HOUSE OF ASSEMBLY

Thursday 15 November 1990

The SPEAKER (Hon. N.T. Peterson) took the Chair at 11 a.m. and read prayers.

GOVERNMENT CHARGES

Mr S.J. BAKER (Deputy Leader of the Opposition): I move:

That all changes to Government charges published in the *Government Gazette* be also notified to the public in the classified advertisements section of at least one of the daily newspapers.

My contribution on this matter will be brief because I think this is a very compelling argument and one easily understood with very few words. The fact of life is that, over a long period, Governments have used the device of regulation to change charges, and it has become an increasing trend. Of course, coupled with that trend is the fact that those charges are never notified to the public; they are simply inserted in the *Government Gazette*. It is often only by accident that people who have to bear the charges actually find out about them before the bill arrives in their letterbox. For a whole range of reasons, including the matter of honesty in Government and ensuring that the people who must bear the charges are informed about them, I believe that it is absolutely essential that they have some chance to find out what changes have taken place.

Over the eight years that I have been in Parliament there have been a number of occasions on which the Liberal Opposition has made mention of the fact that the Government increases taxation by stealth, it increases charges which bear no relationship to the cost of providing services, and the taxpayers bear the burden. I well remember that we mentioned that, over a period of some six months, some 500 charges had increased, and many of them in excess of the consumer price index.

If my memory serves me correctly, in the past six months I think that approximately 40 per cent of charges actually exceeded the consumer price index. That is an indictment on the Government, which has consistently not adhered to its stated policy that taxes and charges would be kept within inflation. That promise has been broken on numerous occasions this year, last year and over the past eight years.

The Liberal Party believes that it is important, whether it be Liberal, Labor, or whoever, in Government, that the people who will bear the charges have a right to know about them. That belief is unequivocal. We believe that when the Government sees fit to increase charges, details should be published in a place where people can find them relatively easily. Also, importantly, the press itself, should it see some anomalies arising, should have the capacity to report, because it will be shown in the daily newspapers. It is a matter of democracy and good housekeeping, because it provides a check and balance. Everyone would be aware that a change had taken place and the Government of the day would have to justify it.

As the system operates today, there is no justification; a decision is made by the Minister at the request of a departmental head, a razor gang, or a Treasury official to increase a charge and the people never have a say. At least if it is published in the newspaper, the Government of the day will be well aware that if the charge is exorbitant then there will be public comment on that matter.

The *Government Gazette* is certainly available to the people of South Australia, but it is not read because it is far too expensive to buy. I do not know what the current charges for the *Government Gazette* are, but I would imagine they would be of the order of $150 a year to receive a copy. No-one in their right mind pays that amount unless they are part of the public sector or one of the major business organisations around town. So, for all those reasons, I believe it is important that the Government meets its responsibilities and publishes the charges in the paper for all to see.

Mr FERGUSON secured the adjournment of the debate.

WOOL INDUSTRY

Mr BLACKER (Flinders): I move:

That this House—

(a) expresses its grave concern with circumstances now prejeducing the survival of many wool growers;

(b) expresses its unqualified support for the maintenance of the Minimum Reserve Price scheme (MRP) for the marketing of Australian wool;

(c) requests the Prime Minister to confirm the 700 cent MRP for the 1990-91, 1991-92 and 1992-93 wool selling seasons;

(d) seeks the introduction of a positive package of measures to stimulate demand on the auction floor; and

(e) calls on the Federal Government to change its economic and industrial relations policies where they adversely affect Australian exporters.

The renewed domestic debate about the wool levy and the wool industry needs to be related to the rejection by Primary Industries Minister Kerin of the recommendations of the Wool Council of Australia only six months ago. At that time the Government did not accept near-unanimous grower support for a maximum levy of 25 per cent and maintaining the minimum reserve price (MRP) at 870c a kilogram clean. Labor's action has contributed significantly to the uncertainty facing wool growers today, though this is not to deny that other factors have also played a part.

Three good seasons have meant good lambing and an increase in flock numbers. Yet through failure of Labor Ministers to cultivate essential personal relationships with their Saudi Arabian counterparts, Australia has nearly lost the Middle East live sheep market. This has meant about two million fewer sheep sold each year and lower wether prices have stimulated wool growers to take advantage of good wool prices to hold sheep an extra year. With better feed conditions, the wool count has been slightly stronger, contributing to the predominance of wool in the Australian Wool Corporation stockpile in the 22 to 24 micron range.

The domestic economic environment is set by the Federal Government. A too-high Australian dollar, maintained by excessive interest rates, has made wool dearer for overseas buyers while exacerbating the already difficult marketing position with Russia and China, both hard-pressed with their own financial difficulties. These same interest rates have fuelled farmers' costs and forced them into increased production to offest ever-rising prices in farm inputs. Yet in the marketplace the position is better than the Government would have us believe.

Indeed it is apparent that the action by Labor in reducing the resumed price to 700c and the uncertainty of the Government to several inquiries into the wool industry are prejudicing buying orders. Sadly, no buying country believes Minister Kerin when he says the 700c minimum reserve price will not be reduced. In the United Kingdom, Italy and Japan there are many who claim openly that the minimum reserve price will to go altogether before Christmas. Universally, buyers have speculated about when it will be reduced, not if it will be reduced.

The buyers have pointed to the stockpile, now standing at four million bales, to the procrastination in lifting bor-

rowing limits for the AWC and Minister Kerin's arbitratry intervention in setting the 700c minimum reserve price. They say Australia's wool industry is now nationalised, and persistent Government intervention in the normal market process tends to confirm this impression. Yet at the point of retail sale the situation is much better. Customers do want wool. In Japan, Australia's major market, while the rate of increase of annual wool sales has slowed, it is still expected that this season Japan will buy at least 3 per cent more wool than last year. So, too, in Korea, the United Kingdom and Europe. The clothing and household furnishing sectors want wool. Should there be a cold Northern Hemisphere winter the position will further improve.

In this respect, the Managing Director of the International Wool Secretariat in London said that he had bought a new overcoat two years ago but the last two winters had been so mild that he had yet to wear it. 'New wool', the market campaign oriented to the so-called middle wools or those of stronger micron count, is seen as most successful and is expected further to stimulate customer demand. In spite of the fall in greasy wool prices in Australia, demand for fine and superfine wools is particularly strong.

For all wools, new techniques identified by the CSIRO and developed by the International Wool Secretariat at its research facilities at Ilkley in the United Kingdom, Delft in the Netherlands and in Japan will further assist. As an example, a newly developed range of wool fur is proving attractive in a market sensitive to the ecological cries of those opposed to slaughtering animals for their fur. These techniques contribute to the maintenance of the high price ratio of wool fibre to synthetics which is still about eight to one or more.

Where, then, does wool go from here? First, the sooner the several Australian inquiries into wool can be concluded, the better, and with these must go the overriding policy body chaired by Minister Kerin; and, secondly, it is essential that the firm statement by the Prime Minister—that the 700c minimum reserve price will be maintained for this and the next wool season and I suggest a third wool selling season—is followed up. Statements by Minister Kerin to this effect are simply not believed.

Thirdly, every effort must be made to stimulate wool sales. The causes of the current imbalance in the wool market are now well known: a large increase in wool production; the virtual withdrawal of China from the market; the economic restructuring in Eastern Europe and loss of the USSR sales; fibre substitution; destocking and loss of trade confidence; intensive fibre competition; and concern over the effect of the Gulf crisis on world economy. Adequate demand for wool will not be restored until each of these negative influences is at least partly overcome. It is not possible to predict when China and the USSR will re-establish themselves as markets for Australian wool, and the economies of important markets such as the United States and the United Kingdom are close to, if not already in, recession. Other markets such as Germany, Iberia and Korea are maintaining growth.

Fibre substitution was the consequence of rapid increases in wool prices in 1988, boosting an existing trend in the trade to create customer excitement through the use of fibre mixtures. Destocking and loss of trade confidence in wool are the outcome of trade uncertainty over future levels of wool prices. In a low growth fibre market, competition with wool is strong: in the upper quality market, from much improved synthetic fibres (including micro-fibres) and cotton; and in all sectors of the market, from blends. In higher volume market areas, wool has to compete with cotton and synthetic fibres head on in their own strongholds. How tough this challenge to the industry is can be illustrated by comparing required growth rates in wool consumption. An increase in wool consumption of 4 per cent to 5 per cent a year is required if the stockpile is to be reduced to an acceptable level by 1994. Even then, a significant reduction in wool supply will also be necessary. However, this rate of growth is three times bigger than the average growth rate achieved from 1984 to 1988 (if sales to China are excluded) and two to three times greater than the market growth rate forecast for all fibres over the next few years.

It is interesting to note that, although we might think that wool is the be all and end all of fibres, it still amounts to only 2 per cent of the world fibre trade. Therefore, we must develop new and incremental markets while at the same time defending wool strongholds from increasing competition and helping to restore industry confidence in wool. My motion is aimed at trying to get some public debate and some confirmation from this House of support for the wool industry.

Paragraph *(a)* of my motion seeks an expression of grave concern from the House for the circumstances now prejudicing the survival of many wool growers. I have spoken to many other country members who have spoken of devastating effects being experienced by the wool growers in our industry. Unfortunately, it is sad to report to the House that the circumstances confronting the majority of wool growers in this State are devasting and, in many cases, will be counted by the number of mortgagee sales that will result this year.

In many cases wool returns to the average grower have dropped by a minimum of 35 per cent, and those who have not yet sold wool may well find that their income will drop by 50 per cent. No other sector of the industry can absorb that, and obviously the wool industry will count its losses by the number of mortgagee sales that come through on that basis. It is not necessary for me to point out to the House the gravity of this situation not only to the individual farmers involved but also to the industry as a whole, all the support industries that back up the wool industry by way of maintenance and services and, more particularly, in respect of the export earnings income and the taxation this Government and the Federal Government derive from the wool industry and its associated support industries.

Paragraph *(b)* of my motion expresses its unqualified support for the maintenance of the minimum reserve price scheme for the marketing of Australian wool. I do not think there can be any doubt the minimum reserve price scheme must be maintained. There is no question about that. I am rather perturbed that some so-called economists are talking about the removal of the minimum reserve price and advocating a total open market. Whilst people talk like that, we will not restore confidence back into the buyer market. If we all put ourselves in the position of a buyer, and we could see a supplying country sitting there arguing over whether or not they will lower the price, obviously we would hang back and buy only the absolute minimum of wool to maintain the throughput of our particular factory. We certainly would not stockpile, because of the expectation that the floor price will be further reduced and, therefore, buyers will be able to buy their wool at a lower price in the future.

It is important that we restore that confidence and that this House implores the Prime Minister and the Federal Minister for Primary Industries to give a commitment that they will maintain the minimum floor price and demonstrate that with some long-term commitment.

Paragraph *(c)* of my motion requests the Prime Minister to confirm the 700c minimum reserve price for the 1990-91, 1991-92 and the 1992-93 wool selling seasons. I specif-

ically mention that because it is important that we get the message across to all buyers that we are not mucking around with this industry, that we mean business, and that we will make sure that the minimum floor price does not drop for a number of years. It is imperative that this House sends the message to the Prime Minister to make sure that that 700c minimum is maintained. I believe that there has been ample evidence to suggest that the buyers do not believe John Kerin when he says that the floor price will not be reduced. After all, that is what was said before, and it was John Kerin who, in fact, reduced the floor price. We must rebuild that confidence.

Members might recall that, in my contribution to an earlier debate in this House some months ago in relation to the wool industry, I said that it was imperative that confidence be restored. I also mentioned to the House at that time that a contact from Brussels, not necessarily directly to me but to one of my constituents, advised, 'Under no circumstances drop your minimum reserve price because, if you do, the confidence you have built up over the past 20 years will be lost overnight, and it will take you another 20 years to rebuild that confidence.' That confidence was lost six months ago, and we are now in the first six months of the next 20 years to rebuild that confidence. It is imperative that this House is uncompromising in its demand that the Prime Minister gives the assurance that, for the next three years, 700c will be the minimum reserve price offered.

Paragraph *(d)* of my motion seeks the introduction of a positive package of measures to stimulate demand on the auction floor. That package needs to be quite comprehensive in its overall effect. I would like to go through a number of suggestions which I and some of my interstate colleagues have put together. The first is:

(1) The Prime Minister be called on to confirm the Government's commitment to a 700c minimum reserve price (MRP) for the 1990-91, 1991-92 and 1992-93 wool selling seasons.

I have just referred to that. The suggestions continue:

(2) An early date be set for the presentation of the Vines report and the dissolution of the policy committee chaired by Primary Industry Minister Kerin.

There is no doubt that the various committees and inquiries that are going on are undermining the confidence of our buying nations, which in turn are hanging back awaiting the various outcomes of these reports. As all members of Parliament would know, committees are often set up to put things in the too hard basket because the problems are too hard to handle at the time. We must get rid of all these committees that could present a diversion from the real issues. The suggestions continue:

(3) Export Finance Insurance (EFIC) 100 per cent, national interest cover be sought for wool sales to the Soviet Union, China and eastern Europe.

Many of the countries to which I have referred have tight economic circumstances, but they want to buy our wool and we must assist them to do just that. If we are able to do that, we might be able to get that stockpile of wool flowing again. The recommendations continue:

(4) The Australian Wool Corporation (AWC) seek authority to provide up to two years credit for sales to those markets for all wool purchased at auction this year and next in excess of 10 per cent of that purchased in the 1987-88 wool selling season and for the Soviet Union after payment in full of sums outstanding to the AWC.

That is just an overriding matter to acknowledge that there are outstanding payments to be made by the Soviet Union but that terms of credit would be offered once the outstanding payments are made and we get back onto the line ball. The suggestions continue:

(5) Export Market Development Grants (EMDG) assistance be sought for sales of scoured wool, wool tops and processed wool to new markets as for other manufactured exports.

(6) The Government be asked to remove, immediately, the residual tariff payable on imported wool tops, fabrics, woollen cloth and wool textiles.

(7) Locks, pieces and carding wools be excluded from the MRP and sold at auction and from the stockpile without reserve.

(8) Maximum support be given to International Wool Secretariat promotions of the so-called 'new wools' and 'middle wools' in Japan, Europe and the United States.

(9) Continued support be given to research and development by the CSIRO and the International Wool Secretariat to maintain the competitiveness of wool to synthetics.

The above measures will restore confidence to a trade currently beset with uncertainty. I would now comment on references to the sheep slaughter scheme; there is some divergence of opinion, certainly amongst Opposition members as to whether there should or should not be such a scheme. I noticed in the press as recently as today that the Chairman of the Wool Corporation, Mr Hugh Beggs, said that the sheep slaughter scheme should now be targeted at 50 million sheep.

While I accept the need for the reduction, we must take into account that we have an international credibility problem because, as I was given to understand, only yesterday, our wool symbol has been paraded through Europe depicting blood dripping out of it, indicating that we are undertaking slaughter schemes in South Australia. It is much the same emotional scheme used in respect of the housed animal and fur industry. Certainly, I could not believe what I heard. That our own international wool symbol depicting blood dripping from it has been paraded through Europe by animal liberationists is clearly an emotional issue that will have a serious impact on our industry. We must balance the wisdom of a sheep slaughter scheme against the likely impact on sales that could occur from such a campaign. The adverse publicity about sheep being shot or slaughtered and buried in pits can be very negative when it comes to looking for future markets around the world.

Neither a sheep slaughter scheme nor isolation of the stockpile can be considered adequate in a climate where purchases by the trade are declining and the stockpile is growing. Even the suggestion of a slaughter scheme generates a doubt about Australia's future ability to supply wool, which, associated with the belief that the industry has been nationalised, negates the obvious selling advantage of a large stockpile.

While production has increased beyond demand, the market signals of an increased levy and lower prices for woolgrowers, together with an inevitable turn of the seasons, need to be assessed before alternative draconian measures, with their inevitable fallout, are taken. Certainly, the effect of the disbandment of the minimum reserve price or a reduction below 700c would be catastrophic.

The impact on the Australian financial system of the devaluation of rural assets and the collapse of producers' credit worthiness, together with the losses that would be incurred on the Australian Wool Credit stockpile and on those stocks held by the trade, make the Launceston decisions critical at this time of nationwide economic downturn. Australia cannot afford those decisions to be negative.

The last part of my motion calls on the Federal Government to change its economic and industrial relations policies where they adversely affect Australian exporters. I am mindful of the time and the commitment that I have given the House. I only wish to say that these issues have been raised here on a number of occasions. I mention briefly that we do have problems on the waterfront, with our industrial relations, with our work ethics, WorkCover and superannuation—all these add-on costs to the cost of production

which, whilst I do not deny their worthiness, do make costs prohibitive for many people and therefore make the industry less viable and, in many cases, unviable. It is those add-on costs that are causing the problem.

I present this motion to the House together with the notes and recommendations to which I referred. I believe that this House should fully support the motion and present it to the Prime Minister at the earliest possible opportunity. We want from the Prime Minister a total and absolute commitment that the 700c minimum reserve price will remain for a number of years. If the Prime Minister will give the wool industry that backing and an unconditional undertaking that the Government will back the industry to that extent, I feel certain that buyers' confidence will return, those wool stocks will start to move and the wool industry will gradually return to economic viability. We cannot afford to see farmers go down the drain because of circumstances far beyond their control. We must make every effort, and this House has the opportunity now to make sure that that message gets through to the Prime Minister at the earliest opportunity. I invite the House to support my motion totally. I see no reason why any Party or individual should not support it. It involves support and confidence, directed to the Prime Minister regarding the actions we are presently taking; we are just seeking the reassurance that those actions will be continued.

Mr MEIER (Goyder): I totally support this motion and endorse the comments made by the member for Flinders. There is no question at all but that he is quite right in that we need to urge on the Prime Minister that the 700c minimum price be retained. It is quite clear that so much of the current mess originated some months ago when the Federal Minister for Primary Industries heralded that the minimum price would decrease. It has helped precipitate the current crisis. I will have a lot more to say about this, but I seek leave to continue my remarks later.

Leave granted; debate adjourned

MANUAL HANDLING REGULATIONS

Mr INGERSON (Bragg): I move:

That the regulations under the Occupational Health, Safety and Welfare Act 1986 relating to manual handling, made on 27 September and laid on the table of this House on 10 October 1990, be disallowed.

The Government is at it again! Some two months ago, the Government distributed proposed amendments to the industrial conciliation legislation which involved an increase in power for the trade unions. Today, we find that it has slipped a similar type of provision into the regulations of the occupational health and safety legislation in relation to manual handling. The regulations tabled in this House last September included a particular clause on consultation which provides *(a)* that the employer must consult with the health and safety representative who represents the employees; *(b)* that the employer must consult with a health and safety committee that has responsibility in relation to the employees; *(c)* that the employer must consult with, so far as is reasonably practical, the employees who are required to carry out the manual handling tasks; *(d)* (and this is the new paragraph which has suddenly slipped in), that, where an employee who is required to carry out the manual handling is a member of a registered association and requests the employer to consult with the registered association, the employer must invite the registered association to consult with the employer in relation to manual handling; and, *(e)* where an invitation under paragraph *(d)* is accepted, the employer must consult with that registered association.

