those areas which are publicly owned. Of course, private owners of land can have a fire management plan for their property if they so desire; in fact, we encourage that. However, there is no specific stress on them to do so. Of course, the honourable member's colleague from Davenport was talking about privately owned areas rather than publicly owned areas.

The Hon. E.R. GOLDSWORTHY: I am concerned about those areas that are an enormous hazard to people living above them, that is, the area from Tea Tree Gully through to Belair. The Tea Tree Gully Reserve, which is now under the control of the National Parks and Wildlife Service, an going on to Black Hill Reserve, Morialta, Cleland and so on—the whole sweep of that hills face zone, above which there is an increasing density of population—poses an enormous hazard. I have pointed this out on numerous occasions, until I am almost blue in the face. The fire management plans and the Government's plans to reduce that hazard are of great interest to all of us who live above that area.

When will the fire management plans be ready for public scrutiny? Does the Government intend to institute the sort of regime which has been instituted in Western Australia to reduce the fire hazard and which was referred to by the director when he appeared before the select committee? It is all right to talk about controlling the fire once it starts, but if it starts on a red alert day and if it is in inaccessible country, it will be uncontrollable. There is a whole range of questions. One has to be able to get to the fire quickly. The member for Davenport raised a pertinent point: if one cannot get to the fire quickly, the battle is probably lost before it is started. It is a question of access. To a large extent it is a question of reducing the load of fuel which accumulates over a period in those areas.

When the Anstey's Hill Reserve was under private ownership, the fire hazard was far less than has been the case since it was taken over. It came into Government ownership and fell into disrepair. I am pleased with the tenor of the Minister's statement, but, we hope that this leads to fairly prompt action. I for one want to see these management plans as soon as they are available.

Clause passed.

Clause 6—'Establishment of CFS.'

Mr GUNN: Clause 6 appears to be drafted in a manner that is different from the normal process. Normally, the CFS Board is the body corporate. Has the Minister any reason for this form of drafting?

The Hon. D.J. HOPGOOD: I do not think there is any particular significance in it. Obviously, the board is the instrument of the CFS.

The Hon. H. ALLISON: The smaller CFS brigades have requested that I ask whether they will need individual constitutions and whether they will be bound by legislation such as the Associations Incorporation Act.

The Hon. D.J. HOPGOOD: They will not be bound by the Associations Incorporation Act. I think that is specifically spelt out in the measure, and we shall get to it in time. They will be required to have their own constitutions, and no doubt there will be a draft document to assist in this matter. The whole idea is that the body corporate will be the whole of the CFS, not simply the board.

Clause passed.

Clauses 7 and 8 passed.

Clause 9—'The CFS Board.'

Mr GUNN: I move:

Page 4—
Line 26, leave out 'seven' and insert 'eight'.
Line 27, leave out 'six' and insert 'seven'.
Lines 32 to 39, leave out all words in these lines and substitute new subparagraphs as follows:
(iia) one will be chosen from a panel of three submitted by the United Farmers and Stockowners Association;
and
(iii) two will be nominated by the Minister, one being a person with experience in financial administration;.
Page 5, line 9, after 'Board' insert ", other than the Chief Executive Officer,".

The composition of the board has aroused considerable discussion by people who are interested to ensure that it truly represents all those who are involved in the Country Fire Services. By far the largest group comprises the landholders in South Australia. There are 23 000 or 24 000 rural properties in this State. Therefore, it is only reasonable that the United Farmers and Stockowners Association, which represents them, should be entitled to have at least one nomination on the board. These people will be paying the fire levies and providing a large proportion of the revenue that the board will spend. Not only that, but these people will be involved in supporting the CFS. Therefore, it is only

fair, reasonable and just that they should be entitled to have at least one person on the board.

These are reasonable, sensible and fair amendments, which would add merit to the board. I believe that they have the overwhelming support of those who have been involved in discussions in this matter. I sincerely hope that the Minister will accept the amendments and commend them to the Committee.

The Hon. D.J. HOPGOOD: I urge the Committee to reject the amendments on two grounds. First, UF&S members can be adequately and appropriately represented by volunteer and local government representatives. It is appropriate to have seven members. It would be unfortunate if we had an even number. It is also important that we keep in the Bill the requirement that one of the nominees of the Minister should have land management experience.

It is usual for Opposition members to say to a Minister, 'You will not always be the Minister'. That is why they want something specific written into the Bill to provide for whatever particular principle they are looking for in the debate. I know that I shall not always be the Minister of Emergency Services. Therefore, I wish to leave embedded in the legislation that there should be on the board a person with experience in land management, be it forestry, national parks or something like that. That is already covered through the existing nominees. I think that there is a reasonable balance between the volunteers, who get two representatives, the Minister, who gets two representatives, local government, which gets two representatives, and then the Chief Executive Officer who currently is the Chairman of the board. It seems to me that that is a reasonable balance of the interests that are brought to bear on this problem—a balance which is thrown out by the Opposition amendment—and I therefore invite the Committee to throw out the Opposition's amendment.

Mr GUNN: It is rather unfortunate that the Minister has adopted that attitude. If he is concerned about the increase in the size of the board, we can soon accommodate that by taking off one nominee and replacing that person with someone from the United Farmers and Stockowners Association. The Minister bases his defence on the fact that one person must have experience in financial administration and land management. Nothing in the clause states that the person involved must have a rural background or farming experience: it could be someone with academic qualifications.

Mr Robertson interjecting:

Mr GUNN: Certainly someone like the member for Bright would be a calamity and a disaster.

Members interjecting:

The CHAIRMAN: Order!

Mr GUNN: It would be unfortunate for the farmers. We are dealing with a practical problem and the board needs practical and sensible people on it. There is nothing in the clause to specify it.