That means we now have a situation in the workplace where, in a confined area in which employers and employees are setting up safety committees and appointing safety officers, we have a third intrusion and if an employee wants it, he must consult with the trade union. That is a most incredible and unworkable position. However, it is in line with the Government's argument to expand the power of the trade union movement in our community. No-one objects to the involvement of the trade union in reasonable or traditional areas. However, when this Government goes out of its way to deliberately expand the involvement of the trade union movement in an area which traditionally has been worked out and agreed to by the employer and employee, we must ask why this is so. It can be for one reason only, that this Government wants to make sure that its voting base, its power structure, is able to have more and more say in the whole area of occupational health. We will see a transfer of power from the traditional areas of union involvement into a new area of occupational health and safety.

The Minister has said in this House on many occasions that he wants to make sure that the occupational health and safety side of the workplace and relationships between employer and employee are improved. Everyone accepts that that is an excellent principle, but now a third party is being brought into the debate and that will make it absolutely impractical for the normal employer/employee relationships to continue.

In the past few days I have received from the Catholic Education Office a letter regarding this issue of manual handling. It states:

We are concerned that (in the reply from the Minister), it is stated that the changes: extending the requirement for consultation beyond that outlined in WorkSafe's model regulations and the South Australian Occupational Health, Safety and Welfare Act, and including a requirement for supervision, were not seen to be so substantially 'different from the draft national standard to warrant another period for public comment.'

In that letter, the Catholic Education Office is expressing its concern about the whole area of change in the manual handling regulations: the trust put in those regulations by the employers, employees and the commission has been broken.

To expand that point, I will go back a few steps. The Occupational Health and Safety Commission agreed to accept within the South Australian environment the national standards set down by WorkSafe. With that acceptance, there was an agreement that none of the national standards would be changed. That was agreed because we wanted to have uniform standards right around Australia. The Minister put forward that proposal and argued very strongly that that was the way we should go. This was a direction of the Minister agreed to by the Occupational Health and Safety Commission and its members. Then, at the last minute—in fact, within the last 24 hours—this new clause, which totally moves away from the national standards in this area, was slotted in. So, the Catholic Education Office is very concerned about this breakdown in consultation between employers, employees and the Occupational Health and Safety Commission.

We then received a letter from the Chamber of Commerce which put the situation far more succinctly. It is important that the comments of the Chamber of Commerce be read into the record, as follows:

The Chamber of Commerce and Industry is concerned that the Government proceeded with the gazetting of the regulation on manual handling without giving proper consideration to the concerns raised by employers on consultation within the regulation.

The regulation requires a level of consultation in 8 (1) and 8 (2)—

the regulations that I read out earlier—

which the Chamber believes is unworkable, unreasonable and goes beyond the scope of the Act. The regulation requires that employers consult with health and safety representatives, safety committees, so far as practicable the employees who carry out the task, and, where requested, the registered association. Toward this end consultation is defined within the regulation as 'the genuine opportunity to contribute effectively to any decision-making process to eliminate or control manual handling risks.' The Act in its current form has no definition of consultation.

So, the Government has slipped in at the last minute the need to involve the trade union movement—as it did in the Bill to amend the Industrial Conciliation and Arbitration Act—without the employers having a great deal of opportunity for input, and, importantly, with the employees not knowing what is going on. The Chamber believes that the definition of 'consultation' in the regulation goes much further than the consultation guidelines in worker participation models. The letter states further:

It is suggested that its inclusion within the regulation does nothing to improve manual handling but allows trade unions to have access to workplaces. Under the Act, consultation on health and safety matters is through safety representatives and safety committees, not trade unions. The provisions on consultation with the manual handling regulation, the Chamber understands, will be adopted in all further regulations.

Here we have the situation that, in all future regulations which relate to areas that affect the industrial scene, this clause will be slipped in and we will have the trade union movement as the third party in every single area. So, the trade unions are becoming more involved in areas that we do not believe are essential. The letter continues:

Unions do not have the body of expertise, nor do they have the resources to be able to service this provision and further provisions of this type.

I seek leave to continue my remarks later.

Leave granted; debated adjourned.

PORT MACDONNELL HARBOR

The Hon. H. ALLISON (Mount Gambier): I move:

That this House urges the Government to finalise its plans for design and construction of new harbor facilities at Port MacDonnell including control of sand drift and silting and the provision of safe all weather boat launching and retrieval equipment and to complete this long delayed project at the earliest opportunity.

It is said that the road to hell is paved with good intentions, and what I am trying to do is avoid reaching that destination. I simply want to bring to the attention of the House, members and the Minister of Marine the fact that over the last several years it has been the Government's intention to improve facilities, particularly the landing and launching facilities for the professional fishing fleet at Port MacDonnell. Other ports in the South-East—for example, Beachport and Robe—already have improved facilities by way of straddle carriers, but more of that in a short time.

Meanwhile, I suspect that the Government's long-term intentions have been either accidentally or deliberately deferred by the Maunsell reports. It was intended that there would be Maunsell reports stages 1, 2 and 3. Stage 1 has already been released. To my way of thinking, it is a sketchy, tentative and indeterminate document, which simply pointed the way to Maunsell report stage 2 being more instructive for the Government. The stage 2 report has not yet been released officially, although I understand that the Minister has it in his possession. I hope that it is not a series of stalling reports, because no substantial funding is available in the State budget this year for outport facility improvement. What money is available appears to have been allocated largely to ports other than those in the Lower South-East. I believe that $50 000 of panel harbors money has been allocated to the Maunsell report. As I said, it is a relatively shallow review—pardon the pun, because it involves port facilities.

The Department of Marine and Harbors has been canvassing quietly whether the district councils in the South-East, including Port MacDonnell, might be interested in a takeover—I think that has been done through the South Australian Fishing Industries Council—in much the same way as the local airport has been privatised to the Mount Gambier District Council. If the Port MacDonnell District Council were to be interested, I suggest that it would be on the basis only that the port facilities be brought into absolutely sparkling condition with the facilities available at least equal to those available in the other major ports in the South-East.

I do not know whether the Department of Marine and Harbors is in turmoil or whether the members there are afraid to make recommendations because of lack of funds, but it is worth noting that three different officers in the past three years have been reviewing the outport. There is a lack of continuity in investigation and therefore a lack of recommendation.

Of South Australia's fishing fleets, Port MacDonnell is the largest. It has about 80 commercial boats fishing from there, with the worst possible launching and landing facilities. It is simply not good enough. It includes 12 to 13 boats which have Victorian licences, some boats from Blackfellow's Cave and Carpenter Rocks also land there, and additional boats use trailer facilities, apart from the steel rail launching ramp. It has been subject to extensive silting over the last several years; there has been great difficulty in getting boats in and out; and in an emergency there is absolute chaos. We have almost lost boats because of problems associated with the heavy silt at the foot of the landing stage.

The Corcoran Breakwater, which was a boon, has created two things: a sheltered harbor and a massive silting problem in that 14 000 to 20 000 tonnes of sand per annum are deposited at the foot of the landing stage. That has to be dredged out and a platform of sand is being built which is steadily encroaching into the bay. That is a massive problem in its own right. The Coast Protection Board says that the sand must go back on to the beach, that it cannot be taken away. However, by putting it back on the beach, it gradually encroaches into the bay and creates further silting problems.

The Port MacDonnell lobster catch of 1 650 tonnes last year is right on the 17-year long-term average, which will give members an indication of the importance of Port MacDonnell as a crayfishing and exporting port. It is a substantial revenue raiser for the State and Federal Governments. It is important that we export, and Port MacDonnell is doing its bit in that regard. Other ports in the South-East have their own slip yard facilities and their own mobile cradles or straddle lifts. To my way of thinking, it is significant that the Minister of Marine, who is also Minister of Labour, has completely ignored the health and safety aspects of the Port MacDonnell problem.

The fishermen have developed extremely high skills to ensure that there is safety in jacking the boats when they are brought up from the sea and put into storage. They are very, very clever in the way in which they manipulate those boats and put them into land storage, but this is largely achieved with minimum risk because of the skills that they have developed. I am quite sure that, if the Minister of Marine were to observe his own health and safety regula-

tions, he would be one of the first to acknowledge that it is high time something was done to improve the harbor facilities at Port MacDonnell. Safe access, safe storage of equipment, safe launching and retrieval for fishermen should be the first prerequisites in designing port facilities, and Port MacDonnell is sadly lacking in that regard.

There is a $106 000 standing depreciation charge at Port MacDonnell, which includes the breakwater and jetty. The jetty is 100 years old and should have been written off 50 years ago. That is the depreciation time. The breakwater is 12 years old. I suggest that the $106 000 is held as a charge against Port MacDonnell with the implication that that sum of money is spent on it. In fact, the Government spends nothing on Port McDonnell. It is simply a figure that is being written off by the Department of Marine and Harbors.

The slipway is 30 years old and the yard design is well over 30 years old. It was designed for smaller vessels than operate now and it places restrictions on where vessels can go. There is very little rise and fall of tide at Port MacDonnell to improve access. For the interest of members, I point out that the rise and fall at Port Adelaide is nine feet. The slow and tedious movement of the heavy cradle manhandling compares very adversely with the straddle carriers at Robe and Beachport, and the trailer access at Kingston and Southend. The latter two ports use the Beachport and Robe facilities. Perhaps as many as five Port MacDonnell boats go to Portland, Beachport or Robe to be launched. It is not good enough for South Australia's biggest professional fishing port.

The STA loses $130 million per annum, yet the Government provides a mere pittance to look after a major export industry such as that at Port MacDonnell. It brought in $25 million from the southern zones for export revenue. The 80 boats are worth about $8 million—that gives members some idea of the value of the fishing fleet—and I suggest that for some years the Government has been ignoring the fishermen at Port MacDonnell and Carpenter Rocks, about which I will speak next week. The lobster men are funding their own buy-back scheme by the rationalisation plan, and they are quite happy to do that. Indeed, they are putting millions of dollars into the buy-back rationalisation scheme.

I suggest that the Government, rather than procrastinating by saying that it does not have Maunsell 2 and Maunsell 3, and that $106 000 is being lost every year on depreciation against the breakwater, should put some real money into providing safety of access, ingress and egress to the sea for Port MacDonnell fishermen, who fish from the stormiest, rockiest and most insecure coast that one would find anywhere in the world used by professional fishing fleets.

It is a measure of their tremendous skill and determination and the fact that they pioneered the cray fishing industry from those lower South-East crayfishing ports. They are a great example to the rest of Australia on how to survive in adversity and how to make a dollar, not only for themselves, but for Australia's own good. I ask the Minister to take all steps to finalise the plans and provide funds for the improvement of the Port MacDonnell harbor facilities.

The Hon. M.D. RANN secured the adjournment of the debate.

VIDEO MACHINES

Mr S.G. EVANS (Davenport): I move:

That in the opinion of this House the State Lotteries Act 1966 must be amended to allow for hotels and clubs to operate video machines as described in the regulations under the Casino Act 1983 as from 1 July 1991.

It is unusual for No. 19 of the Notice Paper to come on, but it has and I appreciate that. In moving this motion, the House would be aware that I personally have opposed poker machines which, in practice, is what video machines really are. At the time when the casino was given a licence in this State we had an assurance from the Premier that they would never be given poker machines. That assurance came through another member on behalf of the Government. I said that if that occurred, though, I would move to have poker machines available in clubs. Since then, the hotels have put their arguments, which I believe are quite strong. In some other States of Australia, hotels and clubs are allowed to operate these machines; even different types of machines than this, in a greater variety.

I take this action today because I believe there has to be equity in the system. No doubt, the casino had quite an effect upon, particularly, the inner hotels of the city and there is no doubt that if the casino has an exclusive right to these machines, as it has on gambling tables, it would give them a distinct advantage. Some argue that it will increase the capital value of the casino by something like $200 million, from having that exclusive right if they ever wanted to sell it. It would not mean an end to people leaving this State to play machines in other States, because many people in the Riverland areas, and so on, would find it just as convenient to go outside South Australia than to play the machines here in this State.

Further, this State relies a lot on tourism and regionalisation of tourism. Many in the rural areas are at the moment suffering an economic downturn. Why should people in those areas be denied the opportunity of employment from this method of gambling? Why should it all go to the casino, which is central in Adelaide? Why cannot the clubs and hotels in those regional and country areas also have that right? The same applies to metropolitan Adelaide. We are now talking about the cost of fuel; the pollution of our atmosphere; the congestion on the roads, and it would be more beneficial if these machines were in our suburbs, where people could go to their local spot and gamble instead of being enticed to the city, by the massive advertising campaigns of a large organisation, which, if granted exclusive rights, would see another huge amount of money coming into its coffers. Many of the clubs and hotels distribute money from the machines to charities and local sporting groups. However, our sporting clubs are in trouble. Our licensed clubs need extra revenue; they do not want revenue taken away from them, as will occur if the casino gets that exclusive right. We need to be conscious that there is a drain in that area.

The hotels and clubs of the State employ a lot of people, and the casino might argue that it would employ more people if it got 800 or 1 200 machines. They are the sorts of numbers about which they are talking: no fewer than 800 and perhaps up to 1 200 machines. Why have them just exclusively for one big business operation in this State? If the machines are going to be here, why not have them available throughout the community?

The other point is that at the moment we have breathalyser units on the roads catching people for drink driving. If people spend some of their money on video machines in the local club or pub, at least they will not be spending it on alcohol. There will be more interest and another activity for them, and fewer people will reach the point where they are over the limit. There is no doubt that that will be the result if machines are allowed.

We need to be conscious of the laws that we are passing in order to make road travel safer from those who drink

too much, whether they come from the casino, hotels, clubs or private homes. If we give people another activity, broadly based through the community, we will help counteract that effect. However, those laws have seriously affected the turnover of hotels and clubs. The result has been that, to some degree—and I have to make this point—hotels have moved more into the catering field, as have clubs, to try to pick up the lost revenue with food. However, at the moment that industry is also in decline. That has to some degree had an adverse effect on another section of the hospitality industry, that is, restaurants. Parliament must think seriously about what it is doing with this particular measure and allowing only the casino to have these machines.

The machines of the past could be manipulated at times. However, with the modern machines, that is not the case; they are secure, they are metered, they can be protected in such a way that no cheating goes on and they can be more effectively policed. I am putting a time limit of 1 July next year on my proposition because I believe that gives the Government time to get organised and to do something about this matter. Of course, the other point is that it is only a motion before the House, and there is no reason why a Government, if it wants to put it under some other form of control, cannot do that if it so wishes. I am using that date just as a basis for the argument that that is one area from which they could be controlled.

I will read from a letter that members received from the Australian Hotels Association and the Licensed Clubs Association of South Australia. It states:

Both the Licensed Clubs Association and the Australian Hotels Association believe:

- That clubs and hotels provide a suitable network within this State for the broader availability of this 'soft gaming' entertainment;
- That technology is such that the new generation of machines offer control, accountablility, but most of all another entertainment option for our customers that we believe has wide acceptance;
- That the availability of video gaming machines to clubs and hotels will generate additional employment opportunities because of the subsequent increase in levels of business, whilst maintaining the balance in our industry.

I want to talk about the balance because it is important to give some balance back to clubs and hotels because the casino is gradually dragging in more and more, especially if we give it this right in relation to poker machines.

The Hon. E.R. Goldsworthy: That is why they want it.

Mr S.G. EVANS: There is no doubt about that. In addition, the letter states:

- That because of the decentralised nature of the club and hotel industry, significant benefits will be available for all communities and regions through increased business activities;
- Both the Licensed Clubs Association of SA and the Australian Hotels Association (SA Branch) are determined to ensure that our industries are given every opportunity to compete with the Adelaide Casino and interstate operations providing similar gaming machines.

That is important. If we are going to have licensed clubs to try to benefit sporting groups, and other groups, it is important that they be given an opportunity to compete. We have seen it happen in New South Wales, and the important thing is that neither the clubs nor the hotels are asking for large numbers of machines. They are asking for a maximum of 25 machines. One group is saying 25, the other 15, and in the case of clubs they want to tie it to the membership of the clubs. I think that is a fair proposition, on a *pro rata* basis.

The other point we need to remember is that the casino has the highrollers at the moment, as well as some small gambling through keno. These machines will operate from 20c to $1, in that range, and the type of people who are going to go and play the machines are the small gamblers, the people that the clubs and the hotels have relied on to be their customers, sometimes with bingo or other games that are played. There was a massive campaign saying you could win a pot of gold at the casino, and in the older age group where we have the 'seniors' card' for concessional travel there will be a great temptation to go to the casino, if it is given this exclusive right.

The Hon. E.R. Goldsworthy: That's what the casino wants.

Mr S.G. EVANS: That's right, it is what they want. They are out because they have some difficulty in attracting enough high rollers to move more into the South Australian market. The casino will agree with this; that 75 per cent of their customers now come from within South Australia and they are out to gain more if they can, because as the other States and territories build casinos they know that their game is going be tougher. However, that is not the fault of this Parliament. Why should we destroy the hotels and clubs for the sake of one business operation that was given the exclusive right to all the table games. They would have the video machines; they would not be denied them. We want some equity in the system.

There are other matters to which I want to relate, but I believe that, because parliamentary time is running out near the end of the session, I could respond in summing up some time in the future. For that reason, I ask the House to accept the argument that, if Parliament is going to give the right to the casino to have video machines, then we must give it to the clubs and hotels. I would ask the House to accept what is a fair proposition, because it is important if we are going to have equity within this industry. We must realise that the hotels are an important part of the hospitality industry and the tourism industry. They have had a kick in the teeth in recent times with all the adverse comment in the press and so on about alcohol and hotels need to have this balance of another form of entertainment, and so do the clubs. I ask the House to support the proposition.

Mr **HOLLOWAY** secured the adjournment of the debate.

SALE OF STA LAND

Adjourned debate on motion of Mr Matthew:

That this House calls on the Minister of Transport to prevent the STA from taking further steps to dispose of land on Newland Avenue, Marino until such time as traffic options for the proposed Marino Rocks marina have been finalised.

(Continued from 18 October. Page 1181.)

Mr HOLLOWAY (Mitchell): This motion concerns a parcel of land adjacent to the Marino railway station on Newland Avenue. This land was originally set aside as a storage yard for the railway line, as was the practice in that era with many suburban and country stations. This land was no longer necessary for the operations of the STA and it was proposed that it be sold. I understand that the STA had received a number of complaints from residents about the dust nuisance coming from the land, and it had also received complaints about its unsightly appearance.

The STA, of course, was also keen to dispose of this land for housing, for the advantage that, in having residents living near to the station, it would help combat graffiti on the station and also increase the number of patrons on the line. After it decided to dispose of this land, the STA lodged a section 7 notice for its sale, and Marion council was notified. I understand that a series of negotiations had taken place between the council and the STA and adjustments had been made to the plans.

The number of blocks originally proposed to be sold by the STA was nine; that was subsequently reduced to eight and then to seven. The STA agreed to increase a car park area and to put an encumbrance on the land to ensure that any buildings erected were single storey. The STA also commissioned a traffic study by Murray Young and Associates to look at the impact any development would have on traffic in the area. The matter is currently before the State Planning Commission, and I understand that the commission referred this traffic report to the Department of Road Transport for its comment and also requested the Department of Road Transport to examine the possibility that Newland Avenue would become more than just a local collector road and, therefore, beyond the responsibility of the council.

I believe that the Department of Road Transport would be looking at the impact on this road of all future development in the area, not just the impact of any marina that might be built. I understand that the Department of Road Transport is currently investigating the matter. When its report is finished, it will be referred back to the State Planning Commission to make its decision on the matter, and it will then go before the Minister for Environment and Planning for her decision.

As matters in this motion pertaining to transport are currently before the State Planning Commission and are also being investigated by the Department of Road Transport, I believe that it would be improper for me to debate these matters further and I will seek leave to continue my remarks later.

Leave granted; debate adjourned.

INSTANT LOTTERIES

Adjourned debate on motion of Mr S.G. Evans:

That the regulations under the Lottery and Gaming Act 1936 relating to instant lotteries, made on 19 July 1990, and laid on the table of this House on 2 August 1990, be disallowed.

(Continued from 18 October. Page 1185.)

Mr S.G. EVANS (Davenport): I want to correct an interpretation the one business organisation has made from my speech on 11 October when I spoke about the game being crooked. I was talking about the overall game in which private enterprise, whether it be in shopping centres or a company, was selling tickets and paying rent at shopping centres. That overall game or system is crooked, to my mind. I do not say that as a reflection on the shopping centre owners or company owners at all, I am just saying that I do not believe it was the intention of the original regulation that people should profit to such an extent from the selling of minor lottery tickets such as bingo or beer tickets.

To the company involved, which believed that I had reflected upon it, I say that that was not what I was doing. However, if that company interpreted my speech in that way, I apologise. That company wrote to me and quite politely pointed out its concern to me. As I say, I do not wish to reflect on the people in that company as individuals, but I believe that the system is outside what was intended.

I do not wish to speak any further to this motion. If it gets to a vote, I will speak then. I believe the House should look at other points of view on this subject. I will quote from evidence before the Joint Committee on Subordinate Legislation, which is chaired by the Hon. Mr Feleppa from another place and which is composed of members from all sides of politics, including the member for Elizabeth. A member of a hotel social club said:

My biggest gripe is with the fact that we are the ones who are directly involved—

in other words, he is on the social club—

but we were not informed of the proposed changes to the legislation. I am very upset that the Licensing Commission and the gaming people have not had the courtesy to send this information to social clubs. The publicans knew about this only because they received letters and licenses from the Australian Hotels Association. If a publican is not a member of the AHA, would he have received this information? There are publicans in this town—

and he is talking about a country town—

who may not know anything about the situation. We heard a rumour about this legislation and got in touch with John Meier. I went to the Lotteries Commission and was told that no such legislation was going forward, but if it did we would be the first to know about it. To this day, we have not had any notification from any department, yet the other day I received a letter asking our club to pay for a new licence, which we have done.

That alone is enough for us to throw out these regulations. I think any honourable member in this House would realise that that is enough to say that the authorities have fallen down: they did not notify the people who will be affected that the regulations were coming in, and they did not give them the opportunity to make representations.

Further evidence presented to the Joint Committee on Subordinate Legislation on 14 November was tabled in the House yesterday. At that meeting there was a discussion along the lines that the whole structure of the small lotteries division in relation to hotel social clubs and so on should be changed, and all the minor licences should be changed. The views you have expressed on the evidence, Mr Deputy Speaker, as a member of the Subordinate Legislation Committee, are quite relevant and to the point, and have a lot of merit. I hope that the committee will recommend that these regulations be disallowed on the basis that, first, there was no proper consultation and, secondly, that there needs to be further discussion and a different system implemented.

The evidence, which is available to all members, shows that, with a turnover of, I believe, $100 000, the social club profit margin was $34 000. The social club points out how much it gives to charities and supporting groups in the communities. Not all these clubs operate as effectively as that, and we should be conscious of that. I hope that the regulations are disallowed so that we can renegotiate a better system in the future, and I hope I will have an opportunity to sum up later after the views of other members have been heard. I commend the motion to the House for the disallowance of the present regulations hoping that a better set will be introduced in the future to provide better methods of operation.

Mr De LAINE secured the adjournment of the debate.

MULTIFUNCTION POLIS

Adjourned debate on motion of Hon. Jennifer Cashmore:

That this House examine the economic, environmental, social and cultural impact of the proposed multifunction polis and examine and make public all commitments so far entered into by the Government, all costs to be incurred by the Government and the specific timetable proposed for development of the project,

which Mr De Laine had moved to amend by striking out all words after 'House' and inserting the following:

welcomes the opportunities created by having Adelaide nominated as the site for the multifunction polis and notes the approval of the Commonwealth Government for the next stage of the project involving a detailed environmental assessment of the Gillman site, an estimate of the infrastructure costs of the project and the methods of financing them, an investigation of potential business opportunities, an assessment of the impact on the social

fabric of Adelaide and South Australia, and a collaborative community consultation program between the South Australian and Commonwealth Government. This House supports the work of the management group chaired by Mr Ross Adler, and looks forward to the publication of its report.

(Continued from 18 October. Page 1186.)

The Hon. T.H. HEMMINGS (Napier): I support the amendment and, on behalf of the mover of the amendment (the member for Price), I reject the kind offer put to the House by the member for Light to pick up his suggestion to incorporate the amendment into the motion of the member for Coles under Standing Orders 161 to 167. The member for Light knows that the member for Price did not come down in the last shower, and I am sure that the member for Light will recognise that my colleague will not succumb to the blandishments and duchessing of members opposite.

I am also sure that the logic of the amendment before the House will prevail when the vote is taken. In his contribution urging the member for Price to accept his advice, the member for Light asked that the member for Price and members on this side trust him. After the fiasco of last night, who ever again could trust members opposite? I must say that I agree wholly with my colleague and his decision to continue with this amendment. The member for Light's suggestion that the amendment be withdrawn is either a good try-on or is based on a misplaced understanding of the difference between the original motion and the amendment.

The original motion is inadequate to the extent that it contains no recognition that the important issues that it raises are the subject of detailed consideration in the feasibility study currently being undertaken. If the original motion were adopted, this House may well be required to duplicate investigations that are already underway. On the other hand, the amendment recognises that the MFP project is subject to a feasibility assessment, including environmental assessment of the Gillman site, infrastructure cost assessment, examination of the methods of financing the costs, investigation of potential business opportunities and assessment of the impact on the social fabric of Adelaide.

Importantly, the amendment places no restriction whatsoever on this House's considering these issues. The amendment acknowledges that the feasibility report will be published. At that time it will be open to any member of this House to raise any issues dealt with in the report, or perhaps which should have been dealt with in the report, either by way of question or substantive motion. Indeed, the Government would not shirk away from addressing any of the real issues raised.

It is appropriate that the feasibility study be completed to ensure that the debate is objective, informed and not driven by any form of prejudice and Luddite mentality. Once again, perhaps I have been in this place too long and I may be labelled as a bit of a cynic, but I detect in the motions that come before this House from members opposite supposedly in favour of some form of development the ever-present white flag being hoisted—the anti-development brigade going down their usual dreary way.

Members interjecting:

The DEPUTY SPEAKER: Order! The member for Hanson is out of order.

Mr Becker interjecting:

The DEPUTY SPEAKER: Order! I warn the member for Hanson for repeated interjections contrary to the direction of the Chair. The member for Hanson will cease interjecting. The member for Napier.

The Hon. T.H. HEMMINGS: Thank you, Sir, for your protection. In the time that we have been in Government, I have not seen a sincere motion put before the House by members opposite during private members' time.

I do not say that it is necessarily congratulating the Government on any particular project or any form of development. It is usually dressed up in such a carping way that for ever onwards they can continue to snipe away at what is good for this State. If ever there was a case of lack of vision on the part of the member for Coles, ably abetted by the member for Light, it is the one before us today.

I return to the amendment. Once the report is completed it will be considered by the Federal Government, which will ultimately decide whether the project will proceed. I am sure that any clear thinking member of this Chamber would recognise that that is the only way to go. Before I deal with the motion moved by the member for Coles, there remains only one matter which was raised by the member for Light and on which I wish to comment. The honourable member claimed that the amendment before the House is congratulatory and that debate in this place would be better off without such congratulatory motions. To a certain extent, I agree with that. If members on this side stood up time and time again congratulating the Government, that would be a misuse of private members' time. To a certain extent, I accept that, but that criticism just cannot stick in the context of my colleague's amendment.

The amendment deals primarily with matters of fact, that is, what comprises this next stage of the MFP proposal. Those parts of the amendment which do not directly describe the feasibility of that stage of the project are, I believe, completely inoffensive. First, the amendment simply welcomes the opportunities provided by the MFP proposal. What problems does the member for Light see in that? The amendment concludes with a statement of support for the work being done to develop the proposal.

Mr Ferguson interjecting:

The Hon. T.H. HEMMINGS: My colleague the member for Henley Beach says it is another case of running up the white flag, and I believe that. The member for Henley Beach is sometimes a bit unkind to members opposite, but I think that in this case he is right. Again, what problems does the member for Light see in that statement of support for the work being done to develop the proposal? Is it that the member for Light and his colleagues have no confidence in the management group of private citizens and public officials or in the work they are undertaking? If that is the case, the member for Light, the member for Coles and any other member who might wish to take part in this debate should stand up and say so; they should say they have no confidence in Mr Ross Adler and say they have no confidence in the public servants who are involved in the working party, but let them say it in this Chamber, rather than continuing to snipe at the edges, as they are prone to do so often when we are dealing with any form of development.

Members interjecting:

The Hon. T.H. HEMMINGS: I will ignore the interjections. I now wish to deal with the motion put forward by the member for Coles, in which she talks about a previous motion she had put before the Chamber last year: because Parliament was prorogued, there was no response by the Government. I am sure that the member for Coles will not insist on a claim that the Government was hiding behind a prorogation of this Parliament in not responding. I am sure that, if Parliament had not been prorogued and we had not had an election, the member for Price would have been standing up some nine months earlier than he did a few weeks ago in putting forward that amendment.

The member for Coles places great importance on the Gillman site, and she took us down the path of when she

was Minister of Health in the Tonkin Government. She stood on the Gillman site in effect defending attacks by this side of politics that the Gillman area was a toxic waste site and full of uranium. I well remember the member for Coles in fact saying that. If the member for Coles feels that I have a massive file of all the statements she has made, she would be dead right, because I was always an ardent admirer of the member for Coles when she was Minister of Health.

Mr Ferguson interjecting:

The DEPUTY SPEAKER: Order! The member for Napier is making a speech. The member for Henley Beach will have to wait his turn.

The Hon. T.H. HEMMINGS: What the member for Coles was saying in her contribution was that, because Gillman had been a toxic dumping ground and had been abused over the years, because the people in the western suburbs had to live within those confines of the Gillman area—and I include Port Adelaide and the Le Fevre Peninsula—because that site had been chosen and because the cost of an environmental clean up would be so great, and this Government could not afford to clean up the Gillman area other than at the expense of other areas of Adelaide (and I presume that the member for Coles was referring to the eastern suburbs), therefore we should not do anything about it. She did not actually say that, but that is what she inferred in her contribution.

She then raised the question, even if the Government did go down that path, whether it would be successful. I say that if ever there was a case for environmental clean up of this particular area, we have it here and now. When one looks at the health atlas of the western suburbs, one sees that some of the information found in that atlas is frightening. People in the Port Adelaide local government area have traditionally experienced an elevated death rate, partly due to cancer—namely, lung and mouth cancer—and partly due to chronic respiratory disease. There is an elevation of bronchitis and emphysema mortality in the Port Adelaide area. Since its establishment, the Dale Street Women's Health Centre has been contacted by many women who have concerns about various environmental health issues in the Port Adelaide local government area.

That is reason enough for this Government, despite whether the Federal Government agrees to go ahead with the MFP proposal in the Gillman area, to use the expertise that it has gained over the years to set about cleaning up the Gillman area for the benefit of those residents who live there and also to tell industry to clean up its act and to encourage new industry, including hi-tech industry, into that area where industry and residential areas can go together. Because other members wish to speak to other matters, I seek leave to continue my remarks later.

Leave granted; debate adjourned.

MAMMOGRAPHY SCREENING

Adjourned debate on motion of Mrs Kotz:

That in the opinion of this House the Government should continue funding for free screening mammograms for women aged 50-64 years and to include women aged between 40-50 years.

(Continued from 11 October. Page 961.)

Mrs KOTZ (Newland): When I moved and spoke to this motion some weeks ago, it was with the knowledge that technology was available to women to provide the early detection of breast cancer to assist with life saving techniques—techniques that could reduce extensive surgical procedures which prevailed in past years. I spoke to this motion with the support of over 6 000 women throughout this State who understood and supported the need for access to this technology.

This motion seeks continued funding for free mammography screening for women aged 50 to 65 and to include women aged between 40 and 49 years. I believe I have presented strong and supportive evidence which demonstrated not only the need for continued funding for the current program but also for the inclusion of the age group of 40 to 49 years, and with the ultimate aim of removing all age barriers.

I would like to extend my appreciation to the member for Flinders, who gave his unqualified support for this motion and who also spoke out on behalf of all country women and for the need to provide a mobile caravan facility to cater for rural women who are often domiciled in isolated areas but who should rightly expect reasonable access to health and welfare facilities. However, I am at a loss to fully understand the contribution to this debate by the member for Stuart.

The member for Stuart supported, in her words, 'the thrust of the motion' for continued funding for free mammography screening and agreed that 'it was essential that there was early detection of breast cancer for successful treatment'. The honourable member then presented a myriad of excerpts from a series of medical journals in an effort to contradict the arguments I presented to this House in support of screening programs for women aged 40 to 49, and stated in part that the 'benefit of routine screening of all women aged 40 to 49 is inconclusive'. To support that statement the honourable member included this excerpt from an American medical journal:

> Virtually all experts conclude that an asymptomatic woman who is at least 50 years old will benefit from regular breast cancer screening.

I have no problem with that statement, but, it certainly does not in any way verify the honourable member's claim that this is a supporting statement that screening women aged 40 to 49 is inconclusive. The member for Stuart also stated:

> To suggest, as the honourable member has done—

and that is a reference to me—

> that the 40 to 50 age group is in the high risk category is perhaps at odds with the facts.

I must suggest that the honourable member is at odds with the facts. My contention with this age range alluded to the point that, as there already was a classification of high risk, the 40 to 49 age group must be part of that classification, and not, as the honourable member misrepresents my contention by suggesting that I meant, that 40 to 49 should be the high risk category.

The honourable member's contribution continued in the most unusual and most contradictory manner: on the one hand, alleging support for access to mammography for younger women and on the other qualifying that support by suggesting that more effort should be directed to achieving a high participation rate among women over 50. The honourable member agreed with my sourced statement that the American College of Radiology has in the past recommended base line screening mammograms for women between the ages of 35 and 40 and upwards, and then contradicted the college's findings by unsourced, unnamed medical scientists who allegedly had challenged those recommendations.

The most positive support that the member for Stuart could muster was her announcement at the end of her address:

> Some time this month, we will hear what that funding is. The service will be extended to include those women in the 40 to 49 years age bracket who are keen to use it. Whether that funding

comes through or not it has been indicated to me that those women will be screened in any event.

The honourable member again qualified her support by saying:

However, I support the limiting of the vigorous promotion to women in the 50 to 54 years age group who would benefit most from the screening.

The honourable member had previously disputed the claim I had made that the selective 50 to 64 range was based purely on financial, administrative and technological constraints. The honourable member concluded her address with this statement:

I believe as and when additional funds become available we should certainly look at lowering those age ranges in order to make sure as many women as possible in South Australia are screened through a mammography program.

That statement made it very clear that the availability of funds plays a major role in determining the age range selected as opposed to medical opinion. It is also a direct contradiction of the honourable member's previous statement that, whether or not funding comes through, screening will be provided for that 40 to 49 age group.

Now, if the members in this House are thorougly confused I can only suggest that we are all on a par. Rather than reiterate the arguments I addressed when speaking to this motion initially, I would like to read into the record of *Hansard* an interview that took place on 27 February 1989 on the Philip Satchell radio program. Mr Satchell interviewed Dr Joan Croll, who was Director of the Breast Health Screening Program in Sydney. I will identify the speakers by their surnames. The transcript of the interview is as follows:

Satchell: Everyone over 40 should be having them?

He is talking about mammograms. It continues:

Croll: Yes . . . it's been shown overseas that regular screening can reduce the death rate from breast cancer by a third, and that's a colossal change . . . in breast cancer which has been the greatest killer of women from 40 to 54 in Australia for as long as records have been kept . . . the good news is that regular screening—that means about every 12 to 18 months if you're 40 to 49 and every 18 months to two years if you're 50 to about 74—can save your life . . . Most of the people who go to the screening program will be told they have nothing wrong, and that's also a positive thing that comes out of a screening program—a reassurance which is pretty accurate these days.

Satchell: . . . I thought it was hard to be very certain. I thought they were terribly hard X-rays to read.

Croll: You're so right . . . but the people who are reading them in Adelaide are very good . . . and they've got good machinery, too . . . The success rate is that a screening mammogram will miss less than 10 per cent of the cancers which are present, but of the cancers which are found by mammography between 50 and 75 per cent will not be felt, and those cancers would have taken one to two years to grow big enough to become palpable . . . If women wait until they feel a lump, it's taken an average of six years for that lump to grow from one cell to a palpable tumor . . . So if you find it one to two years before by having an X-ray, well, why not do it?

Satchell: How old will the lump be by the time the X-ray can pick it up?

Croll: . . . No-one's ever done that type of research—but it would be an average of four years to five years from one cell to a mammographic abnormality . . . This has been proven overseas, that the death rate's reduced by 30 per cent at least. But you've got to have good readers who are dedicated and good machines, and you have both in Adelaide . . . Queen Elizabeth and the other big hospital down there . . .

Satchell: . . . So at the moment the chances are if you have the X-ray there's 90 per cent or better than 90 per cent chance of picking up any tumor that's there?

Croll: That's right.

Satchell: Having picked it up, does it pick up tumors that are the precursors of cancer?

Croll: It can pick up what are called '*in situ*' cancers. That means the cancer is still within the duct; it still has not burst through the tube in which it's growing, and that is a non-invasive cancer and that is entirely curable.

Satchell: And you can get them two or three years or, say, two years before you can pick them up by feeling them?

Croll: Say up to two years, yes.

I, for one, am not going to argue with the good doctor, who presents the case for this technology to be made available to women and who talks of risk factors in the 40 to 49 age range as long as records have been kept in this country. Regardless of any debate that may rage over age definitions, the undeniable facts make one most positive statement, and that is that, although most prevalent in women over 50, breast cancer is still the most common cause of death for women aged 35 to 54. In 1988, the most recent year for which the Australian Bureau of Statistics has produced causes of death statistics, deaths due to cancer of the breast in that year claimed 23 men throughout Australia, and the recorded death toll of women was 2 348.

I find it extremely disappointing that the member for Stuart has chosen not to support the extended age range and I am sure that many thousands of women from all over the country, who signed the petition to support this motion, will be equally disappointed. I am thankful that the Minister of Health has recognised the immense need to protect the lives of women from this insidious disease and has looked favourably on the program and, indeed, heeded the calls for extended age range screenings. I am aware that the Queen Elizabeth Hospital's breast screening program has already reduced the age range to 40, and I look forward to the Minister's further positive statements in due course.

Motion carried.

CRIMINAL LAW CONSOLIDATION ACT AMENDMENT BILL (No. 2)

Adjourned debate on second reading.