We could also have someone from the Department of Environment and Planning, claiming to have land management experience. To date, their track record has been abysmal and absolutely deplorable. They have achieved as much as what Paddy shot at in relation to effective land management, yet the Minister expects us to accept that explanation in the hope that it will pass by. I can tell him that it will not pass by, as it is an important amendment. We want to know whether it will be a practical farmer or someone whose land management experience is based on academic qualifications and not on practical experience and on understanding rural management.

The Hon. R.G. Payne: Where does it say about academic qualifications?

Mr GUNN: Their land management experience could be what they had read in books or gained at the university. There is nothing to say they must have come from a rural background, particularly amongst those who will not have a great deal of representation and who live in isolated pastoral areas of the State. Those people will have no chance of having someone from their region sit on the board. We know what happened a number of years ago, when there were particularly good years in the North.

We have now had a huge quantity of rain in the northern parts of the State and it is fairly obvious that we will have a bushfire problem in the future. It would be of great benefit to the board if someone with experience in that area was on it. Because of the way in which this clause is written, these people will have no opportunity whatever to be represented. The Opposition wants clear and precise explanations of what type of people will be nominated to this position.

Mr D.S. BAKER: I support what the member for Eyre has said. It is most important that the people who live outside local government areas in the greater proportion of the State, and who have no consultation with councils because there is no local government, have on the board a representative who understands what goes on in those areas. I support the amendment because at least it gives the people in those areas, represented by the United Farmers and Stockowners Association, a chance to consult with the board. Nothing in the legislation as I read it, allows those in the vast majority of land areas in the State that are not represented by local government to have an input through their organisation to the board. I therefore support the amendment most strongly.

Mr GUNN: I am sorry that the Minister has taken it upon himself so early in Committee not to respond to my question about the background of the person to be appointed and who is supposed to have this great wisdom in relation to land management. We want more details about the experience and practical positions that this person has held in land management.

The Hon. R.G. Payne: What about Grant Andrews?

Mr GUNN: He was, and still is, a professional administrator. We are looking for people who are in daily contact with the sorts of land management involved.

Members interjecting:

The CHAIRMAN: Order! Interjections are out of order, and I ask the member for Eyre not to respond to interjections. I ask him to address the Chair.

Mr GUNN: I apologise. I was rudely interrupted. It is not often that I get off the track. This is an important matter, as this is the last chance that we will have in this debate to have an input. It is obvious that the Minister will have his way in this Chamber, but this will be one of the many matters that we will critically examine upon coming to Government. That is the only solution to these problems if our colleagues in another place do not have their way and amend this legislation. Certainly, we will critically examine it upon coming to Government. We believe in fair and adequate representation, and we are entitled to a reasonable answer from the Minister.

The Hon. D.J. HOPGOOD: I apologise to the honourable member and I will respond to his specific question. My present nominees on the board are Messrs Dennis Mutton and Mel Whinnen. Mr Whinnen has financial expertise and Mr Mutton has both financial and forest industry expertise. It is the Government's intention to appoint these two gentlemen to the new board.

The Committee divided on the amendment:

Ayes (15)—Messrs Allison, P.B. Arnold, D.S. Baker, S.J. Baker, and Blacker, Ms Cashmore, Messrs Eastick, S.G. Evans, Goldsworthy, Gunn (teller), Ingerson, Lewis, Meier, Oswald, and Wotton.

Noes (24)—Mr Abbott, Mrs Appleby, Messrs Blevins, Crafter, De Laine, Duigan, and M.J. Evans, Ms Gayler, Messrs Gregory, Groom, Hamilton, Hemmings, Hopgood (teller), Keneally, Klunder, McRae, Mayes, Payne, Peterson, Rann, Robertson, Slater, Trainer, and Tyler.

Pairs—Ayes—Messrs Becker, Chapman, and Olsen. Noes—Messrs L.M.F. Arnold and Bannon, and Ms Lenehan.

Majority of 9 for the Noes.

Amendment thus negatived.

Mr GUNN: My next three amendments are consequential upon the first amendment to clause 9 and I do not wish to proceed with them.

Mr S.G. EVANS: I wish to comment briefly on this clause. I refer to a submission to me by the Coromandel Valley CFS brigade. I believe that its view has some merit and for that reason I wish to make the following point. The Minister said that the executive of the volunteers expressed a view in overall support of the Bill. In saying that he recognised, as I have, that many of the volunteers are concerned that the executive did not go back down the line to seek advice at grass roots level.

That is something for the volunteer organisation to work out itself. This clause provides that the board shall consist of seven members, of whom two will be from the South Australian Volunteer Fire Brigades Association. It was submitted that two members out of seven gives a 29 per cent representation which, as the Minister said, is better than it was in the Act, which was one member out of five, or a representation of 20 per cent. However, that is not as good as the 1976 Act, which provided for four members out of 10, or 40 per cent representation.

The submission states that many volunteers are prepared to set aside their own business interests for the cause of firefighting and that, unless they are able to properly influence CFS decision making, especially relating to rationalisation of units, the whole volunteer system which has been cost effective in the past will be in jeopardy. The submission asks whether the taxpayers will accept the cost of a professionally paid CFS, and suggests that volunteers be given a more effective say in their own organisation. I support that view. It is important that as much representation as possible be given to provide an opportunity for volunteers to pass their views up to the top.

It is easy for the executive of the volunteer firefighters association to hold a view as an executive, pass it on, and not seek the advice of those down the bottom. The Minister is correct in saying that it is up to the volunteers to try to correct that situation, but I put it on the record that there is a concern in that association that that has not occurred up until now. I trust that it will occur in the future. I do not seek to amend this clause; I just make that comment because I believe that the submission of this unit, which is fearful of what is likely to happen to the volunteer service in the future, is valid.

The Hon. D.J. HOPGOOD: Each region has had its separate meeting on this legislation and each region is representative on the board of the South Australian Volunteer Fire Brigades Association. I really cannot see what could be more democratic than that.

Clause passed.

Clause 10—'Responsibilities of the board.'

Mr S.G. EVANS: Subclause (2) *(c)* provides that the board has the specific responsibility, among other things, to carry out the necessary planning and investigation (in consultation with appropriate authorities) in order to determine the nature and extent of the CFS resources required in each region and area. A submission was put to me in relation to this paragraph in the following way:

> This clause perhaps more than any other represents the changed attitude of the CFS board in taking on the role of determining what is and what is not satisfactory fire protection for a community to have. Implications of great concern to us are:
>
> *(a)* No specific requirement for the board to consult with CFS brigade or members. Our recent experience over the Standards of Fire Cover (SFC) issue shows a complete lack of courtesy by the board or interest in discussing its implications with the Coromandel Valley and Happy Valley brigades (proposed fire station amalgamation). Community action letter to Dr Hopgood required to force the issue.
>
> *(b)* Previously responsibility for adequate protection began and ended with the local community. Now it appears to be the board's responsibility and the resulting loss of life and property must necessarily be attributed to the CFS board's 'expert advice'.
>
> We are concerned because the opinions of CFS headquarters reveal in some areas a significant lack of understanding of Hills firefighting needs. There are many examples of CFS headquarters directives to us to reduce our equipment standard that have been reversed by strong consultation. Headquarters has, in the light of evidence, changed its mind—they do not possess the necessary understanding to be in such a position of authority!
>
> *(c)* Great concern must be held for the CFS board in *(b)* above because it has impressed the general public in media statements about the desirability of adopting proposed Standard Fire Cover, yet it is not at all generally known by the public that the Standard Fire Cover is not intended to cover an Ash Wednesday type situation (statement to us by the Director, CFS headquarters).
>
> *(d)* It is true that any brigade or council group may provide more than the minimum standard fire cover, but nowhere is the CFS board going to any great effort on our behalf to recommend this and so it appears that the board is rather happy with their Standards Fire Cover and accepting responsibility as stated in *(b)* above. It would be much preferred and safer for the CFS board if its function was to assist each CFS group to carry out the function described in clause 10 and to coordinate these resources, as at present, to work effectively on a State-wide basis.

That makes the point, with which I agree, that we are gradually reversing the process so that there is very little input coming from below and basically it is coming from the top. In a volunteer organisation, that sort of system is likely to cause reactions and will not work effectively.

I note that the Minister mentioned my comment that some people feared that there could be some repercussions and said that he believed that it was insulting. I accept that comment, but I must say that some people were fearful that, if they put their thoughts down on paper, I would use those comments. I have been assured that no repercussions will occur. I believe that their concerns about this clause should be made, and that is one of them.

The Hon. D.J. HOPGOOD: I am astounded by that. In effect, the honourable member asks what is the model that will be carried out in relation to clause 10 (2) *(c)*. I cannot think of a better model than the recent consultation, particularly over the Standards of Fire Cover. The CFS organisation has taken it upon itself to go out and talk to the brigades. I know that a special meeting is to be held with the Happy Valley brigade in relation to this matter. I really cannot think of a better example of the mechanism that will apply.

Let us not confuse the mechanism with the outcome. Of course, from time to time there will be disagreements as to

a specific policy which is adopted, but it is quite clear from the track record of the CFS board that there will be full consultation with the brigades in relation to things as envisaged in clause 10 (2) *(c)*.

Clause passed.

Clauses 11 to 13 passed.

Clause 14—'The South Australian Volunteer Fire-Brigades Association.'

Mr S.G. EVANS: This clause is interesting and I ask members to note its wording. It provides:

The South Australian Volunteer Fire-Brigades Association is recognised as an association that represents the interests of members of CFS organisations.

The Hon. R.G. Payne: What's wrong with that?

Mr S.G. EVANS: It does not say that it is the only association.

The Hon. R.G. Payne: Maybe 10 members are not in it.

The CHAIRMAN: Order!

Mr S.G. EVANS: The reason is that, if you want to have paid personnel who belong to the union, you could then say that the union is also an organisation that can be recognised. I do not believe that that wording is an accident. I believe that it is quite deliberate and it continues:

The association may take such steps as may be reasonably available to it to advance the interests of members of CFS organisations.

The Hon. H. Allison: What about the word 'volunteer'?

Mr S.G. EVANS: My colleague asked about the word 'volunteer'. This clause mentions 'members of CFS organisations'—it is not just 'volunteers'. As it reads at the moment it is just an organisation that represents members of the CFS.

The Hon. D.J. Hopgood: Organisations.

Mr S.G. EVANS: Yes, but it does not say that it is the only one and I believe that it is left wide open for the purpose of gradually moving to more paid personnel until the unions move in, as has happened with St John Ambulance, and we will have the same humbug again. I believe that an association is needed to represent the volunteers, but the volunteers need to keep themselves wide awake for the implications under this clause.

The Hon. D.J. HOPGOOD: That may have been the longest bow that has ever been drawn in Committee in this Chamber, if not this Parliament. Of course, there may have been one or two when the premises next door were occupied in the last century. It is utter nonsense. Whatever happened to freedom of choice? If indeed the definite article had been used in place of the indefinite article, no doubt the honourable member would have been on his feet saying that this Government is requiring that all volunteers join a particular association because no others will be recognised.

Mr S.G. Evans interjecting:

The Hon. D.J. HOPGOOD: Of course. It is just utter nonsense. Of course the paid officers of the CFS are members of the appropriate organisation. You would expect that to happen for ordinary industrial purposes. It is quite clear that the fears being expressed by the honourable member are nonsense. I do not know that I should dignify him with a response, but, if I do not, in a hundred years time somebody will read *Hansard* and wonder why I did not respond.

Clause passed.

Clause 15 passed.

Clause 16—'The command structure.'