(Continued from 8 November. Page 1677.)

Dr ARMITAGE (Adelaide): I rise, first, to clarify some inaccuracies, which I am sure were inadvertently made by the member for Henley Beach in his speech last week. Secondly, I will put on the record my views on this subject, which I will argue strongly in the Party room, as well. In doing so, I believe that in this House I am uniquely qualified because I am not inexperienced in this matter, as other members are. Before becoming a member of Parliament, I was in daily contact in my general practice with women with fertility problems. Also I was an employee of the Family Planning Association for five or six years working at clinics in Norwood, Hindmarsh, St Agnes and the Flinders Medical Centre.

I deal first with points made by the member for Henley Beach, who stated last week:

We know from opinion polls and from social surveys that the majority of Australians believe that safe abortion services should be available to those who need them . . .

I have no argument with that, but I point out that there is absolutely no mention of the location of such safe abortion services. I know from my experience that women who desire a termination of pregnancy have absolutely no specificity as to where that termination is provided. The location is completely immaterial. They are after a clinically excellent service, which is safe, in conducive surroundings and readily available. The Government is falling down in the availability of these services, as I will demonstrate later. The member for Henley Beach indicated, in reference to the member for Hayward:

I remind him that abortion is safer the earlier it is performed. Delays of two or three weeks for public patients in our public hospital system result in terminations being performed later than would otherwise be necessary.

I agree with that but, unfortunately, it is his Government which that has made a wait for services necessary. That is the nub of the problem. There is a wait, and only one group of people, those who provide health care in South Australia, is responsible for that, and that is the Government. My experience indicates that, in many cases, it is eight to 10 weeks before women become confident of diagnosis of pregnancy or before they admit that there is a potential for pregnancy and seek a diagnosis from the doctor. If after 10 weeks there is 'a delay of two or three weeks' it means that the patient gets into the more dangerous area. The member for Henley Beach went on to say:

Well coordinated retrieval arrangements will be made with the Queen Elizabeth Hospital for the very small number of complications that require the facilities of a major hospital... The Queen Elizabeth Hospital is approximately five minutes drive from Mareeba.

I agree that it is approximately five minutes drive from Mareeba if no railway blockage occurs, but that is frequently the case between Mareeba and the Queen Elizabeth Hospital. The member for Henley Beach mentioned the Furler report, and I will read into *Hansard* the membership of that working party, organised for the South Australian Government by the then Minister of Health (John Cornwall), as follows:

Chair: Ms Elizabeth Furler, Women's Adviser (Health), South Australian Health Commission.

Members: Dr Jill Need, Lecturer in Obstetrics and Gynaecology, Flinders University of South Australia.

Ms Dianne Krutli, Nurse-in-Charge, Outpatients Department, Queen Victoria Maternity Hospital.

Ms Julie Potts, Senior Social Worker, Family Planning Association of South Australia.

Ms Jan Dolman, Principal Nursing Officer, Family Planning Association of South Australia.

Ms Bronwyn Blake, Legal Project Officer, South Australian Health Commission.

I point out that they met from October 1984 to January 1986. However, the member for Henley Beach has very selectively reported from the Furler report. He mentioned such things as separation of any termination area from the Departments of Obstetrics and Gynaecology, specific staff, discreet units, separate management, separate budgeting and so on. I agree with all of that; I have no difficulty with that whatsoever. However, the member for Henley Beach, inadvertently I am sure, forgot to read the rest of the report which states:

The constraints of existing legislation still apply, whereby termination of pregnancy can only be performed in approved hospitals. Rather than an impediment—

and I emphasise that—

the working party believed that the hospital environment can provide some protection to both women clients and service providers at a time when irresponsible acts of violence and infringements on personal privacy are being perpetrated by some extremist groups... Furthermore, the working party believed that by locating an important primary health care service which blends personal care with prevention, health education and promotion, the community health service role of hospitals, and concomitantly their responsiveness to community needs might be improved... The working party felt it most appropriate to build on services and goodwill where they already exist.

In other words, the working party is quite clear in its recommendations. However, the member for Henley Beach unfortunately forgot to quote those parts. I would like to read to the House recommendation No. 6 of this Government report:

Pregnancy Advisory Centres be established at the Queen Victoria Hospital, the Queen Elizabeth Hospital, the Flinders Medical Centre and the Lyell McEwin Hospital.

This is quite unequivocal. The member for Henley Beach, having selectively quoted the Furler report in support of his argument, then states:

The Furler report called for four such centres, each to be established under the umbrella of a major metropolitan hospital. The Government has no intention of meeting the requirement of this recommendation.

In other words, what he has done is clearly thrown at odds the adequacy of the Furler report. The member for Henley Beach goes on:

Neither does it intend to establish a second pregnancy advisory centre on the site of the Queen Victoria Hospital.

Members will know that that is well and truly in train at the chief executive officer level of the Health Commission to which the Health Minister shrugs his shoulders and says, 'It is not my responsibility.' This is absolutely inconsistent of the member for Henley Beach; he embraces the Furler report where it suits him and he discards other parts of the report. It reminds me of nothing more than one of my favourite Punch cartoons where there are some people, obviously relatives of a recently deceased person, sitting in a lawyer's office and the lawyer has a piece of paper, which is obviously the will, with large holes cut out and pieces glued to it. The lawyer says, 'I, John Smith, being of sound mind leave all my goods and possessions to my lawyer.' This is typical of the Government. They selectively quote a report. They call for it and taxpayers pay for it. It was expert opinion, but they ignored it.

Some people have viewed this Bill as an attempt to curtail abortions. I would like to quote the member for Henley Beach who, in his speech last week, lays this argument to rest once and for all. He said that, if this Bill had been enacted 'the number of abortions undergone in South Australia will not have been reduced by one iota.' He continued:

Let that be the end to that argument once and for all. This Bill is about the primacy of Parliament.

I now turn to my views. I believe that the prevention of this occurrence is better than cure. Specifically, I would like to praise the work of the Family Planning Association with their clinics, their outreach clinics, their migrant services and so on. I believe that we, as a society, ought to have a commitment to the committed staff of the Family Planning Association.

Mr Brindal: How much has the Government spent on it?

Dr ARMITAGE: Well may the member for Hayward ask what the Government has done about the Family Planning Association as far as funding goes. What has it done to prevent pregnancies? What has it done to make contraception more readily available? What has it done to cater for the needs specifically, of young people, but also of older people, who may need a termination because of the unavailability of contraceptive advice? Let me tell the House what the Government has done. Between 1987-88 and 1988-89, the family planning grant from this Government went up by 1.05 per cent, with a CPI increase of 6.7 per cent. The following year, the Government grant to the Family Planning Association went up by 3.9 per cent, with a CPI of 7.3 per cent. However, I will let the Government off the hook a little, because last year it was getting closer, when the grant went up by 6 per cent, although the CPI was 7.1 per cent. Although the Government is creeping up towards keeping funding at the level it should be on a real basis. That is an absolute indictment of the Government's commitment to try to prevent this problem.

However, I am a realist, I understand—and I know from my experience as a practitioner—that contraception, despite its ready availability and the ease of access to services, does fail. There is method failure and user failure. User failure is nothing more than perhaps an unfortunate irresponsibility or a misunderstanding on the part of the people who use it. Method failure is where the method is utilised absolutely correctly by a dedicated user and it still fails. For instance, oral contraceptives used well have a failure rate of about .3 per 100 women years.

My medical experience covers the days ranging from backyard abortions, through the original legislation, through to today's practices. I do not believe that society as a whole wants us to turn the clock back to the days of backyard abortions. I believe that as legislators we have a responsibility to provide appropriate services for those who slip through the contraceptive net. As I mentioned before, that happens through either method or user failure.

In relation to user failure, I believe that just as much responsibility is required of a male partner as of a female partner in any contraceptive decision. My belief—and as I indicated before, I will argue this matter very strongly in the Party room—underpinned by a commitment to contraceptive services being better provided than they are at the moment. However, I believe that we as legislators must provide a first-class termination service, and by that I mean a first-class service within medical parameters.

Obviously, I mean that the facilities must be absolutely world class, with world-class support services. I believe that such a termination service for those who slip through the contraceptive net must be readily available. It is important that the service be anonymous. I know from my experience that people have difficulty even going to the Family Planning Association for advice on these matters, let alone going somewhere for a termination. The service must be anonymous; it must be near public transport; and it should have its own budget and management. Any termination service should operate as an individual unit and it should have specifically appointed and trained staff.

All of this can be provided in the present hospital system. It can all be provided in line with the Furler report, which involved expert opinion taken over 18 months. Why go against expert opinion? If and when the Liberal Party becomes responsible for health care, the requirements that I have mentioned in relation to a first-class service, ready availability, anonymity, proximity to public transport, independent budgeting and management, with specifically appointed and trained staff, will be provided.

I return to the specifics of this Bill. I reiterate: on his own admission, the member for Henley Beach stated (and I quote from *Hansard*, page 1677):

> If this Bill is enacted, the number of abortions undergone in South Australia will not have been reduced by one iota.

It will have no effect on the numbers of terminations done at the moment. The service provided in this area by the Government is inadequate. This Government does not do enough in relation to prevention; it prefers after-the-fact patch-up treatment, and I believe that this Bill is about the primacy of Parliament. Whilst pledging myself to work assiduously for the provision of first-class appropriate services for those people who require terminations after they have slipped through the contraceptive net, I urge support for this Bill.

The Hon. T.H. HEMMINGS (Napier): In the short time I have before we adjourn for lunch I would like to make a brief reference to one particular part of the member for Hayward's contribution, where he said:

> The benches opposite, despite the longing of some members to the contrary, are occupied by no Pharaoh of Egypt or a Tsar of all the Russias. To your right, Sir, sits no Son of Heaven but a Premier of South Australia and, as such, the chief servant of the will of this House.

I take exception to that. I have no problems with the term 'Pharaoh of Egypt', I have no problem with the term 'Tsar of all the Russias'; but I do take very personal exception to the term 'Son of Heaven' being used. I would like to remind the member for Hayward, although I know he does not need any reminding, of Exodus, chapter 20 verse 7.

Members interjecting:

The Hon. T.H. HEMMINGS: I can assure the House I am very serious. There are some people on this side of the House who know my religious beliefs; I practise them, and let me assure members opposite that I have never been more serious in this House than I am now. I quote Exodus, chapter 20 verse 7, as follows:

> Thou shalt not take the name of the Lord thy God in vain; for the Lord will not hold him guiltless that taketh his name in vain.

The honourable member would do well to note that blasphemy is not condoned by some members on this side of the House. I seek leave to conclude my remarks later.

Leave granted; debate adjourned.

PERSONAL EXPLANATION: MEMBER'S REMARKS

Mr BRINDAL (Hayward): I seek leave to make a personal explanation.

Leave granted.

Mr BRINDAL: In his remarks to the House a few moments ago the member for Napier suggested that in referring to the 'Son of Heaven' I was making a blasphemous remark. As as scholar of considerable note, I would have thought that the member for Napier realised that the Son of Heaven was one of the honorifics given to the emperors of China. It in no way alluded to a Christian God: it was an allusion to the totalitarian type of emperors of China, and I hope the member for Napier will accept my explanation.

[*Sitting suspended from 1 to 2 p.m.*]

ELECTRICITY TRUST OF SOUTH AUSTRALIA ACT AMENDMENT BILL

His Excellency the Governor, by message, recommended to the House of Assembly the appropriation of such amounts of money as might be required for the purposes mentioned in the Bill.

DEBITS TAX BILL

His Excellency the Governor, by message, recommended to the House of Assembly the appropriation of such amounts of money as might be required for the purposes mentioned in the Bill.

PETITION: BREAST X-RAY SERVICE

A petition signed by 107 residents of South Australia requesting that the House urge the Government to continue and expand the South Australian Breast X-ray Service was presented by Mrs Kotz.

Petition received.

LAW AND ORDER

A petition signed by 274 residents of South Australia requesting that the House urge the Government to devote greater resources to the maintenance of law and order was presented by Mr Matthew.

Petition received.

PAPER TABLED

The following paper was laid on the table:

By the Minister of Marine (Hon. R.J. Gregory)—

Department of Marine and Harbors—Report, 1989-90.

QUESTION TIME

RIVERLAND CITRUS GROWERS

Mr D.S. BAKER (Leader of the Opposition): I direct my question to the Minister of Agriculture. From analyses by the Minister, or by the Department of Agriculture over the past two months, what information can the Minister give to the House regarding the number of Riverland growers who, in all probability, will have to walk off their land because of the current rural crisis in the Riverland? Does the Minister acknowledge that it is essential to do everything possible to retain the population base of the Riverland and, if so, what contingency plans does the Government have in hand to achieve this objective?

Cold hard statistics show the size and value of the Riverland to the State. There are about 2 500 fruit growers in the Riverland with property values of $20 000 or more, a third of whom are almost certain to be forced off their properties. The total value of fruit and vine production in 1988-89 in the Riverland amounted to $205 million, representing 66.3 per cent of the State's total value of fruit and vine production. Cirtus production in the Riverland represents more than 90 per cent of the State's total citrus production. I should point out, of course, that the plight of Riverland horticulturalists is reflected among growers right across the State.

The Hon. LYNN ARNOLD: I will obtain the exact statistics the honourable member seeks and have them inserted in *Hansard* at a later time. The point is that this Government supports the Riverland and the continuation of the citrus industry, and that is why I have undertaken the steps I have, on behalf of the South Australian Government, with John Kerin. That is why I was the first Minister during the current rural downturn to ask for a meeting with him to find out what can be done by State Governments in collaboration with the Federal Government to solve the problems the industry is facing.

That is why I asked John Kerin whether he could arrange a meeting with the three affected States in the citrus industry—South Australia, Victoria and New South Wales. He acceded to that request, and that meeting will take place tomorrow. This State Government over the years has indicated its support for the Riverland through such things as the Riverland Development Corporation, which was established by the State Government as a result of great concern in the early 1980s about the future of the Riverland. The real issue on which I think this House should focus attention is whether or not all of us in this State support the continuation of the citrus industry and the dried fruit industry in the Riverland.

That is the view the State Government supports in the concept of a fair trading environment and in the context of ensuring that there are no unfair elements of international trade that the Australian industry has to put up with. We do not want to see major producers overseas receive unreasonable preference as less developed nations when their industries in those sectors are amongst the most advanced in the world. We support a situation whereby there is no dumping in this country and there is a quick mechanism to solve the dumping problems; and we support the present anti-dumping inquiry in the Senate.

I hope that, when I go to speak to John Kerin tomorrow about these matters and discuss them with the Victorian and New South Wales Ministers on a phone hook-up, I am able to say that all members of this place support what the South Australian Government is doing, so that I can tell John Kerin that there is unanimous support for the position of this Government in asking for fair trading and a fair opportunity for our Riverland growers. I hope that I can call upon the Opposition for its support in this endeavour.

SYNTHETIC TURF

Mr QUIRKE (Playford): Will the Minister of Recreation and Sport tell the House whether the problems associated with the hockey/lacrosse facility's synthetic turf surface have been brought to his attention? If they have, will the Minister say what he is doing to solve these problems? Last Thursday, a Channel 7 news item criticised the Supergrass 10 surface and implied that it was the Government's fault that that surface had been chosen and that taxpayers would have to spend up to $1 million for the problem to be rectified.

The Hon. M.K. MAYES: This facility is located within the honourable member's electorate. I think it is important that we actually clarify what I regard as a very misleading reporting exercise by Channel 7 concerning the hockey stadium. In fact, the report definitely directed its criticism to the State Government, suggesting incompetence on the part of the State Government and that the State Government was fully obligated to repair it.

Let me give some facts to the community and to the House. In fact, the standards for the Supergrasse surface of the hockey playing field were set by the international body and accepted by the Australian Hockey Association. It was recommended as one of the acceptable surfaces that should be put down on a hockey pitch.

We went through a process from 3 March 1987. Information was presented by the Joint Hockey Council and we sought advice from it, until 24 June 1987, when the Australian Hockey Association Incorporated advised us that approval had been given for six surfaces, and one of those surfaces was Supergrasse. Those six surfaces listed by the AHA were satisfactory for international standard facilities, and that was accepted and adopted. We worked on the international standards.

A letter sent to Mr Baldwinson of our department dated 19 August 1987 and entitled 'SA Hockey/Lacrosse Centre' states:

> Further to our letter dated 24 June 1987 where we listed 'Supergrasse' as one of the six acceptable synthetic turf surfaces, we wish to clarify that the surface was 'Supergrasse 10' as laid at the Homebush Stadium complex in Sydney.

This letter is signed by the National Executive Director of the Australian Hockey Association Incorporated. I think that it is quite clear that we have followed all the proper procedures and adopted international standards in terms of the construction of the stadium and the surface of the pitch. Allocating blame is completely destructive. I regret the report that appeared. It is unfortunate that one of the officers of the South Australian Hockey Association appeared and certainly added fuel to the fire by suggesting that the State Government was responsible for, first, deciding which surface should be used and, secondly, the full replacement.

Obviously, that is now history, and we have to look at where we are going and what we will do to address the problem. Discussions are under way at present between both my departments and those who are responsible for the

Supergrasse company. International tests will be undertaken on the surface to ensure a complete and adequate information base before any decision is made. If the surface does not meet the standards, Supergrasse Pty Ltd will be requested to remedy the surface under the conditions of the contract. One of the conditions of the contract is a guarantee for five years, and the company will be asked to meet its obligation to bring the surface up to international standards.

It is fair to say that there is a variety of opinions in the community at the moment as to the quality of the surface. Those opinions vary from those who find it acceptable and who have played on Homebush regularly to those who found it difficult to adapt to. Let me assure the House and the community that this issue is being addressed constructively. I think we have to look at it from the point of view of both the short and long-term solutions. There is no doubt that, by working with those involved in hockey and the community as a whole, we can come up with an acceptable solution. It may not be the one that everyone wants, but it may be a solution which provides a continuation of that facility.

All the reports I have received regarding our hockey/lacrosse facility have suggested that it is one of the best in the world, and certainly there has been no criticism of the facility—all praise. We realise there are some difficulties, but we will address them with the hockey poeple constructively. My officers have had discussions with the key officials in hockey who agree with that, and I know are concerned that those statements were made and that the television feature was run in the way it was.

RIVERLAND WATER RATES

The Hon. P.B. ARNOLD (Chaffey): Is the Minister of Water Resources prepared to defer payment of the water rates in the Riverland without penalty until after the harvest and payments for fruit delivered have been received? In view of the financial stress being experienced by most irrigators and given that the last day for payment of additional rates before interest penalty is incurred is 31 December 1990, an extension of time in which to pay would be seen as recognition by the Government of the growers' plight and assist in saving many from bankruptcy.

The Hon. S.M. LENEHAN: I have already been contacted by one of the honourable member's constituents from the Riverland requesting that the E&WS Department not proceed with the interest charge on late payment of water rates and irrigation rates. I have written back to the constituent saying that it was not my intention to defer the interest payment. However, the question was not asked with respect to this one incident, which involves a wait for the payment to come through and tying that to 31 December. I would need to have a look at the situation. I would need to consider the implications in terms of what this would do to the department's revenue. The honourable member is aware that the E&WS Department, like every other Government department, is cutting its cloth a little smaller each year. We have to ensure that we can maintain the operations that members, including the member for Chaffey, asked me about earlier this week: he asked whether we would be prepared to proceed with providing filtration plants in the townships along the Murray.