Mr GUNN: This is a particularly important clause because the Opposition recognises the importance—

The Hon. R.G. Payne interjecting:

Mr GUNN: Just listen. The Opposition supports an appropriate command structure and we do not want to do anything to impede that. We also recognise that it is essential to maintain the volunteer concept in the chain of command of the Country Fire Services. If the organisation is to be well supported and remain effective, it must be clearly and precisely indicated in the Act of Parliament providing for the continuation of the Country Fire Services that volunteers are recognised. Therefore, I move:

Page 7, after line 43—

Insert new subclauses as follows:

(1a) A group officer will be elected, in accordance with procedures prescribed by the regulations, by representatives of the various brigades that make up the group.

(1b) A brigade captain will be elected, in accordance with procedures prescribed by the regulations, by the members of the brigade.

(1c) A person is not eligible to be elected as a group officer or brigade captain if he or she is an employee of the CFS.

This is a precise and clear amendment which will enhance the organisation. It is supported by those people who have been in contact with the Opposition and we look forward to the Minister's support. We recognise that regional officers will be full-time members of the staff of the Country Fire Service. There was a slight problem with the numbering of this amendment, but the Opposition believes that it is appropriate.

The Hon. D.J. HOPGOOD: The honourable member said that he looked forward to the Minister's support of this matter. He has it.

Amendment carried.

Mr GUNN: I move:

Page 8—

Lines 3 and 4—Leave out 'certain ranks in the CFS' and substitute 'various ranks in the CFS.'

Line 5—Leave out 'until approved by the board' and substitute:

—*(a)* in the case of the election of a group officer or brigade captain—until after consultation with the council or councils (if any) for the area or areas where the group or brigade operates;

and

(b) in any case—until approved by the board.

This amendment allows councils to have an input into the selection of those people who will be playing very important roles in their community. Therefore, it is appropriate that local knowledge be taken into consideration. I look forward to the Minister's ongoing support.

The Hon. D.J. HOPGOOD: The honourable member does not have it. I cannot see any point in the amendment to lines 3 and 4; I do not see what that imports into the Bill. So far as paragraphs *(a)* and *(b)* are concerned, these officers have operational responsibility under the Act and, under the principle of a single chain of command, I do not think that they should be influenced by or beholden to local government. They should be elected on the basis of skill and experience, and that can be assessed objectively by the board, rather than by local government. For that reason I must reject the amendments.

Mr GUNN: That is unfortunate, because it is important to understand clearly that in many cases the majority of board members may not even have laid eyes on some of these people, so I cannot understand how they would be able to make an informed judgment as to people's ability to lead others, to give direction, the experience they have had in command or the experience they have had in fire-fighting. They may have received training, but that is not the only criterion to be considered.

People must have the ability to lead others, so that when they give directions people respect and have confidence in them. They must possess the greatest attribute anyone can have—common sense. It is unfortunate that the Minister wants to deny local people the opportunity of input by the

responsible organisation in that community, the elected representatives of local councils.

Amendments negatived.

Mr D.S. BAKER: I must bring to the Minister's attention—as Parliamentary Counsel may already have done—that acceptance of the amendments to clause 16 will mean that a consequential amendment will have to be allowed at the end of the Bill, because clause 16 (1) provides:

The following officers will be appointed by the board—

The amendment that has been accepted will alter that, so we will have to come back to that at the end.

The Hon. D.J. HOPGOOD: We will have the night to chew that over and look at it tomorrow.

Mr D.S. BAKER: It is not a matter of chewing it over. It is wrong and has to be corrected.

Mr S.G. EVANS: I still have doubts about the clause as it stands. For example, we have the requirement to 'obey the directions of an officer to whom that officer or member is subordinate', but an appeal of any sort is to Caesar himself. In other words, a group of persons may be fighting a fire in tough country and the person in charge of them may say, 'You need to take 10 men in that unit'—if not in the unit, then working with the unit—and the directions might be that they should only have five. Clearly, that would be disobeying the normal instructions and that person can only appeal if he is going to be reprimanded in any way.

Action could be taken in any of three ways: the board may on reasonable grounds demote a person who holds a particular rank in the CFS, disqualify a person from holding a rank in the CFS, or disqualify a person from membership of the CFS.

Surely there must be some other way of appeal than appealing to the board itself, because, in the main, volunteers will be fronting up to a group of professional people. In that respect I am talking about paid professionals. In the main, the higher command will come from paid people, but down the line there are volunteers who also hold a rank above that of a normal fire fighter. At that point the volunteer is at a serious disadvantage. They give their time for nothing; they put their lives at risk, more so than some of those people higher up the ladder. I am not reflecting on those people higher up the ladder, but naturally that would be the case.

So, I think there really is a need to consider the matter of natural justice in this area. I am not suggesting any amendment. I am simply saying to the Minister that we need to think about the matter of appeal. The following comment was made to me in a submission, that provisions such as this:

...reflect the changing attitude at CFS headquarters, where such things as loyalty and goodwill are in danger of being replaced with fear and anxiety. Take away the goodwill and job satisfaction from the members and many of them will want to resign from the CFS.

There is some merit in those comments. I refer specifically to an area of the Hills where fire fighting is an entirely different endeavour from what applies in most other parts of the State. It would be very easy for problems to occur. I would have suffered the consequences in 1955. They put me in hospital by sending me down a valley, where I knew I should not go. In the end, I was convinced that there were people down there waiting for water. When I got down there, there were no people and just a fire, and me with a truck. I subsequently spent some time in hospital.

As to when the three policemen were burnt, the locals said that the sergeant had been smacked under the jaw, and that they had done the men a service, when he instructed them to go and fight the fire. When they said they would go, the man known as Tom, a man well known in the community, said, 'Well, you will not book me when you come back because you will not come back.' That was in the 1950s. There needs to be an avenue of appeal. There are pretty tough times involved with fires if something goes wrong, and it is very easy for someone to pass the buck. It is very easy for someone to say that something did not occur. An appeal to Caesar himself is not good enough.

The Hon. D.J. HOPGOOD: I have to reject the honourable member's implied amendment: there is no specific amendment in front of us. When one is in a fire situation it is like being in a war. I know that the honourable member is a great civil libertarian, that he fully supports appeals to the courts over all sorts of matters and that he fully upholds the importance of the judiciary in our society, but I think that if people—and largely we are talking about volunteers who are in charge of a fire scene—have in their minds that there could be litigation and all that sort of thing arising out of the instructions that they have to give, they will think twice or three times, and that may very well vitiate their effectiveness. It must be remembered that the people who largely will be reporting these matters to the board, in turn, are volunteers. They are volunteers—people in charge of local brigades. I do not believe that we should allow this area to be opened up to the courts.

Clause as amended passed.

Progress reported; Committee to sit again.

LAW OF PROPERTY ACT AMENDMENT BILL

Returned from the Legislative Council with amendments.

ADJOURNMENT

At 11.58 p.m. the House adjourned until Wednesday 5 April at 2 p.m.

HOUSE OF ASSEMBLY

Tuesday 4 April 1989

QUESTIONS ON NOTICE

ANNUAL REPORTS

132. **Mr M.J. EVANS (Elizabeth)**, on notice, asked the Premier: As at the relevant dates, which administrative units had failed to submit an annual report for the 1987-88 year?

The Hon. J.C. BANNON: As at the relevant dates, the following administrative units had failed to submit an annual report for the 1987-88 year: Education Department and Department of Local Government. Annual reports for both administrative units have now been laid before Parliament. The Education Department's 1987 Annual Report was tabled on 1 November 1988 and the Department of Local Government's 1987-88 Annual Report was tabled on 15 March 1989.

HON. J.R. CORNWALL

181. **Mr BECKER (Hanson)**, on notice, asked the Premier:

1. How many writs for defamation or libel have been served on the former Minister of Health, Hon. J.R. Cornwall?

2. What has been the outcome of these writs and has the Government paid settlement of such writs and, if so, how much and to whom?

3. How much has been paid in legal fees in relation to the former Minister of Health for each of the past three financial years and in this year to date and what was the reason for such legal costs?

The Hon. J.C. BANNON: The replies are as follows:

1. To my knowledge only one such action was referred for Government attention.

2 and 3. The honourable member is referred to the answer provided on 14 March 1989, in reply to a question asked by Mr Lewis on 8 March 1989.

GOVERNMENT PROPERTY

184. **Mr OLSEN (Leader of the Opposition)**, on notice, asked the Premier: Following the statement on page 10 of the 1987-88 Report of the Government Management Board that 'a decision authorising the valuing staff of the Department of Lands to bring to the attention of any agency instances of less than optimal commercial use and to recommend more commercially attractive alternatives is indicative of the Government's intentions'—

(a) how many Government-owned properties were identified in 1987-88 as a result of this decision;

(b) how many Government-owned properties were identified between 1 July and 31 December 1988; and

(c) for each property identified—

(i) which agency owns it;

(ii) what is its location;

(iii) for what purpose was it being used at the time it was identified as an instance of 'less than optimal commercial use'; and

(iv) what is the estimate by the Department of Lands of the financial benefit to be gained as a result of the property being used in a 'more commercially attractive' manner?

The Hon. J.C. BANNON: The replies are as follows:

The Department of Lands is extensively involved in land acquisition and disposal activities in conjunction with other operating agencies. The value of disposals conducted by the Lands Department in 1987-88, for example was $11 840 000. Following an initiative by the Lands Department in August 1987, the future use of a number of Government-owned properties was discussed with relevant agencies. These included:

Agency	Location	Use when inspected
Health	274 East Terrace, Adelaide	Clinic
Education	40 Wilson Street, Prospect	School
Community Welfare	Box Street, Enfield	Offices
Education	Barassi Street, Paralowie	Land
Sacon	Butler Avenue, Pennington	Depot
Education	262 Cross Road, Kings Park	Offices

Disposal of the properties at Prospect, Paralowie, Pennington and Kings Park achieved returns of $66 000, $83 000, $440 000 and $340 000, respectively. The property at Enfield was transferred to the South Australian Housing Trust. As other properties are the subject of negotiation or tenders or will be in the future, provision of anticipated returns may compromise those arrangements. The Lands Department is also involved in preparation of proposals for enhanced use of Government landholdings at Northfield, Yatala, Gillman and Le Fevre Peninsula.

MOTOR INSURANCE CLAIMS

185. **Mr BECKER (Hanson)**, on notice asked the Minister of Transport:

1. Have there been instances where private motorists and their passengers were disadvantaged in any way when pursuing settlement of injury and property damage claims resulting from a collision with a Government vehicle which was being driven and used for unauthorised purposes, compared with the treatment they would expect to receive in respect of claims arising from an accident involving a privately owned and insured vehicle and, if so, to what extent were they disadvantaged.

2. What is the Government's policy direction to SGIC in this respect?

The Hon. G.F. KENEALLY: The replies are as follows:

1. All Government vehicles have third party insurance with SGIC whilst, as far as I am aware, no vehicles are insured in respect of property damage, that is comprehensive insurance. If personal injury arises from an incident involving a Government vehicle which was being driven and used for unauthorised purposes, the injured party is in the identical position to the situation if the vehicle were a private vehicle. The injured party could claim against SGIC. In certain circumstances SGIC may be able to claim against the driver (for example, if the driver was under the influence of alcohol). In respect of property damage, the circumstances of the use of the vehicle may be such that the Government may not be liable for the damage. The Government is only liable for the negligence of its employees committed in the course of their employment. The ambit of 'in the course of their employment' is wide, and in some cases the Government may still be liable even if the vehicle is being driven and used for unauthorised purposes. Nevertheless,

there will be occasions in which the Government will not be liable and the only recourse of the person who has suffered property damage is against the driver of the Government vehicle. No liability attaches to the Government simply because of ownership of the vehicle.