I informed the honourable member that I would like to proceed with this type of program but that the financial constraints were such that I was unable to do that. At the time, I made clear to the honourable member that there is already a cross-subsidisation from the metropolitan area, and I undertook to provide the honourable member with the extent of that cross-subsidisation. I understand that for the coming year 1990-91, for water alone there will be close to $40 million cross-subsidisation from the city water ratepayers to the country. I remind the House, as I did then, that I have no problem with metropolitan water users subsidising their country cousins. I think that is appropriate, and—

Members interjecting:

The Hon. S.M. LENEHAN: That's right, and that's fine. There is cross-subsidy.

Members interjecting:

The Hon. S.M. LENEHAN: It is not a furphy. I will provide the figures for the honourable member. I will also provide the amount of cross-subsidy for the provision of sewerage. Off the top of my head, I think that for 1991 it is about $11.1 million. However, I will provide the accurate sum. That is not the question that we are asked to address here. I give the honourable member an undertaking that I will investigate his request. Of course, I will do so in light of the fact that the budgets are set for this year, and I can only indicate to the honourable member that I certainly will investigate his request.

Members interjecting:

The SPEAKER: Order!

ENGLISH AS A SECOND LANGUAGE

Mr HAMILTON (Albert Park): My question is directed to the Minister of Education. What provision does the Education Department make for English as a second language program in the western suburbs? I have received many representations from constituents who have suggested that the funding for ESL programs have not been fully allocated or fully spent. Will the Minister clarify the situation, as rumours are afoot in the western suburbs that the Education Department is not fully expending the money allocated for these programs?

The Hon. G.J. CRAFTER: I thank the honourable member for his question and for his interest in this matter, which has received some public attention recently. I assure the honourable member that no funds for English as a second language (ESL) programs remain unspent. Members will be aware that English as a second language programs are jointly funded by the State and the Commonwealth. There are two main elements in the ESL program. First, general support funding is provided to support non-English speaking background students in mainstream schools. Funding for this element is about $2.7 million, shared 40 per cent from the Commonwealth and 60 per cent from State Government resources.

In 1991, general support will be given to 78 schools in the Adelaide area, 57 schools in the northern area, 45 in the southern area, 15 in the western area and 21 in the eastern area. The ESL in the mainstream project is contained within the general support program. This is a professional development program where the ESL teacher works with the mainstream teachers to develop the skills of those mainstream teachers in working with ESL students in their classes. I understand that over 1 000 teachers have received this sort of in-service training during the past two years.

The second element of the ESL program relates to the new arrivals program. This program supports non-English speaking background students who are newly arrived in Australia for up to 12 months. About $2 million is allocated to this program, shared 40 per cent by the State and 60 per cent by the Commonwealth. These programs are conducted

at language centres colocated with mainstream schools; for example, in the western suburbs, at the Thebarton Adult Language Unit on the Thebarton High School site. This unit provides intensive language instruction to adult students who wish to complete their secondary education. The Cowandilla Language Centre gives intensive language instruction to secondary school students.

The Parks Literacy Unit located at The Parks Community Centre gives tuition to non-English speaking background secondary age students whose previous education may have been severely disrupted. Primary and junior primary aged non-English speaking background students are catered for at the Pennington ESL units. Within a new arrivals program, support is provided for bilingual school assistants. Requests for bilingual school assistants are met on a day-to-day basis through the Languages and Multicultural Centre. There are approximately 100 bilingual school assistants.

Other ESL units are located in other parts of the metropolitan area where there are groups of newly arrived non-English speaking background families. It should be noted, however, that these groupings are not static and that we are beginning to see now quite substantial demographic changes in the distribution of these families in our community.

PRODUCT LABELLING

Mr MEIER (Goyder): My question is directed to the Premier. Will the South Australian Government endeavour to development complementary legislation with the other States and the Commonwealth to provide labelling laws that clearly identify the country of origin of a product and/or the proportion of Australian content in that product?

Cheap imports of canned fruit products are threatening the viability of hundreds of local fruit growers and processors in this State. The labels of many of these cans are misleading in that they suggest that the contents come from Australia when in fact they originate in countries such as Brazil, China, Greece, Chile and Turkey, etc. It is strenuously argued by primary producers that most Australians would prefer to buy Australian-grown food products, and they contend that food labels clearly identifying the country of origin would significantly increase sales of the Australian product and financially assist the plight of the local producer. In South Australia, a Labor Government has been in power for 20 of the past 25 years, yet in this area no action has occurred.

The Hon. J.C. BANNON: To be effective, this action needs to be on a national and uniform basis, and we are strongly supportive of such a step being taken. I think it is outrageous that people should be able to market products purporting to be of Australian origin when, in fact, only a proportion of them which meets perhaps some technical requirement are Australian.

In saying that, I do not think that we are necessarily being chauvinistic about it. Consumers in Australia have a perfect right to choose the goods that they believe are most appropriate to their needs. Indeed, on the world stage we are active supporters, and need to be, of that free trading environment because if it does not exist we suffer.

That kind of protectionism is one of the big problems in our rural industry at the moment. There is no question but that in that context we cannot tolerate the dumping of products from other countries, nor in terms of getting Australians to understand the origin of products. If they wish to exercise some preference in favour of the local product and to have some knowledge of its production methods and quality, it should be so labelled and they should have confidence in the labelling. It is also vital that, if certain standards are required of producers here, those standards should be met for goods of the same description by anyone seeking to sell them in this country. The Government feels very strongly indeed about that, and it is working to get this national standard accepted.

DISTRICT COURTS

Mr ATKINSON (Spence): I ask the Minister representing the Attorney-General why suits commenced in 1990 are being granted priority in District Court listings over suits commenced before 1990?

The Hon. G.J. CRAFTER: I can provide some information for the honourable member on this matter, and I will obtain a more detailed explanation for him. The case flow management principles implemented by the District Court have measurably changed the management of actions. The principles of case flow management require the court to accept responsibility for the progress of actions filed in the court from date of service to date of judgment. This is done by monitoring certain specific events which must be routinely completed by the parties to the action or by their legal representatives.

Some 90 per cent of all cases commenced—and these are the objectives of the new scheme—should be disposed of within nine months of service of the summons upon the defendant; 97.5 per cent of all cases commenced should be disposed of within 15 months of service of the summons; and 100 per cent of all cases should be finalised within 18 months.

While it is appreciated, as the honourable member has indicated, that this suspension may have given the impression that 1990 actions are being given preference over pre-1990 actions, it should be noted that the trials of pre-1990 actions have continued unabated and that plaintiffs in actions issued prior to 1990 have not been unfairly prejudiced. They would have received the same trial date whether or not conferences had been suspended. I will obtain a more detailed report for the honourable member on this important new initiative taken by the District Court.

ST JOHN AMBULANCE

Dr ARMITAGE (Adelaide): I direct my question to the Minister of Health. Why has he concealed increases of well over 800 per cent in St John Ambulance fees for attending motor vehicle accidents which will apply from 1 January; how does he justify these increases; and what impact will they have on motor vehicle premiums and WorkCover costs? In a press statement issued late on the Friday afternoon of the Grand Prix—the traditional time for unpopular Government announcements—

Members interjecting:

The SPEAKER: Order! The Chair will make that decision.

Dr ARMITAGE: —the Minister announced that St John Ambulance call-out fees for responding to emergencies would increase by about 130 per cent from 1 January. However, that announcement contained no reference to other fee increases which will apply from that date. I have in my possession a full schedule of these increases, approved by the Government. For attending a vehicle accident in the metropolitan area, the call-out fee increases by more than 500 per cent—from $130.40 to $800. In the country, this fee rises by 868 per cent—from $82.60 to $800. In addition,

whereas in the past there has been no fee when a patient has not been carried as a result of an ambulance attending a motor vehicle accident, a new fee of $300 will apply from 1 January, and this will rise to $450 over the next two years.

I received this information from people who are outraged that it has been concealed, that it will force up motor vehicle insurance premiums and the cost of WorkCover and that it represents yet another cost to the public. It all results from the Government's refusal to stop union officials forcing volunteers out of our ambulance services.

The Hon. D.J. HOPGOOD: Let me make perfectly clear, as I have on a number of occasions, in this place, that the decision to professionalise the service in the metropolitan area and regional centres was made by the State Council of St John—

Members interjecting:

The SPEAKER: Order! The Deputy Leader is out of order.

The Hon. D.J. HOPGOOD: The Government has reluctantly agreed that it is necessary to find additional funds for the additional costs that will accrue, and that is the plain fact of the matter. The member for Kavel will find nowhere on record any statement from me giving any comfort whatsoever to a particular direction in the St John Ambulance, and certainly not along the lines of that which has occurred. Nor will he find any reference or any statement from the Premier or, indeed, from either of my two immediate predecessors in this portfolio. Indeed, in very difficult circumstances the present Minister of Transport gave a great deal of support to voluntary effort in this area and stood right behind—

Members interjecting:

The SPEAKER: Order!

The Hon. D.J. HOPGOOD: My recollection is that details of all of the increases were made available to the journalist. What they chose to highlight is another matter but, so far as I am concerned, all of that information was made available. As for the timing of the information, one would have thought that the Opposition's desire would be that increases, charges and changes should be announced as soon as they are determined and not held back for some weeks, for whatever reason. As far as I am concerned, the timing was determined by the fact that the decision had been made and, under an arrangement that we have had with the media for quite some time, those announcements were made. My information is that all of the information was available. What people chose to run with was their business and not mine.

NATIONAL PARKS

Mr FERGUSON (Henley Beach): Will the Minister for Environment and Planning say what plans have been made to cater for extra visitors to the State's National Parks during the summer holidays? During the budget Estimates Committees I was informed by the Minister's officers that visitors to our parklands were increasing significantly, and this was especially true with respect to the Botanical Gardens.

The Hon. S.M. LENEHAN: I thank the honourable member for his question and say that I am very pleased that—

Mr Lewis: Don't be childish.

The SPEAKER: Order!

Mr Lewis: That's pathetic.

The Hon. S.M. LENEHAN: The member for Murray-Mallee is embarking on his usual interjections and I think he is being particularly offensive in this case. Last year, our popular summer parks program attracted tens of thousands of visitors, and a wide range of interesting and informative programs are again planned for this year's summer program for visitors to our State's national parks. On Kangaroo Island, 14 activity programs will encompass such things as wildlife tours, children's environmental programs, historic enactments and nature classes. In the South-East, 12 programs are scheduled to cover things like wetlands, coastal parks, adventure cave tours and, of course, the history of some very important and interesting areas within the South-East. These are in addition to the ongoing activities of the Bool Lagoon wetland attraction.

The Coorong National Park will have expanded programs concentrating on learning about this magnificent part of South Australia. I urge all South Australians to take advantage of these activities planned for our summer parks program. They are very popular and satisfying not only for visitors but also for those people who live and work in the cities and have the opportunity of visiting our magnificent parks system.

ST JOHN AMBULANCE

Mr S.J. BAKER (Deputy Leader of the Opposition): Will the Deputy Premier explain why he misled the House in answer to a previous question asked by the member for Adelaide about a press release that was issued by the Deputy Premier on 2 November 1990 on the St John Ambulance? There was no reference in that press release to the scale of charge increase. The metropolitan fee increased from $130.40 to $800. In his response the Minister intimated that all the information was available to the public.

The Hon. D.J. HOPGOOD: It was. In fact, a full briefing was available from the St John organisation itself—the information did not come simply from my office.

BOAT USERS

The Hon. J.P. TRAINER (Walsh): Will the Minister of Marine advise the House of the condition of the waters at the mouth of the Murray?

Mr Lewis: It is wet.

The Hon. J.P. TRAINER: I was referring to the other mouth of the Murray—the geographic one.

Members interjecting:

The Hon. J.P. TRAINER: Perhaps after that interjection from the member for Murray-Mallee I will start the question again. Will the Minister advise the House of the condition of the waters at the mouth of the Murray, and has he issued any warnings to boat users regarding those waters?

The Hon. R.J. GREGORY: I thank the member for Walsh for his question. I have warned boat users to take great care when using boats near the mouth of the Murray because of the strong currents flowing there. The flooding upstream has resulted in a flow of about six knots at the river mouth, and all vessels, especially small craft and low-powered vessels, should navigate that area with extreme care. Boat users should also be very careful in crossing the Murray mouth, especially at ebb tide. I have also issued an official notice to mariners concerning this situation as the current is at its strongest at the moment. It is anticipated that in about a month it will abate.

RAIL SERVICES

The Hon. H. ALLISON (Mount Gambier): Will the Minister of Transport advise whether the South Australian Government has been advised of—and, if so, does it approve of—this afternoon's announcement by the Federal Government that the Silver City, Iron Triangle and Blue Lake passenger rail services are to be closed? Does the Minister still hold the view expressed by him in the *Whyalla News* of 16 May 1990 that Whyalla residents have only themselves to blame if the rail service to Adelaide is stopped and that he would not knock Australian National if it did stop it?

Does the Minister agree with the Federal Land Transport Minister (Bob Brown) who said, in making this announcement, that it is in the best interests of all South Australians? If not, what action will the South Australian Government take either to have these decisions reviewed or to assure the people in those regional cities affected by the closure that there will be adequate bus services to replace those closed rail services?

The Hon. FRANK BLEVINS: I was notified by the Federal Minister for Land Transport that he would be making this announcement at 1 o'clock. He did not actually ask for my approval.

Members interjecting:

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

The Hon. FRANK BLEVINS: The position is that, unfortunately, the Federal Government is to close down our last remaining country passenger services in this State. I am advised by Crown Law that we have the right to go to arbitration on the Blue Lake service, and I will do that. I will write to the Federal Minister early next week to advise that the State Government wishes to take that matter to arbitration. Unfortunately, I do not have those same rights as regards the Silver City or the Iron Triangle services.

I regret that, but that is the way it is. I think that the subsidy in relation to those trains was of the order of $100 per passenger per trip, the Blue Lake subsidy being by far the most expensive at something over $300 return, and the Iron Triangle subsidy was approximately one-third of that. As regards usage, unfortunately something like 80 or 90 bus services run between those cities and Adelaide, whereas there are only 13 train services. The service that road has been able to provide is faster and cheaper, and most people prefer it. That is their decision. It is not for me to say to the people of Whyalla or for the member for Mount Gambier to say to the people of Mount Gambier, 'Stop using the buses and use the train.'

Members interjecting:

The SPEAKER: Order!

The Hon. FRANK BLEVINS: I regret the levity with which the member for Mount Gambier takes this: I thought that it was a serious issue. I am attempting to treat it seriously. It is not very easy. The point has been made—and made very well—that the Leader of the Opposition in the *Border Watch* of February of this year made a statement that, I have no doubt, will be used during the arbitration proceedings.

That statement is in *Hansard*. I have mentioned it before. It is to the effect that the trains are too expensive, we cannot expect taxpayers to keep on paying for them, and buses can do the job just as well. That is what the Leader said. It is all recorded in the Naracoorte newspaper.

Members interjecting:

The SPEAKER: Order!

The Hon. FRANK BLEVINS: I am sorry—it was not the *Border Watch*: it was the *Naracoorte Herald*. The advice from the Federal Minister was that the relevant bus lines had been contacted, and they had assured the Federal Minister that they had enough unused capacity to take up without any difficulty at all any passenger who transferred from rail to road.

The unused capacity was already there. It may well be that some rescheduling of those bus services is required. As I say, I think it is very sad; it is the end of an era, there is no doubt about that. Country passenger services have been a feature of this State for generations, but unfortunately for a variety of reasons time has passed them by. I am sure that everybody in this House will regret it but, nevertheless, that is what the Federal Minister has informed me today. Where I have the legal opportunity to object, I will; where I have not, there is not a great deal I can do about it.

SCHOOL CLOSURES

The Hon. T.H. HEMMINGS (Napier): Is the Minister of Education aware of any business going broke as a result of a local school closing? Some of the schools in my electorate have undergone significant restructuring in recent years, as have schools in other areas. I am aware that in some locations some schools have ceased operating altogether and have closed, and that further restructuring, including closures, is possible in these and other areas because of enrolment decline. Last month the Liberal Opposition spokesperson on education claimed that, if a local school in a small country town closed, several businesses, such as the post office, the bank agency and the general store, would be destroyed. Is the Minister aware whether this is the case?

The Hon. G.J. CRAFTER: I am aware that schools in the honourable member's electorate have been substantially restructured in recent years to improve the quality of education to young people in those communities that he represents. Yes, there is a need for ongoing restructuring of our schools and that involves amalgamations, closures and new configurations. We now have 44 000 fewer students in our schools than we had 10 years ago, yet we are building new schools each year to serve emerging needs. So, something simply has to give in that equation to maintain efficient and relevant education services in our community.

The honourable member and all members might be interested to know that since 1935, when there were 1 133 schools, there has been a steady decline and today there are just over 700 schools; that is, an average of 80 schools have been closed per decade since the 1930s. Decisions to restructure our schools must be made sensitively, taking into account the circumstances of each school community that it serves. There is always a good deal of consultation and community input into these decisions.

Indeed, in many cases local communities, particularly rural communities, have come to me and said, 'We understand the education dilemma that you have, but you must take into account the economic and social impact of a closure decision in a school community.' I can advise the honourable member that, while I am not aware of any such cases to which he referred, I am aware of claims by the Opposition spokesperson on education, who claimed recently in the Adelaide *Advertiser* of 9 October that 'a rural school closure would destroy a town'. That, I can advise the House, is completely incorrect.

The damage that has been caused not only to that local community concerned but to many other rural communities that are facing these difficult decisions cannot be estimated. It does a great disservice to education and to those schools that are working through these difficult decisions to have this sort of erroneous information used in this blatantly

political opportunistic way. I have received a letter from business people in that small country town of Gulnare. I want to quote to the House what they said about the statement attributed to the shadow education spokesperson. They wanted the record to be set straight, and I am pleased to do so in this House. The letter states:

> We hereby state categorically that we do not believe that the closure of the school will have an adverse effect on our business which has, in fact, improved since the majority of parents transferred their children to another school in January of this year.

I implore members to be a little more prudent when making statements such as this to the press and trying to inflame local situations in such a way for political purposes. It does a great disservice to our education system and, indeed, to the opportunities that we are trying to provide for young people wherever they live throughout the State.

ADELAIDE MEDICAL CENTRE

The Hon. B.C. EASTICK (Light): My question is directed to the Minister of Health. Will he confirm that the Adelaide Medical Centre for Women and Children (formally the Adelaide Children's Hospital) is to close its ear, nose and throat ward, and will he say what impact this will have on patient care and training of specialists? This ward, which is known as the Campbell Ward, is to close as a result of a board decision taken on Tuesday to deal with budget problems. It has 24 beds, although only 14 have been used in recent times.

Ear, nose and throat patients will now be allocated to other wards as beds are available, and this has serious implications for patient care. Post-operative procedures can be precarious, particularly after the removal of tonsils, but the specialised equipment in this ward will no longer be available to patients when they are in non-specialist wards. This ward also cares for patients with tracheotomies, and there are 11 such patients in the hospital at present. As and when necessary, the parents of children who have had tracheotomies can receive immediate advice when problems arise with their children at home because they know which ward and experienced staff to contact. Those sugeons who know about this decision—and I am advised there are still many who do not know about it—are concerned that the hospital will lose its accreditation for ear, nose and throat training, even though the Government has been under some pressure to train more surgeons.