I am not aware of any cases in which a person has been treated worse than they would have been if the vehicle were privately owned. For example, a private employer may not accept liability if a person suffered property damage as a result of the unauthorised use of the employer's vehicle. It should be noted that the Government has a 'knock-for-knock' arrangement with most insurance companies whereby each party, irrespective of fault, pays for the repair of their vehicle.

2. I am not aware of any Government policy direction to SGIC in this respect. SGIC has no role to play in respect of property damage. In respect of personal injury claims, the ownership of the vehicle is irrelevant to the handling of the claim by SGIC.

HERITAGE AGREEMENTS

209. **Mr GUNN (Eyre)**, on notice, asked the Minister for Environment and Planning:

1. How many heritage agreements have been signed during the past two financial years between the Department of Environment and Planning and landholders who have native vegetation on their properties?

2. How many applications to clear native vegetation have been lodged with the department during the past financial year and how many have not been approved?

The Hon. D.J. HOPGOOD: The replies are as follows:

1. 104 heritage agreements were entered into by the Minister for Environment and Planning and landowners during the past two financial years.

2. (i) 227 applications to clear native vegetation were lodged with the Department of Environment and Planning during the past financial year.

(ii) Decisions or status of the applications:

Refused	79
Deferred	7
Exempt	3
Withdrawn	9
Conditional consent	65
Granted	24
Outstanding	40

CONSERVATION PARKS

211. **Mr GUNN (Eyre)**, on notice, asked the Minister for Environment and Planning:

1. Is the Department of Environment and Planning, through the National Parks and Wildlife Service, considering the purchase of large areas of land for either national or conservation parks during this financial year?

2. What percentage of the total area of the State does the Government intend to set aside for national and conservation parks?

The Hon. D.J. HOPGOOD: Yes, as part of a continuing program.

HOUSING TRUST ACCOUNTS

222. **Mr M.J. EVANS (Elizabeth)**, on notice, asked the Minister of Housing and Construction:

1. What is the general policy of the South Australian Housing Trust in respect to the period of time between the submission of an account and the actual payment of contractors engaged to perform repair work or minor additions to rental property?

2. What is the maximum time which the trust considers should elapse before payment is received on the assumption that there is no dispute or uncertainty about the account?

3. Was there any additional delay in payment over the 1988-89 Christmas period, and, if so, what was the reason for the delay?

The Hon. T.H. HEMMINGS: The replies are as follows:

1. and 2. The trust's policy is to process contractors' invoices as quickly as practicable. Based on a recent survey conducted with contractors, the majority of accounts were paid (i.e. cheques drawn and posted to contractors) within a maximum of 10 days from the date of submission by contractors.

3. The trust is not aware of any delays in payment over the 1988-89 Christmas period.

HEALTH COMMISSION ACCOMMODATION

232. **Mr BECKER (Hanson)**, on notice, asked the Minister of Health:

1. What is the cost of moving South Australian Health Commission staff to offices in Hindmarsh Square and what is the reason for the move?

2. What is the anticipated saving of such transfer and how is the amount arrived at?

The Hon. FRANK BLEVINS: The replies are as follows:

1. The South Australian Health Commission's move to the Adelaide Citi Centre has been carried out at an estimated final project cost of $4 426 000. The main reason for the Health Commission's move was to bring together into the one location various central office components from separate buildings in order to improve efficiency and effect staff savings.

2. The estimated savings over the fifteen year term of the lease on Adelaide Citi Centre, at present day values, is $2 744 000. This figure has been determined by comparing rental of the old accommodation plus cost of refurbishment, against the rental cost of Adelaide Citi Centre plus fit-out and decommissioning costs, less rebate from the building owner and staff savings arising from a rationalisation of functions made possible by bringing central office units into one location.

GOVERNMENT VEHICLES

237. **Mr BECKER (Hanson)**, on notice asked the Premier:

1. What authorised Government business was the driver and passenger of the motor vehicle registered UQN 274 conducting on Saturday, 21 January 1989 on Burbridge Road in the vicinity of Adelaide Airport at about 2.00 p.m. with a sailboard on top of the vehicle?

2. To whom is the motor vehicle issued and what is the classification of that officer?

3. What is the policy of the employing Government department or agency concerning the use of motor vehicles at all times and was the particular activity permitted and, if so, why?

The Hon. J.C. BANNON: The replies are as follows:

1. On 21 January 1989, motor vehicle UQN-274 was allocated for use by the Electronics Section of Sacon (South Australian Department of Housing and Construction.) The

transport of a sailboard by this vehicle was not authorised Government business.

2. The vehicle was under the control of an Electronics Tradesman (Grade 2) who has been an employee of the department since April 1978 with a good employment record. This vehicle is outfitted for after hours call-out use and at the time the employee was rostered for on-call duty.

3. Under the conditions of employment, personnel on call are not required to remain at home for the whole time, but may leave their home, provided that they can be contacted by telephone and remain in reasonable close proximity to the most probable place of employment. The officer concerned has been counselled about permitted uses of Government vehicles and has been the subject of formal disciplinary action.

SUPERANNUATION BENEFIT

242. **Mr BECKER (Hanson),** notice, asked the Premier:

1. Why does the Government not pay the portion of the 3 per cent superannuation benefit awarded as from January 1988 to Government employees who have resigned since that date?

2. Will all the promises contained in Treasury Circular 177 (Docket TD 156/86) be honoured and, if not, why not, and were Government employees advised of any changes and, if so, when?

3. When did Cabinet consider the proposal and approve it?

4. Have all Government departments and agencies provided funds to meet their obligation under this new scheme and if so, how much money has accumulated to date?

5. Has Treasury developed computer programs to handle this Government employees benefit and, if so, when and, if not, why not and what has been the reason for any delay?

6. How many Government employees have retired since the scheme was introduced and qualified for immediate lump-sum benefits?

7. Have all outstanding claimants been paid lump sums due, and, if not, why not, and when is payment expected?

The Hon. J.C. BANNON: The replies are as follows:

1. The answer to this question is in two parts:

(1) Not all employees who have resigned from the State public sector since 1 January 1988 are entitled to an immediate benefit from the 3 per cent superannuation scheme. Public sector employees will be eligible for a benefit from the scheme when they:

- terminate their employment with an entitlement of less than $500 in the scheme;
- retire aged at least 55 years;
- retire due to permanent invalidity;
- die, in which case, the benefit will be paid to their estate.

(2) The parameters of the scheme have only recently been finally settled. It is proposed to start paying benefits manually in the near future and to continue this practice until the proposed computer system is available.

2. Treasury Circular No. 177 issued on 15 January 1988 was not issued to individual public sector employees. It was issued for the information of Government agencies and contained a broad description of the proposed 3 per cent superannuation scheme and the associated accounting arrangements which agencies were required to introduce. It did not contain any specific promises as negotiations with the UTLC concerning the benefit had not been finalised.

3. Cabinet approved the agreement with the UTLC (representing the public sector unions) concerning the 3 per cent superannuation benefit on 7 November 1988. A leaflet informing public sector employees of the benefits available under the scheme is currently being circulated.

4. It is not proposed to 'fund' the scheme. Funds will be provided by the Government when benefits become payable.

5. No. It is expected that computer hardware presently being acquired to administer the superannuation schemes established by the Superannuation Act will be used for the 3 per cent scheme also. As soon as this hardware is available, the necessary programs will be developed.

6. Agencies should have this information in respect of their former employees but, as yet, a central register of public sector employees who have retired since 1 January 1988 does not exist. This information will be available when the computer system is in place and the data base is established.

7. No. See 1. It is anticipated that all eligible claims will be settled over the next few months.

RABBIT FARMS

243. **Mr GUNN (Eyre)**, on notice, asked the Minister of Agriculture:

1. Has the Government received any applications by persons wishing to set up rabbit farms in South Australia?

2. Does the Government have a policy in relation to rabbit farming?

3. Will the Minister give an assurance that rabbit farms will not be established without prior agreement with those involved in agriculture or the organisations that represent them?

The Hon. M.K. MAYES: The Government has received no specific applications from persons wishing to set up a rabbit farming enterprise, but preliminary discussions have been held with a proponent. The Animal and Plant Control Commission, the statutory body with the authority to issue permits, has not issued at this stage any permits for the commercial breeding of rabbits. I have previously given my assurance that, before any decision is made whether to change the present situation, I will consult both farming and conservation interests.

HOUSING TRUST SECURITY

246. **Mr BECKER (Hanson)**, on notice, asked the Minister of Housing and Construction:

1. What is the South Australian Housing Trust's policy in relation to the confidentiality and security of keys for each unit of accommodation?

2. When a new tenant moves into an existing unit of accommodation, are external locks changed and, if not, why not?

The Hon. T.H. HEMMINGS: The replies are as follows:

1. Tenants of each unit of accommodation are handed keys for the premises at allocation, and are responsible for the keys and the security of their houses. The trust does not retain duplicate keys to its rental stock, but some housing forms (e.g. medium density houses, flats and cottage flats) are on a master key system to facilitate access in an emergency, such as a fire, which could put a number of dwellings at risk. In the estates with this facility, maintenance field staff hold the master keys for their respective area of responsibility. Details on these estates and the allocation of the master keys are recorded in a register.

2. On vacancy the trust changes the combination of locks where possible. As an added measure of security the trust fits barrel bolts to all rear doors.

GOVERNMENT VEHICLES

248. **Mr BECKER (Hanson)**, on notice, asked the Premier: Will the government have a small sticker attached to the rear window of all Government motor vehicles as a means of identification and, if not, why not?

The Hon. J.C. BANNON: The majority of Government vehicles are easily distinguished by the S.A. Government number plates and the 'G' disc on the windscreen. However, there are a small number of vehicles which have private plates and those are supplied to Chief Executive Officers or are used on duties where a Government identification would prejudice that work, e.g. fisheries surveillance. The Car Pool operated by the Department of Services and Supply places an identification sticker on the rear window of their Government plated vehicles as a means of distinguishing the type of hire and pool location. Other major departments, e.g. E&WS, Highways Department, etc. have a distinguishing but small logo on the rear window to identify departmental ownership.

MOUNT LOFTY RANGES REVIEW

250. **The Hon. D.C. WOTTON (Heysen)**, on notice, asked the Minister for Environment and Planning:

1. Are the changes which the Ministerial Advisory Committee believe are necessary to the Mount Lofty Ranges Review Consultative Management Report to be included in the document to be presented to the cabinet sub-committee and, if not, why not?

2. Who constitutes the cabinet sub-committee?

3. Why is it imperative that the Consultative Management Plan be put before the Cabinet sub-committee on 6 March 1989?

The Hon. D.J. HOPGOOD: The replies are as follows:

1. No. However, the Resources and Physical Development Committee of Cabinet has been made aware of the Ministerial Advisory Committee's views.

2. The Resources and Physical Development Committee consitutes the Deputy Premier and Minister for Environment and Planning; Minister of Transport; Minister of Housing and Construction; Minister of Water Resources; Minister of Mines and Energy and the Minister of Labour.

3. It was desirable that this matter be considered by the Resources and Physical Development Committee to meet the timetable of the review.

HOME DETENTION PROGRAM

262. **Mr BECKER (Hanson)**, on notice, asked the Minister of Correctional Services:

1. How many offenders have been referred to the Home Detention Program and, of those—

(a) how many have completed their sentence;

(b) how many were women;

(c) how many were Aboriginal; and

(d) how many had their release on home detention revoked and for what reasons?

2. How many staff are employed on the program?

The Hon. FRANK BLEVINS: The replies are as follows:

1. As at 7 March 1989, 207 offenders have been referred to the Home Detention Program.

(a) 140 offenders have completed their sentence.