The Hon. D.J. HOPGOOD: I can confirm that the ward will be closed. I can also confirm that there will be no adverse impact on patient care. As the honourable member has indicated, the beds are not disappearing: they are being redistributed throughout the hospital. Obviously the hospital will ensure that, given that there is no run-down in resources here at all—the resources are still there—that the quality care for which the hospital is justly famed will continue.

The statement made by Mr James Birch, Deputy Chief Executive Officer, makes perfectly clear that it is not a reduction in the number of beds, simply a reallocation. The decision will be reviewed, the hospital tells me, in April 1991. He also indicates that there are measures that will be further explored. Members opposite cannot really have it both ways. The whole idea of the health system is obviously ensuring that the best possible standards of patient care are established, despite the fact that they are trying, wherever they possibly can, to have a more efficient and streamlined administration. One would have thought that this is something that members opposite would applaud, particularly in the light of the 1982 election commitment by their then Minister of Health, the present member for Coles. One would have to assume, in light of the fact that no Liberal Party policy on health was distributed at the last election—or possibly 1985, I cannot remember—that this policy would still be underwritten by the Liberal Party. I will quote one short paragraph—

Members interjecting:

The SPEAKER: Order!

The Hon. D.J. HOPGOOD: The Government recognises—

Mr OSWALD: On a point of order, Mr Speaker, I refer you to Standing Order 98, which does not allow members to enter into debate on the subject but, rather, requires them to address the question at hand. The Minister addressed the question; he is now debating. It is a political issue.

The SPEAKER: I ask the Deputy Premier not to debate the question, but perhaps just to quote the one paragraph and finish the response.

The Hon. D.J. HOPGOOD: That is all that I ever intended to do. Members opposite did not want me to quote it, but here I go:

> The Government recognises that an over-supply of hospital beds and the associated duplication of expensive equipment and staffing, imposes unnecessary cost burdens on the community. Unchecked, this leads to an inequitable distribution of beds and inappropriate hospital admissions and procedures, as well as contributing to the public expectation that institutional care is always the most appropriate form of care.

I rest my case.

METROPOLITAN WATER SUPPLY

Mr De LAINE (Price): Will the Minister of Water Resources give the House details of our metropolitan water supplies and indicate whether there will be an adequate supply for this coming summer?

The Hon. S.M. LENEHAN: At present we have some 173 gigalitres of storage in our reservoir capacity, which equates to 74 per cent of the total capacity. When I inform the House that this compares with 87 per cent last year, members may appreciate the seriousness of this question. This figure indicates that the storage capacity is considerably down on that which was held last year. The reason for this is that whilst we have had some very late run-off, it has not been adequate; in fact, it is down by 30 gigalitres on the 1988-89 winter. The Engineering and Water Supply Department has commenced pumping from the Murray River and will continue to do so over the summer. It is believed that the target storages will be equal—

Mr Becker interjecting:

The SPEAKER: Order! The member for Hanson is out of order.

The Hon. S.M. LENEHAN: Members on this side of the House take this question very seriously. I remind members opposite that, whilst we have a very adequate infrastructure in terms of the provision of water for the people of South Australia, nonetheless South Australia is still the driest State in the driest continent. Whilst we might take for granted the work of our predecessors in terms of the provision of an adequate infrastructure for the storage of water, nonetheless it is vitally important that we understand how we can finetune this system to take account of the quite substantial difference in the storage capacity of 74 per cent this year compared with 87 per cent last year.

We believe that some 80 gigalitres of water will need to be pumped from the Murray this year. I give thanks for the work of the Adelaide University which has indicated in terms of its computerised predictions that it is cheaper and

more effective to pump that water over a prolonged period. In fact, we have started that pumping, having already pumped some 20 gigalitres this year compared with 3 gigalitres last year. Although we will spend $5.5 million of taxpayers' money on ensuring that we have an adequate water supply for Adelaide and the surrounding areas, it indicates a saving on the traditional way in which the department has undertaken the provision of adequate water for over one million people in the city of Adelaide.

STA PROMOTIONS

Mrs KOTZ (Newland): Will the Minister of Labour ensure that in any future STA public transport promotions there is no discrimination between shopping centres wishing to participate? I have received representations from the Ingle Farm and St Agnes shopping centres which had applications to open last Sunday rejected by the Minister. In his most recent correspondence to the Ingle Farm centre, the Minister advised that three Westfield shopping centres had been granted approval to open last Sunday as this was 'an integral part of the State Transport Authority public transport promotion'. This had not been the reason given by the Minister in previous correspondence.

Further, the Ingle Farm shopping centre is asking why all centres which allow STA services to come on to their property as part of a bus route were not allowed to participate. A letter sent to the Minister states:

> You appreciate that, by granting to the three Westfield shopping towns the sole right to open on this day as part of the State Government promotion, you have effectively given them a considerable benefit in these difficult retail trading times to the detriment of every other retail trader, a situation that is intolerable in these difficult times.

The Hon. R.J. GREGORY: I thank the member for Newland for her question. She asked a similar question last week, and the answer that I gave was that the Westfield organisation had approached the Government for permission to open for shopping on that Sunday on the understanding that it paid for the cost of free transport on that day. I also made the point that, following that information becoming available, other shopping centres would want to get in on the act for nothing—very much like some Opposition members who want to get in on things for nothing. In future, when organisations make applications to the Government for permission to do things on certain days in respect of shopping and it is a significant event, the Government will consider those applications and, in all probability, grant them.

DRY AREAS

Mr HAMILTON (Albert Park): I direct my question to the Minister of Education, representing the Minister of Consumer Affairs in the other place. Will he obtain an urgent report from the Minister of Consumer Affairs on what progress, if any, has been made with the Local Government Association for a model by-law to allow councils to control the consumption and possession of liquor on council land? Correspondence received in my office dated 30 April this year from the Minister of Consumer Affairs states:

> The Government believes that the declaration of local dry areas should be the responsibility of local councils, and for this reason Cabinet, on 16 October 1989, approved a model by-law to allow councils to control the consumption and possession of liquor on council land.

In part, the letter goes on to say:

> . . . there has been a delay because of the form and the content of the model by-law.

The third paragraph on this page states:

> The Local Government Association of South Australia has expressed concern with the wording of the model by-law, in particular the definition of council land. The association contends that the definition should be broadened to include streets, roads and public places under the control of the council. The association also argues that the confiscation of liquor should be provided for in the model by-law.

The Minister also pointed out that the City of Henley and Grange had submitted a proposed by-law with accompanying legal argument.

On the second page—I ask the House to bear with me—the Minister says:

> There is general agreement that it would be preferable for councils to control the possession or consumption of liquor in local problem areas. These matters should be resolved and the model by-law enacted.

Finally, my constituent, Mrs Vandenbroek of Semaphore Park, has requested a dry area in her district, hence my question.

The Hon. G.J. CRAFTER: As the honourable member will be aware, a number of local government areas have already been declared dry. Obviously it is advisable, if we can, to work to a situation where there is a model by-law that assists not only local government authorities but the communities at large to understand the importance of these initiatives in local communities to better serve local communities and provide facilities for the community as a whole. I shall be pleased to refer the honourable member's question to my colleague for a more detailed response.

NEEDLE EXCHANGE PROGRAM

Mr MATTHEW (Bright): My question is directed to the Minister of Health. In view of statements made in this House in recent weeks concerning the danger posed by injection needles, particularly those left lying on beaches, will the Minister advise what steps are being taken to ensure a greater return of needles distributed through the needle exchange program? In reply to my question on notice No. 132, the Minister, on 6 September 1990, stated that in the 1989-90 financial year 9 293 needles were distributed free of charge with 7 745 returned—in all, an 83 per cent exchange rate.

I understand these needles were distributed by a small team of health workers visiting by vans specific suburban sites mainly along the coast each Friday and Saturday night to provide an exchange of syringes, cleansing bleach, condoms and safe sex education information. However, despite the fact that there is a fairly high return rate of needles distributed, 1 548 needles were not returned and each one is potentially contaminated by the AIDS virus and therefore, if discarded in a public place, presents a danger to the community.

The Hon. D.J. HOPGOOD: Of course, I share the honourable member's concern. It does not follow that when a needle is found on the beach that it has necessarily come from the exchange program. Nor does it follow that when a needle disappears from the exchange program it necessarily finds its way onto the beach. However, there is a good deal of concern for this and a good deal of work is being done. I will obtain a further considered reply for the honourable member.

I urge people who may be in the unfortunate position of having had their skin punctured, in however minor a way, by a needle in these circumstances to obtain an immediate opinion from a medical practitioner or from a public hos-

pital. It should be a source of some comfort to some people that the AIDS virus does not last very long outside the body of an organism. So, the chance of an individual's becoming HIV positive as a result of one of these unfortunate encounters is, fortunately, very very small indeed.

However, despite the very small chance of such a thing happening, obviously people in these circumstances should seek immediate attention. The point I am trying to make here is that we must be vigilant; that people should not just automatically assume (with all of the stress and emotional tension that goes with it) that, if they are put in this unfortunate position, there is an automatic chance of infection. Fortunately, the chance of infection is very low indeed.

MINISTERIAL STATEMENT: SUNGLASSES

The Hon. D.J. HOPGOOD (Deputy Premier): I seek leave to make a statement.

Leave granted.

The Hon. D.J. HOPGOOD: In perusing yesterday's *Hansard* I find, in what I thought was an otherwise extremely erudite explanation to the member for Stuart about sunglasses, that I misused a word and, indeed, I misused it twice. I said that when sunlight is incident upon the pupil it dilates. It clearly does not dilate—it constricts. The point that I was trying to make was that where sunglasses only restrict the passage of visible light there will be a dilation in circumstances where it would be far safer for the eye that there be a constriction. Therefore, what is important is that sunglasses should reduce the intensity of the radiation from the sun in all wavelengths and not simply in visible light.

EDUCATION ACT AMENDMENT BILL

The Hon. G.J. CRAFTER (Minister of Education) obtained leave and introduced a Bill for an Act to amend the Education Act 1972. Read a first time.

The Hon. G.J. CRAFTER: I move:

That this Bill be now read a second time.

The purpose of this Bill is to ensure that teachers who have worked or who are working parts of a teacher's normal duty day do not secure salary payments in excess of their fractional time entitlement. Recently, a former Education Department teacher successfully sued the State for the payment of an additional salary which he claimed was owed to him as a result of teaching appointments in 1983 and 1986. Each occasion involved approximately six weeks employment at 6/10ths time secured by means of the standard contractual agreement which ties salary payments to the Teachers Salaries Board award. The teacher's negotiated employment conditions required that he work part of the day, five days per week.

The crux of the claim centred on provisions of the award concerning the method of calculating a temporary teacher's pay. The formula provides for a daily rate for days actually worked but because the award is silent on part pay for part day's work the Local Court accepted the argument that the number of 'days actually worked', used as a mulitiplier in calculations, must be interpreted as whole days and not something less. While the judgment related to the circumstances of a particular individual, it is possible that other claims incorporating comparable facts and legal argument may succeed. It is prudent to remove that possibility.

The Bill provides for the denial of both retrospective and prospective salary claims and extends to any category of teacher or employee employed on a part-time basis. This includes casual teachers who, unlike the permanent teachers appointed under section 15 of the Education Act ('officers of the teaching service'), are engaged under contracts of service pursuant to section 9 (4) of the Act. The Bill also provides for the making of regulations in respect of the terms and conditions applicable to officers and employees appointed under section 9 (4). Currently, regulation-making powers exist in relation officers of the teaching service but they do not extend to appointments made under the other provision. As is the case with matters of this nature the rights of the successful plaintiff in the local court action which prompted this Bill are preserved by the inclusion of a specific provision to that effect. I seek leave to have the explanation of the clauses inserted in *Hansard* without my reading it.

Leave granted.

Explanation of Clauses

Clause 1 is formal.

Clause 2 inserts a new provision that basically provides for a person employed on a part-time basis to be paid the equivalent part-time salary. Special allowances are included within the ambit of this section except where a particular award or contract of employment provides for payment of a full allowance. Subsection (2) makes it clear that this section as it relates to salary prevails over any other law and that it applies no matter how the part-time work is actually spread over any particular day or pay period. The subsection also provides that this section applies to past as well as to future pay entitlements, but of course the plaintiff's rights in the case that gave rise to this measure are to remain unaffected. Subsection (3) makes it clear that nothing in this measure invalidates the payment of a full allowance to any officer if the allowance was paid or was already being paid in full, before the commencement of this section. Subsection (5) defines 'officer' to cover everyone employed under the Education Act.

Clause 3 amends the regulation-making power that currently allows regulations to be made prescribing terms and conditions of employment (including salary) for officers of the teaching service. The provisions are extended to cover staff employed by the Minister under section 9 of the Act.

Mr GUNN secured the adjournment of the debate.

ELECTRICITY TRUST OF SOUTH AUSTRALIA ACT AMENDMENT BILL

The Hon. J.H.C. KLUNDER (Minister of Mines and Energy) obtained leave and introduced a Bill for an Act to amend the Electricity Trust of South Australia Act 1946. Read a first time.

The Hon. J.H.C. KLUNDER: I move:

That this Bill be now read a second time.

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

Leave granted.

Explanation of Bill

The purpose of this Bill is to establish the Electricity Trust Superannuation Fund as a fund protected from the Commonwealth Government's tax on superannuation funds. The Bill establishes the ETSA Superannuation Fund as an entity holding assets of and dealing in assets of the Crown.

The Bill has no bearing on existing benefits paid under the various ETSA superannuation schemes and the rules of the schemes will continue to be prescribed by the trust. The fund being established by this Bill provides considerable assistance to ETSA by meeting part of the cost of the benefits payable under the rules of the schemes. Without the fund being protected from Commonwealth tax, the fund will continue to be liable to a 15 per cent tax on fund earnings and employer contributions paid into the fund.

Without protecton from the tax, there would be a considerable increase in the cost of maintaining the schemes. These costs would have to be met by the ETSA consumers of this State. The action being taken by the Government in this Bill is the same as that already taken to protect the main State superannuation fund, the Parliamentary Superannuation Fund and the Police Superannuation Fund.

Like the other main public sector schemes in this State, the benefit structures of the ETSA schemes are for historical reasons, far more complex than those in the private sector, and do not lend themselves to simple and equitable solutions in offsetting the cost of the tax. Furthermore, like the main State scheme the ETSA schemes have been the subject of substantial review and adjustment over the past three years and therefore the Government believes it is unacceptable to start another review of the schemes culminating in possible reductions in gross benefits.

The Government stresses that the effect of the main provisions of the Bill mean that employees will continue to pay the full tax due on their superannuation benefits. There will be no avoidance of tax on benefits payable to ETSA employees. The tax due on benefits will continue to be paid at the time the benefits are received with no tax being paid before then, as the Commonwealth would prefer. The level of net benefits payable to members of the ETSA schemes will be maintained, just as the net benefits of members in private sector schemes will be maintained.

In future ETSA employees will pay their contributions to the Treasurer instead of paying their contributions directly to the trustees of the ETSA superannuation funds. The Treasurer is required under the Bill to pay into the fund an amount equal to the periodic contributions paid by members to the Treasurer. The Treasurer will meet the cost of all benefits payable in terms of the rules, and may seek reimbursement of the cost of these benefits from both the fund and ETSA. The Bill establishes the ETSA Superannuation Board which will be responsible for administering the scheme, the provisions of the Bill and investing the fund on behalf of the Crown.

Clauses 1 and 2 are formal. Clause 3 replaces section 18 of the principal Act. Section 18 is the only provision in the Act providing for benefits on termination of the employment of an ETSA employee. Its place will be taken by new section 18 and new Part IVB. The new Part deals with the principal superannuation scheme and section 18 will cater for additional schemes such as the 3 per cent scheme.

Clause 4 inserts new Part IVB. This Part establishes the structure on which a superannuation scheme can be established by rules made by ETSA and approved by the Treasurer (see section 431). The provisions of the Part are similar or identical to the provisions in the Superannuation Act 1988. Under section 431 ETSA must establish a scheme and must make rules relating to the establishment and operation of the scheme. ETSA may vary the rules on the recommendation of the board or to bring them into conformity with the State scheme. Division IV provides for the payment of contributions and benefits. Contributions must be paid to the Treasurer who must pay an equivalent amount to the fund for investment by the board. All benefits must be paid by the Treasurer but the amount of those payments may be charged against the fund and ETSA. A later provision says that the assets of the fund belong to the Crown. The purpose of these provisions is to ensure that Commonwealth income tax is not payable on the income of the fund. Division V provides for the fund, its investment and auditing. Division VI provides for contributors' accounts. Division VII provides for reports. Clause 5 provides transitional provision in relation to the establishment of the scheme.

Mr LEWIS secured the adjournment of the debate.

ROAD TRAFFIC ACT AMENDMENT BILL (No. 3)

Consideration in Committee of the Legislative Council's amendments:

No. 1. Page 2, lines 38 to 46 (clause 6)—Leave out subsections (1), (2) and (3) and substitute new subsection as follows:

(1) A person must not—

(a) sell, offer for sale or use a radar detector or jammer; or

(b) drive a motor vehicle that contains a radar detector or jammer.

No. 2. Page 5, line 21 (clause 11)—Leave out 'and'.

No. 3. Page 5 (clause 11)—After line 22 insert new paragraphs as follows:

'(d) by striking out paragraph *(a)* of subsection (5) and substituting the following paragraph:

(a) a statement that a copy of the photographic evidence on which the allegation is based—

(i) will, on written application to the Commissioner of Police by the person to whom the traffic infringement notice or summons is issued, be sent by post to the address nominated in that application or (in the absence of such a nomination) to the address of the registered owner); and

(ii) may be viewed on application to the Commissioner of Police;;

(e) by striking out from subsection (6) 'stating that a copy of the photographic evidence may be viewed on application to the Commissioner of Police' and substituting the following:

stating that a copy of the photographic evidence—

(a) will, on written application to the Commissioner of Police by the person to whom the traffic infringement notice or summons is issued, be sent by post to the address nominated in that application or (in the absence of such a nomination) to the address of the registered owner; and

(b) may be viewed on application to the Commissioner of Police.;

(f) by inserting after subsection (9) the following subsection:

(9a) A photographic detection device may, for the purpose of obtaining evidence of the commission of a prescribed offence, be programmed, positioned, aimed and operated so that a photograph is taken of a vehicle—

(a) in the case of an offence against section 75(1)—from the rear of the vehicle; or

(b) in the case of a prescribed offence other than an offence against section 75 (1)—from either the front or the rear of the vehicle.;

(g) by inserting in subparagraph (ii) of paragraph *(a)* of subsection (10) 'this Act and' after 'the requirements of' ; or

(h) by inserting in subparagraph (ii) of paragraph *(b)* of subsection (10) 'this Act and' after 'that the requirements of' .

The Hon. FRANK BLEVINS: I move:

That the Legislative Council's amendments be agreed to.

The amendments from the Legislative Council have been distributed. They appear reasonable and the Government is very happy to accept them.

The Hon. D.C. WOTTON: I am delighted that the Minister has agreed to the amendments from another place. They are important amendments relating to a number of issues, first, to radar detectors or jammers. As we pointed out during the debate in this place, the legislation was seen to be retrospective. There are 40 000 people with these devices and I am sure that they will be satisfied with the amendments that have now been supported by the Government. With regard to photographic evidence, it is very important that people now have this evidence provided and forwarded to them. It is something that many people have requested in the past. It will make it a lot easier for people to satisfy themselves that an offence has been committed rather than having to get to Holden Hill one way or another. It is sensible that the amendment has been supported.

A photograph can be taken from either the rear or front of the vehicle and I know that the police will be pleased with the Government's acceptance of the amendment as they have been concerned recently about matters pertaining to civil liberties. The legislation will now clarify the situation in which they now find themselves. I am delighted that the Government has accepted these extremely sensible amendments.

Mr LEWIS: It is not my intention to delay the House at all. I seek information from the Minister and commend him, before so doing, for the good sense he has shown in accepting the amendments that have come before us. I thought that we were in Committee and I would like the Minister's attention in order to discover whether the State's taxpayers will pay the fines of public servants as expiation fees when they are confronted with evidence of an offence having been committed, namely, the photograph of the motor vehicle that they would seen to be driving on that day. If so, how will the revenue so obtained be treated? Will it be from the department, or will it be a book entry, and will it be possible for the Parliament to discover in how many instances public servants have offended and been detected as offending by the equipment that it is now lawful to deploy in this purpose?

The Hon. FRANK BLEVINS: I will examine that question and obtain a response for the honourable member.

The Hon. JENNIFER CASHMORE: Without canvassing the considerable merits of these amendments, in noting and supporting them I make the point that where we have a reasonable Minister, a diligent Opposition and the protection of an Upper House to review legislation, it is possible to improve legislation considerably as a result of its passage through the House of review. In light of efforts last night to reduce the number of members in the Legislative Council, and to draw attention to the Labor Party's ultimate policy of abolishing that House, I make the point that if anything speaks as advocacy for the continued value of the Legislative Council it is amendments such as these.

Mr BRINDAL: I also commend the Minister for accepting the amendments and seek clarification from him. I was informed today that off duty police officers caught by these devices have the expiation fee debited directly from their pay. I ask the Minister whether this is so and, if it is, why are police treated any differently from any other servant of the Crown? Is the Minister planning to have this practice apply to other public servants?

The Hon. FRANK BLEVINS: I will have the question examined and obtain a reply for the member for Hayward.

Motion carried.

VALUATION OF LAND ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 11 October. Page 975.)

Mr LEWIS: The Opposition cannot give unqualified support to the Bill as it appears before us. It is terrible, because it clearly indicates that the legislation in the form presented to us seeks to do a number of things that are not in the public interest. Certainly, they are convenient for the Minister, both politically and administratively, as well as being administratively convenient for the department, but they are not in any sense in the public interest. They treat the interests of the citizen who is the subject of their impact with more contempt than we believe is appropriate.

For instance, they remove from the scrutiny of the Parliament the establishment of any fees or charges to be made under the Valuation of Land Act in future, and leave the prerogative of making those changes and their extent entirely at the discretion of the Valuer-General and/or, through his or her advice, the Minister, whoever that may be. That is not a good thing. The public needs to know when changes have been made to the fees they will have to pay for the services provided by government. The public is entitled to be aware of that when it occurs.

By changing the legislation in this fashion, the Minister clearly wishes to cover up the considerable embarrassment the Bannon Government has suffered since it came to office on the promise of no new taxes and charges, and then a promise of no increases in taxes and charges when, in fact, the Government was clearly in breach of both those commitments within a matter of weeks of having given them and having been returned to office.

It is not legitimate for the Government to cover up in this fashion by simply removing the establishment of those fees and charges from public scrutiny, by not giving proper notice through the *Gazette*. This, then allows Parliament to be the adjudicator of whether it is considered appropriate and in the public interest. Why else do we have subordinate legislation and a Joint Committee on Subordinate Legislation? It is there to ensure that parliamentary changes to statutes are not needed to increase or decrease—although I have never known that—fees of one kind or another but, at the same time, given that that is a convenience, they are subject to the scrutiny and disallowance of Parliament if, in its judgment, that is considered appropriate.

Another thing that disturbs the Opposition and, I am sure, would disturb members opposite if only they would open their ears and minds to listen, is the proposal to restrict, as it were, the opportunity for the private sector to develop a competent valuation profession by euphemistically providing the needy, in the Minister's words, with the chance of getting a valuation of their land (or real property of any kind whatsoever) for other purposes than the purposes specified in the Act and other statutes, that is, for land tax, council rates, water rates, sewerage rates and so on where they apply. The proposed amendment offers a cut price service that would have to be subsidised by the taxpayer when, in fact, I believe that the service ought to be provided by people who are hired to do the job and to accept professional responsibility for it. I do not have any difficulty with valuers from the Department of Lands obtaining permission from the department itself to do it out of hours as individuals in their own practice. It is just that we do not believe that taxpayers should subsidise it.

Let us take the analogous situation of engineers working in the Engineering and Water Supply Department, the Mines Department or any other Government department or, indeed,

other professionals working in other places. They can seek and obtain easily permission from their employing department to do work outside (in addition to) their Public Service work, where that does not conflict with their Public Service work or impinge on the time they would have to make available.

That includes officers of the Department of Agriculture and any other Government department. If they wish to provide professional advice and/or some service or other, they can do so, whereas this amendment will mean that people will do it under the aegis of the department in the course of their employment and that a cut price will be charged for it. I do not think that is appropriate, and the reasons, quite simply, are these: all the land and real property that needs to be valued for the purpose of making imposts such as rates and taxes of any kind on that land by a Government agency, be it the State Government or local government, is now being valued as of necessity by the departments' valuers (or people whom the department appoints to do it as consultants).

The department does that and charges a fee for it. Local government can hire valuers if they do not want to use the department, but that is separate and apart from what we are talking about. That is already done, and will continue to be done annually now that we are on computer. It was done every five years, but now it will be done annually for the whole State.

That is not what this amendment is about. It is about extra services being provided where commercial transactions of one kind or another are contemplated. Whether or not they come off does not matter, but some commercial decision is required, and the nature of the valuation may be more detailed and of a different kind from that required for the purposes of levying local government rates, water rates, sewerage rates, land tax and the Government imposts to which I have referred. That is clearly a different and new service the department can provide.

In my judgment, it is quite undesirable for that service to be provided by the Government where it will be competing with an emerging private sector professional land valuation industry. We ought to encourage the development of that, in this day and age of micro-economic reform. Micro-economic reform is the removal of unnecessary expense and service from the public purse into the private domain where the citizen or corporation seeking that service pays for it. It is the user pays principle. That is what micro-economic reform is: to get the burden of cost allocated where the benefit applies in order to make realistic assessments of the real costs and values of doing things in our community.

Micro-economic reform is all the go at the moment and we do not need to go in the opposite direction and stultify the rapid development of what is already an established, competent, new expanding profession. It is 'new' in terms of the length of time over which it has been functional, but it is there—and this is the profession of valuers (whether it is for land or other real property it does not matter). The Opposition is not in favour of that kind of approach.

The other matter with which we find difficulty is the fashion in which the prerogative rights of the citizen are being legislated out of existence, again flying in the face of popular reform, with the requirement to provide information about the records kept on whatever citizens might own in terms of real property or anything else. If the Government keeps a register of values, involving the welfare, interests and fiscal disposition—how well off you are and what you are likely to be liable for in the way of taxes and charges from various Government agencies—that register should be open to public scrutiny for two reasons. The first is so that citizens can see what is kept on the record about what they own as individuals, and that is already retained—we are not quarrelling with that: it is there—and they should be able to do so without charge. Citizens should have a right to know what the Government has on file about them and their real property interests. But, because the Government valuers make these subjective assessments of the value of real property where it is relevant to impose these taxes and charges, appeals should be possible.

Indeed, we all accept that principle and it is retained in the legislation. But, what we effectively do by acceding to the proposals in this Bill is prevent individual citizens from making comparisons between their own real property and other similar real property owned by others. The way that is prevented is by imposing charges on each item of information sought. That is what this Bill does: it proposes to require the citizen to pay a fee that the Minister will fix according to what the Minister thinks. Notwithstanding the fact that I have already said it is a bad thing that the fee is not subject to parliamentary scrutiny, there is also the principle that the citizens should not have to pay a fee to make a comparable examination of the record of other properties similar to the one which they own. It should be possible for them to go and view the record, and it does not have to be hard copy: it can be a record taken from hard disc, put on screen on a CD ROM—

Members interjecting:

Mr LEWIS: That means a computer disc read only memory, and the citizen could then get access to that at no cost. People should be entitled to note the information they need about properties comparable to their own property and/or dictate that information into a dictaphone without having to pay to do it. I am not saying that if they want hard copy they should not have to pay: that will involve the deptartment, indeed the taxpayers, in an additional expense, and the citizen should expect to pay for that.

I am not saying that if they want to have a privately owned terminal separate from the department's records and departmental offices they should not pay. What I am saying is that if they want their privately owned terminal in their own office connected to the department's records they should pay a fee for that service. I am not at odds with that. The Opposition is at odds only with the principle that citizens, or their representatives if they are bodies corporate, should be denied access to the rest of the record unless they pay a fee. They should be allowed to read it, memorise it or take notes of it at no cost and, if they want hard copy, they pay a fee for that. That is vital because it is going in the same direction as freedom of information legislation all over this country.

Another important matter which the Opposition has great difficulty with—indeed, cannot support—is the notion that native vegetation heritage land will now be valued as though it had the same value before the native vegetation heritage agreement was signed. Previously the crop of standing timber or the herbage which was growing there could be harvested; you could harvest the timber and sell it or you could harvest the herbage by cutting it down but more importantly, harvest it by grazing animals on it.

In circumstances where that land becomes subject to a heritage agreement, you are not allowed to graze it commercially. As a landowner you must fence it off and exclude all grazing animals from it and desist from using it in any way whatsoever for agricultural purposes in the commercial sense. Of course, you can bring people in to look at it if they wish to pay an admission fee to do so—that is all part

of the tourism thing; that is all the go for sure—but that does not make the land any more or less valuable.

We believe it is wrong that the citizens should have to pay rates on the value of the herbage and trees in heritage listed areas. They derive no benefit or income from it. Indeed, heritage listed areas should not even be rated. That is the next point the Opposition wishes to make, and I refer to a heritage area which has no commercial use. I am not talking about buildings which can be occupied and from which some use, benefit and notional rental can be obtained. It is wrong to require someone to keep such an area for the sake of the State's heritage, that is, for the benefit of all the citizens of South Australia, and ensure that it is preserved and have them pay rates on it where they have no chance whatever of deriving any income or benefit from it. That is a bad principle.

Local government has voiced its concern about this problem, as I voiced my concern when native vegetation clearance regulations were first introduced, that the rate revenue base would be restricted to the extent that heritage agreements were imposed within any local government areas. Some local government areas are much harder hit than the rest of the State. The Opposition believes that in those circumstances the State should pay what the local government area has had to forgo by the way of rates from the areas that have been locked up in heritage for the benefit of posterity.

We believe that the practice of requiring local government to forgo any rates on the land to be wrong, and equally wrong, we believe, is the requirement that the citizen who has the misfortune to own the land which is the subject of the heritage agreement and from which they derive no benefit must pay rates on that land. It is the responsibility of neither that individual local government area—or the few of them that are terribly adversely affected in South Australia—or the citizen ratepayers to cop it for the benefit of the rest of us and for the benefit of posterity.

We cannot support the proposition either, that requires, elsewhere, trees to be taken into account and added to the value of the land where it is not the subject of a heritage agreement. At first glance, that might seem reasonable and, for up to 12½ per cent of the area of the land, I guess it is. However, the provision in this Bill is crook because it completely overlooks the fact that a number of people actually make their living by cropping trees. They plant pine trees, or they plant what are called 'native cherry trees' as a crop to be harvested at Christmas time and sold as Christmas trees. As this amending legislation would have it, such trees would have to be included in the value of the land as though they were part of that land. I believe that is fairly quaint when, in the same clause, the Minister provides for the exclusion of fruit trees: they have to be valued as though they are part of the land. That is a double standard if ever I saw one.

Mr S.G. Evans interjecting:

Mr LEWIS: I was making that point. I am sure that the honourable member knows more about this than I know. Of course, he will have his opportunity later to make a contribution on these questions. It is not fair or legitimate to require people who have commercial plantations of trees producing firewood, Christmas trees, or trees for anything other than horticultural uses, such as fruit production, flower production (growing Geraldton wax is horticultural, but timber is not—and Christmas trees are not) to pay rates and taxes on those trees. The Minister needs to bear in mind that that is pretty sloppy drafting—or sloppy direction from her to the draftsperson, if she really did not mean to provide that, and it is pretty rotten legislation if she did. One way or the other, that clause is crook.

Otherwise, we do not have much quarrel with the legislation. Therefore, it is, more than anything, a Bill which is best addressed in Committee, wherein we can take each of the proposals on their merits under the clauses, examine their impact and consider the amendments which have been circulated. At that stage we can remove any which are inappropriate and otherwise ensure that these provisions, in terms of identifying their costs and so on, do not fall disproportionately on the shoulders of some citizens where they ought to be more fairly and squarely borne by all citizens. With all that in mind, we will support the measure at the second reading stage, and then ascertain whether the Minister, to whom I have circulated these amendments, is willing to see the good sense in them.

Mr FERGUSON (Henley Beach): We are dealing with minor amendments to the Act, and I commend the Minister and her department for their efforts in bringing the legislation before Parliament. The Bill is, in essence, a consolidation of the many amendments which have been made since 1971. The result of the consolidation has been to produce a tidy and workable document. The new Act is now more easily understood and can be better used within the valuation industry, and that is definitely well in the public's interest. The wording of various sections has been simplified, and references have been updated.

I especially admire the way in which the language has been simplified and expressed plainly. Standing Orders do not allow me to refer to Parliamentary Counsel; all I can say is that whoever was responsible for the language of the Bill should be congratulated. This is an issue I have taken up from time to time ever since I came into this House eight years ago, and I am extremely keen on the introduction of plain language in legislation. Many Acts should be redrafted so that they can be understood by the ordinary person in the community. So, it is with a great deal of pleasure that, on reading the Bill, I noted that it had been rephrased in plain language.

Not only have I mentioned from time to time in this place the need for plain language in legislation: I have referred to those measures we pass which result in further forms and documents, indicating that those measures also should be written in plain language. I wish that all regulations and legislation could be produced in the same way. In this case, outdated practices and procedures have been removed, and this important feature of the Bill has assisted in simplifying the legislation. There is little point in retaining practices and procedures that are no longer used, and I only wish that this policy would be followed in respect of other legislation. Changes in administrative requirements are reflected in the Bill, and I believe it is perfectly proper that the current administrative practices be legislated for.

The penalty clauses have been updated to reflect current definitions, and anybody who believes in the user pays principle, and I understand that members opposite are on that track, would agree that this is something that ought to have been done. One would expect that the new legislation would contain updated penalty clauses. The provisions include power for the Minister to set fees, and most people who are of the opinion that any service received should be paid for would agree with that. Providing flexibility to keep up with changing prices is something that should be logical to all. The new regulations will be drawn up as soon as the Bill is passed.

As soon as this task is completed, South Australia will have a new, updated, modern piece of legislation that all

people connected with the valuation industry will applaud. The changes that allow the Valuer-General to make valuations on land in which private valuers are not interested are commendable. I know the member for Murray-Mallee made great play of this, but I wish to make two points. First, I understand that it is very difficult in certain circumstances to get valuers to travel to remote country areas to undertake a valuation.

This aspect of the Bill can only be to the advantage of people in remote areas who cannot get private valuers to go into those areas. The member for Murray-Mallee also suggested that this would produce a cut-price valuation service. I do not know how anyone could draw such a conclusion until such time as one has seen the charges that will be levied by the Valuer-General. How can the honourable member suggest that there will be cut-price valuations when he does not even know what the charges will be? I find that extraordinary.

I also acknowledge the usefulness of valuing buildings for heritage status and of allowing the Minister to prescribe buildings to be heritage listed by the Adelaide City Council. This Bill should go through the House without too much interference. It is a document that the valuation industry should and will appreciate, and it deserves the support of everyone in this place.

The Hon. S.M. LENEHAN (Minister of Lands): I thank the member for Murray-Mallee and my colleague the member for Henley Beach for their contributions. I will touch briefly on some of the points raised by the member for Murray-Mallee, but I think it is important that we look more closely during the Committee stage at some of the amendments to which he referred in his contribution. By way of interjection, the honourable member indicated that he rejected the Government's belief that people in far-flung areas of the country should not be disadvantaged in terms of cost and accessibility to the valuation services that they require.

In this Bill, I have moved to allow under certain circumstances valuers attached to the Department of Lands to be able to carry out valuations for people in far-flung parts of the State, and I would have thought that that would be welcomed with open arms by members of the Opposition because, after all, I am moving to provide a service that is affordable and accessible to their constituents. From discussions with my department, it has become apparent that there are a number of cases in country areas where people have been denied access to valuation services that would have been affordable. In other words, the cost of providing a valuer all the way from the city would have been prohibitive and, indeed, could have caused great financial hardship.

So, what the officers of my department did—and the member for Murray-Mallee might like to listen to this—was to have wide consultation with both the Australian Institute of Valuers and land administrators. Those people are totally supportive of the amendments, and I think that is fairly significant. If there were going to be any disadvantage to valuers, the institute would hardly support these amendments. The other group that has been involved in discussions and consultations is the Valuation Division of the Real Estate Institute of South Australia and, again, that group totally supports these amendments. I would have thought that, on any principle of equity and social justice for country people, the Opposition would have moved to amend the Bill had I not moved this most appropriate and adequate amendment.

One other point that must be made in response to the second reading debate is that the Government's Bill seeks to delete paragraph *(b)* from the definition of 'annual value' in subsection (1). Section 5*(b)* of the principal Act provides:

> If the value of the land has been enhanced by trees (other than fruit trees) planted thereon, or trees preserved thereon for the purpose of shelter or ornament, the annual value shall be determined as if the value of the land had not been so enhanced.

I am pleased that the member for Chaffey is in the House to hear this because the original Act discriminates against fruitgrowers, the very people who today travelled hundreds of kilometres to make their points to the people of Adelaide and to the members of this Parliament. In other words, under the principal Act, the Valuer-General can only take into account an enhanced value, in terms of a valuation, for fruit trees, which totally discriminates, in my view, against the people in the Riverland. In this environmentally conscious era, when we are actually looking at vegetation and being able to value land appropriately, according to the original Act, such improvements as pine plantations or other types of trees could not be taken into account.

I say quite proudly that the Government is not prepared to disadvantage fruitgrowers in the Riverland. We will treat all people within the State equally and fairly. Not only will enhancement by fruit trees be considered but perhaps by pine plantations as well, and I think the member for Murray-Mallee referred also to the growing of native flowers, such as protea.