(b) 20 were women.

(c) 9 were Aboriginal.

(d) 39 offenders have had their home detention revoked.

The reasons for the revocation are:

Breach of curfew by leaving residence without approval	23
Use of non-medically prescribed drug	7
Consume alcohol	2
Domestic dispute	3
Association with ex-prisoners	1
Drive disqualified	1
Previous outstanding charges	1
Phone disconnected	1
	39

Under the provisions of the Bail Act, five offenders, including one female, have been placed on home detention as a condition of bail. Two of those offenders have completed the program and one offender is presently on the program. An additional ten offenders have been referred to the Home Detention Unit by the courts but were considered unsuitable for the program.

2. There are six staff employed on the program.

RESIDENTIAL TENANCIES

263. **Mr M.J. EVANS (Elizabeth)**, on notice, asked the Minister of Housing and Construction: How many residential tenancies were vacated or terminated in the past financial year and what are the estimates, per region, for the current financial year?

The Hon. T.H. HEMMINGS: The extent of residential tenancies vacated or terminated, per region, for the last financial year is set out below. Due to the difficulty in anticipating vacancy trends, actual vacancies for the first seven months of 1988-89 are provided. A projected annual figure for the current financial year can be calculated by 'annualising' these figures.

Region	Vacancies	
	1987-88	1988-89 (Jul-Jan)
Inner Metro	380	211
Metro South	419	246
Metro North	681	442
North East	301	191
Southern Riverland Metro	291	208
Central Metro	1 767	1 100
Southern Riverland Country	507	322
Central Country	152	104
Eyre	1 410	875
Northern	680	466
South East	492	353
Total	7 080	4 518

BUSINESS REGISTERS

267. **Mr M.J. EVANS (Elizabeth)**, on notice, asked the Minister of Labour:

1. How many separate lists or registers of business premises or organisations are maintained by WorkCover or by the SGIC as agent, for what purpose is each such list or register kept and what information is stored in each case?

2. Are any lists or registers kept in conjunction or in cooperation with any other statutory authority or department and, if so, what are the details?

3. Which of these lists or registers are computerised and which are maintained on a manual basis, and what plans are there to convert any manual systems to computer-based systems?

The Hon. R.J. GREGORY: The replies are as follows:

1. There is one list or register of business premises and other organisations which employ workers in this State. It is held and maintained by the SGIC as agent for WorkCover. Of course, the WorkCover Corporation produces subsets of this list for particular purposes, such as to analyse the characteristics of employers with a high or low claims experience. The list is a record of all employers who have met their requirement under the Workers Rehabilitation and Compensation Act to register with WorkCover. It contains information on:

the name of the employer, and the name, address and phone number of the contact person;
the address of each employing location of each employer;
the number of full-time and part-time workers at each location as at 30 June and the maximum number of employees engaged at any time over the year to 30 June;
the estimate of the total remuneration expected to be paid to all workers over the next financial year;
the main activity in which each employing location is engaged;
a record of levies paid and fines for late or non-payment of levies; and
details of accidents and injuries incurred at each location.

2. No lists or registers of business premises or other employers are kept in conjunction or cooperation with another statutory authority or department.

3. The register of employers and employing locations is computerised.

FOREIGN LOANS

276. **Mr S.J. BAKER (Mitcham)**, on notice, asked the Minister of Education, representing the Minister of Corporate Affairs: Has the Minister or the Corporate Affairs Commission received any complaints against banks from South Australian companies or individuals with respect to management of and advice tendered on foreign loans negotiated on their behalf by banks and, if so, how many and have such complaints been investigated?

The Hon. G.J. CRAFTER: The Corporate Affairs Commission has received one complaint about the conduct of a merchant banker in relation to a foreign currency loan raised by a company. I am informed that during May 1986 the company borrowed in Swiss francs the equivalent of $A2.6 million apparently for the purpose of funding, in part, the operations of a sports and recreation centre at Plympton.

The complaint was received by the commission in October 1988. Additional information has been sought from the complainant, but as yet it has not been received. The person who made the complaint was recently written to again in an effort to obtain the necessary information. I am further informed that until that information is obtained the commission will not be in a position to decide what action, if any, should be taken.

OPPORTUNITY PROGRAMS

282. **Mr S.J. BAKER (Mitcham)**, on notice, asked the Minister of Labour: Further to the answer relating to Opportunity Programs recorded in *Hansard* page 563, how many of these staff and how many persons designated as women's advisers have—

(a) taken compensated stress leave over the past two years; and

(b) received lump sum compensation over the past two years?

The Hon. R.J. GREGORY: The replies are as follows:

(a) One women's adviser and two project officers have taken compensated stress leave during the past two years.

(b) One women's adviser and two project officers have received a lump sum compensation settlement during the last two years.

DRINK DRIVING CHARGE

287. **Mr BECKER (Hanson)**, on notice, asked the Minister of Education, representing the Attorney-General:

1. Will the Government appeal against the sentence given to Roger John Moore who was convicted of a drink driving charge recently, and, if not, why not, and where and how will Moore serve the 150 hours community service order?

2. What other prior convictions and current charges does this person have?

The Hon. G.J. CRAFTER: An appeal against the sentence was instituted on 9 March. Where and how he will serve the community service order is a matter for the Department of Correctional Services. He had two prior convictions for speeding. I am not aware of any current charges other than driving charges on complaint including exceeding the prescribed concentration of alcohol arising out of the same incident which have not been dealt with.

SANTOS LIMITED

291. **Mr BECKER (Hanson)**, on notice, asked the Minister of Mines and Energy: Have any requests been made to the Government in the past three years to abolish legislation controlling shareholding in Santos Limited and, if so, from whom and when and will such a request be considered by the Government in the future?

The Hon. J.H.C. KLUNDER: There have been two requests made to the Government in the past three years to abolish legislation controlling shareholdings in Santos Limited. The inquiries were told that the matter was not under consideration.