Does anyone seriously suggest that, when urban properties are valued, we do not take into account enhancement by trees, plants and other forms of gardens? Of course not. This Bill corrects an anomaly that we believe is important, and I would have thought that the Opposition would support it. The member for Chaffey stood up publicly in front of people from the Riverland earlier this afternoon and very clearly talked of giving the growers in the Riverland an equal playing field—he described the playing field as a great mountain or a slope, as opposed to giving them a fair go—

An honourable member interjecting:

The Hon. S.M. LENEHAN: That is right. In that case, I am sure that I will have the support of the member for Murray-Mallee on behalf of his constituents so that all people in the State will be treated equally. The availability of information is another point touched on by the member for Murray-Mallee. I think it is important that information be free to the owner. If the owner of a property wishes to have access to that information, obviously it will be free. I will pursue the second part of the honourable member's amendment in the fullness of time.

The amendments that refer to heritage land are quite inappropriate because this area is covered under the Heritage Act. There is no need to repeat it again in this Act because it is already covered. I noticed an interesting little adjunct to the amendments to be moved by the member for Murray-Mallee, which the Government will not accept, and that is the invitation to write a blank cheque. In fact, the amendment provides:

> The Treasurer must reimburse any council for the loss of revenue resulting from the exemption under subsection (8).

The Hon. T.H. Hemmings: No blank cheque from you, Susan.

The Hon. S.M. LENEHAN: No blank cheque from this Minister, that is quite right, particularly as we already have a Heritage Act that is in place and working very effectively. At this point it might be more appropriate for me to pick up and argue, I hope cogently, the case for the Government Bill, and at this stage I think that I shall need to argue against most of the amendments proposed by the member for Murray-Mallee.

Bill read a second time.
In Committee.
Clauses 1 and 2 passed.
Clause 3—'Interpretation'.
Mr LEWIS: I move:
Page 1, lines 16 and 17—Leave out paragraph *(a)*.

The effect of the clause is to delete paragraph (1)*(b)* from section 5 of the principal Act, relating to the definition of 'annual value'. At present it provides that where the annual value of land has been enhanced by trees, other than fruit trees, which have been planted or preserved on the land, whether for shelter or ornament, the annual value must be determined as if the land had not been so enhanced.

The provision was originally included in the Act by the Liberal Party when in Government to encourage the planting of trees on privately-owned land. It is acknowledged that tree planting increases the value of land. However, for many reasons, which it is unnecessary to list but to which I will refer as environmental, private landowners should continue to be encouraged to plant and maintain trees without penalty. Where those trees are in any way different from commercial crops, in the form of horticultural crops, I do not see why we need to draw a distinction between the two. As I understand it, the amendment makes that distinction to the advantage of one group and to the disadvantage of another. That is the reason for moving the amendment. I have spoken to people who have experience of drafting these things and they tell me that that is the effect of the amendment. I cannot do more or less than that. That is why the Opposition is advocating the amendment.

The Hon. S.M. LENEHAN: I cannot understand the rationale and reasoning of the member for Murray-Mallee. I refer members, particularly the member for Chaffey, to section 5 (1)*(d)* which defines 'capital value'. The clause seeks to remove paragraph *(b)* from the definition of 'annual value' in subsection (1) and to substitute several definitions with definitions. Looking at the original legislation, subsection *(b)* provides that one cannot take into account in valuing a property the enhancement from tree planting, except if people have fruit trees. We are treating fruit growers completely differently.

We are saying that their properties will be valued at a much higher amount because the Act says that that must happen. However, if people make their living from a whole range of other pursuits and have planted trees or other forms of vegetation, that is okay; they will not be treated equally. The member for Murray-Mallee's amendment merely seeks to remove paragraph *(a)*; it does not seek to remove paragraph *(b)*. There is a total inconsistency in his amendment, because he is going to say 'No' in one case—

Mr Lewis interjecting:

The Hon. S.M. LENEHAN: Perhaps he is not totally inconsistent. He is saying it is all right for fruit growers to have their fruit trees assessed for annual value, but, when we get over to paragraph *(b)*, he is leaving 'capital value' in the definition. The Government is saying:

'capital value' of land means the capital amount that an unencumbered estate of fee simple in the land might reasonably be expected to realise upon sale.

That is where our definition ends. However, the member for Murray-Mallee seeks to continue it in these terms:

... but if the value of the land has been enhanced by trees (other than fruit trees) planted thereon, or trees preserved thereon for the purpose of shelter or ornament, the capital value shall be determined as if the value of the land had not been so enhanced.

The member for Murray-Malle is not being inconsistent, but he is ensuring that we treat land that is used for the purposes of gaining income quite differently. I should have thought, when there is a crisis in the Riverland, that for the Opposition to continue to support what could clearly be seen by the fruit growers of this State as a discriminatory practice against them under the Act would be absolutely unacceptable. I assure the Committee that the Government will not have the Riverland fruit growers treated any differently from everybody else in the State. I reject the amendment.

Mr S.G. EVANS: The Minister has lost me and it may be that the member for Murray-Mallee lost me, so I would like some clarification. We are saying that horticultural trees will be included in the capital value, and in this respect we are talking about fruit trees and trees that may produce flowers. Is that the case or not, or is it just fruit trees? If we are talking about crop-type trees, are we talking about trees such as Christmas trees which are harvested after three to four years' growth? There are several Christmas tree farms in the State. Christmas trees are harvested in a not dissimilar way to other crops, except that they take three to four years to develop. When we talk about fruit trees, are we leaving out those which produce flowers and those which are grown as a crop, such as Christmas trees? Indeed, one might go a step further and look at trees which are grown for timber and which might take 15 to 20 years to grow. They are a crop. Are they also included in capital value according to the Minister's proposition?

The Hon. S.M. LENEHAN: Yes, indeed they are, but they would be assessed appropriately. If we are talking about a new planting which takes 15 years to harvest, that valuation would reflect the enhancement at the particular point in time. As the old Act is written, the only enhancement that can be taken into account legally and legitimately is an orchard—fruit trees. It seems to me and to everyone who has been consulted about the Bill that that is treating one section of our agricultural rural sector quite unfairly with respect to the rest. The clause seeks to delete paragraph *(b)* and amend several definitions, including 'capital value', which again reiterates that different treatment or discrimination applies to people who grow fruit trees.

We are saying now that all land will be valued according to the enhancements that are on that land. Let me also say to the honourable member that, in a time of perhaps much more environmental awareness when it is certainly appropriate that land with a degree of vegetation on it which prevents salinity, erosion and degradation, and which encourages biodiversity, should surely be recognised. There would be other cases where the true value of land which needs to be cleared for agricultural purposes would have to be recognised.

I see the amendment as providing the ability for the Valuer-General and his department to be able to reflect much more accurately the value of land as we would all understand it, as opposed to a definition written in an Act that goes back to 1971. I do not know how the Parliament of the day, at that point, saw fit to treat fruitgrowers quite differently from every other form of tree planting or vegetation enhancement sector; I was not in Parliament at that point, but I think the honourable member might have been here and I think it might be stretching his memory a little if he had to recall the reason for that. But it is certainly not something about which nobody in the area has been consulted. We must remember that I introduced the Bill once before. It is not new: it is just that we did not complete it. Nobody is standing up and saying that they support treating the fruitgrowers in this State quite differently from everyone else. I received a copy of the amendment this morning from the member for Murray-Mallee, and this is the first time anyone has told me or my officers that what we were doing was other than equitable, fair and based on commonsense.

Mr S.G. EVANS: I am not saying that I support the amendment: I am asking for information from the Minister, and I am still unsure. It may be hard to understand or perhaps I have a mind that does not pick up things quickly, but is the Minister saying that, if we accept her Bill, when it comes to capital valuation fruit trees will be valued at a value that the valuer puts on them; trees which produce flowers will be valued at a value that the valuer put on them and therefore enhance the land value; and pine trees and gum trees grown for firewood or timber and heritage trees will be valued as part of the capital value of the land? For example, at the moment, one group is saying that a heritage listed gum tree which is a burden to the landholder and which has been listed by the Minister is worth $150 000. That is the value that group of people is putting on that tree.

If we are saying that all trees shall have a value put on them, not only in terms of producing articles but in terms of aesthetics, I am concerned. If the State applies a listing to a tree so that people cannot work the land around that tree because the roots are part of the heritage listing; and if the tree is 130 feet high, such as the first one the Minister listed, the roots actually extend 130 feet from the base of the tree, so there is a burden. However, that tree is put at a very high value by society. Will all fruit trees, ornamental trees and heritage listed trees be valued for capital value, and will the capital value be the capital value to the owner (because some trees may be a burden to the owner as no-one is picking up the insurance policy on heritage listed trees) or to the community?

The Hon. S.M. LENEHAN: We are talking here about market value. Therefore, I appreciate the honourable member's point that somebody in the community might say that a tree is worth $150 000 but I very much doubt—

Mr S.G. Evans interjecting:

The Hon. S.M. LENEHAN: Sure, they may well, but in the marketplace I do not believe that anyone would pay an extra $150 000 to buy that property with that tree. Quite appropriately, they may pay something more to buy that property which has that tree or a number of trees on it. The honourable member would be aware that we are talking about market value; at the present time we are talking about valuations under the Act, and that applies only to the market value with respect to fruit trees.

We are saying that, if we are to talk about market value, we will talk about taking into account, evenly and fairly, all those enhancements. In some cases people may pay less for having trees on a property. There would be situations where people may pay less because of their personal requirement for the use of that property. The simple answer is, that, if we are to include fruit trees in terms of the assessment of a valuation based on a market value concept, we will also include pine trees, protea farms and other forms of use by way of trees and vegetation.

It would be absolutely ridiculous to suggest that, because a value of $150 000 is put on a particular tree, someone will rush out and buy that block of land and pay an extra $150 000 because there is a tree on it. In fact, they might pay less. They might want to ensure that that tree is preserved but, for the very reasons outlined by the honourable member—because they want to plant grapevines or do something else—they might pay less for that block of land because the tree does not allow them to use the entire land for their purposes, but it is important to preserve that tree for a whole range of reasons. In short, the Valuer-General does not rush around placing aesthetic values in determining a valuation based on a market valuation principle. If the honourable member had any concerns I hope that I have allayed them.

Mr S.G. EVANS: The Minister has not allayed my fears.

The Hon. S.M. Lenehan: You didn't listen.

Mr S.G. EVANS: I now have a fear because I sense a serious injustice in the area of heritage listings, whether one tree or a lot of trees be involved. The individual who happens to own the land at the time the heritage listing is placed upon it quite often has the heritage listing placed on it because they find that the tree is not convenient for their purposes. The authorities move in and put a listing on the tree. I know from recent court cases that people have been charged quite high fees for removing trees or native vegetation. The department can put a value on trees. It does not matter what the Valuer-General or the Minister say; we are passing a law about which, because of the track we are taking on this tree issue, some people are becoming afraid.

No Valuer-General can give an idea today of what will happen when courts start making those decisions. Some people on whose land heritage listed trees are situated and who owned the land at the time the trees were listed might not want the trees, but they are told by the State to keep the trees because the State says that the trees are valuable aesthetically. No-one can tell me that at times, when valuing a property, the Valuer-General does not look at it and to some degree consider its attractiveness or otherwise, because that is what brings the value in the marketplace. But if the person does not want to have the land valued at that rate and wants to remove the tree, they cannot do that because it is heritage listed.

The Minister might be right: it might bring more or less money but, if the land brings more money because it has trees on it, the person who owns it might not want those trees but the State might say they will keep them. It will put a value on the land and that person will pay taxes on it for as long as they own the property. That is the truth of it. The other point is that the Minister's amendment provides that any valuation will not take into account any use of the land that is inconsistent with any allowable use. So, if a person owns a block of land in the city which is in a residential zoning and on which several heritage listed trees are situated and, if that person is not allowed to remove them, thus making the block unavailable for housing, it is no use for the purpose for which it is zoned. Is it therefore valueless?

Members interjecting:

Mr LEWIS: That's what I love about the contribution of the member for Henley Beach. Was ever anything so ruddy convoluted as the way we attempt to tease out precisely what is meant by the words placed before us in an amending Bill of an Act that has already been severely amended? The Bill 'strikes out paragraph *(b)* from the definition of 'annual value' in section 5 (1). Section 5 (1) provides:

> *(b)* the value of the land has been enhanced by trees (other than fruit trees) planted thereon, or trees preserved thereon for the purpose of shelter or ornament, the annual value shall be determined as if the value of the land had not been so enhanced.

That is what it provides presently. It is not a level playing field now. Fruit trees are included in the valuation. Trees that are not fruit trees are not included in the valuation. The Minister righteously stands up and prates to us that she is creating a level playing field. Piffle! She is creating an even greater disequilibrium when she deletes all reference to trees. Not only will fruit trees be valued but all other trees will be valued whenever the land is valued for the purpose of annual value determination. All trees are to be valued in future, not just fruit trees.

In the case of the member for Chaffey, the pious pratings of the Minister had us believe that she was compassionate and concerned for his constituents. I also have constituents. The trees on their land have a negative value. It costs money to get rid of the ruddy things—they are weeds. It costs money to keep them there as they have to be maintained, yet people get a negative income from them. Let us not go down that path. In her amendment the Minister is proposing to remove all reference to what shall be regarded as being a consideration of the value of trees. All trees must now be considered in the value of the land. Where people have been forced to keep those trees, they will pay rates on the notional increase in the value of the land if the valuer ascribes a value to those trees. The Opposition does not believe people should be taxed because they have been forced to keep trees; nor do we believe that it is appropriate to tax some people who have some kinds of trees for different reasons from those people who have different kinds of trees for other reasons. We simply believe that we should get back to a level playing field.

Maybe the Minister really meant to delete all reference to fruit trees so that all trees would then be deliberately removed from consideration of value when an annual value is determined. Maybe she just wanted to remove the words 'other than fruit trees'—I do not know. The Opposition's point is simply that we do not think that people should be discouraged from planting trees by their being included in the annual value for the purpose of determining rates. We think it is a good idea to plant trees and to encourage people to enhance their properties by so doing. That is exactly why the Opposition has moved this amendment.

The Hon. P.B. ARNOLD: As I understand what the Minister is saying, she will now include all other forms of tree in the valuation placed on that land. The Minister says that she will take away the discrimination against Riverland fruit growers. She knows that I and all members of my family are in that category. About six years ago one member of my family (and he was the first person in South Australia to do so) planted a large wood lot in the interest of controlling salinity. It would appear now, given what the Minister is suggesting, that having planted that wood lot (which has been an outstanding success and which has been recognised throughout Australia as having significantly lowered the watertable and reduced the salinity problem in that irrigation area and the near vacinity), he will be penalised by having that wood lot added to his valuation. He will have to pay higher rates and taxes because he did something constructive to combat salinity. That will not do anything for the Riverland growers.

Since that time numerous growers in the irrigated areas have followed suit and planted small wood lots on their properties in low lying areas where high watertables exist and salinity is a problem. They are coming to grips with the problem. The trees are there not to be harvested but to do a job that would otherwise fall back on the Government in the form of artificial drainage. That would extend the problem far beyond that which exists today. These wood lots are drawing down the overall watertable and putting back the salt where it was before irrigation occurred—eight or 10 feet below the surface. All the trees grown commercially are shallow rooted and do not draw on the watertable; they rely purely on surface irrigation. River red gums and such like are deep rooted trees that will draw down the watertable to eight or 10 feet. When the project was started, the water on the property was within a third of a metre of the surface and was killing off the horticultural plantings. The planting of 3 000 to 4 000 trees—and they are now some 40 feet high and doing a remarkable job—will now add to the value of the property and he will be penalised for his achievement.

Amendment negatived; clause passed.

Clause 4 passed.

Clause 5—'Valuation on request.'

Mr LEWIS: I move:

Page 2, lines 4 to 14—Leave out paragraph *(b)*.

This clause at first glance gives us the impression, as did the Minister's second reading explanation and the contribution by the member for Henley Beach, that it is to provide valuation services over and above what is provided already for the purpose of determining local government rates and charges.

That is already being done and has to be done, anyway. This is an additional service to be provided, and all members need to be aware of that. If you have enough money to own a bit of land out in the sticks somewhere, and you need to have that land valued for personal or commercial reasons, you should not expect the taxpayer to subsidise that, you should front up and pay the fee. Clause 5 of the Bill provides:

(2) The Valuer-General may, at the request of any person, value land or cause it to be valued if the Valuer-General is satisfied that—

(a) there is no licensed valuer with the appropriate expertise available to value the land;

(b) the cost of obtaining the services of a licensed valuer to value the land would, in the circumstances of the case, result in genuine hardship;

or

(c) there are other special reasons why the Valuer-General should accede to the request.;

That is the bit that sticks, in view of micro-economic reform within the economy. The Government will not lose any revenue over this Bill but will save some because the Government's revenue base will be fixed by values that are already determined. These are private valuations, and they will cost more than the Minister will collect as a fee for their purpose, because clause 5 (2) *(b)* provides:

. . . the cost of obtaining the services of a licensed valuer to value the land would . . . result in genuine hardship;

What the Government is really saying is, 'It is genuine hardship and they cannot afford to pay, so we will do it for them at a cut price.' If that is not the case, the Minister and the department should get out of the way and let the private land valuation profession meet the needs of the market. This has nothing to do with the Government. The Government will become involved in court cases that will cost the taxpayer money if valuations provided for these commercial reasons are disputed in court and the valuer is called. Perhaps the valuer has acted unprofessionally but, because he did the job as part of his duty, the Minister could be sued for incompetence.

The Minister knows that, in this day and age, if you are professionally incompetent and your advice is wrong, you are liable. That measure in the law does not exempt the Crown. Where the Crown provides these services, it is very much subject to that provision. It does not matter whether you are an accountant, a sharebroker or a land valuer: if you have given unprofessional advice you can be sued for damages if the advice is wrong. The Minister should know that. Members of the Opposition know it, which is the reason why we are opposed to this measure.

We believe that, if something is to be done in the way of a valuation for independent commercial purposes, an officer of the department can be given permission to do it in his own time and charge a fee for it, and accept personal responsibility for what he does, but the Government and the taxpayers ought not to become involved in this risky business. It is expanding public enterprise. If you expand

the service, competing with the private sector in any way, by definition that is expansion of public enterprise. You would never get private enterprise to expand where you deliberately stultify the opportunity for it to do so by providing the service for a fee which is quite clearly stated as being a fee that will not cause the genuine hardship the Minister prefers to think she would be avoiding, albeit at the expense of the rest of the taxpayers. That is why the Opposition is opposed to the provision and why I, therefore, move the amendment standing in my name.

Mr FERGUSON: I found that very hard to sit through without making an interjection—but, of course, interjections are out of order and you, Mr Chairman, would have ruled me out. In this Parliament in the past few weeks, particularly at Question Time, we have heard from members of the Opposition a series of questions seeking relief on a variety of things for the rural community.

Mr LEWIS: Mr Chairman, the member for Henley Beach is talking about Question Time, I understand. Under Standing Orders I thought that we had to focus our remarks pretty much on clauses.

The CHAIRMAN: Yes, any remarks must be relevant to the clause before the Chair, which is why the Chair restated the matter before the Committee at this moment. The Chair will, of course, ensure that those Standing Orders are complied with. The member for Henley Beach.

Mr FERGUSON: The remarks I have made will link up with the proposition before the Chair. We have heard a lot recently about the rural crisis, and paragraph *(b)* would be of assistance to those people who are feeling the strain so far as that rural crisis is concerned. I am extremely surprised to hear the member for Murray-Mallee, who represents a rural district, suggest that those people he is representing should not have the advantage of this clause. We have heard a barrage of propositions put to the Government, asking that the country electorates have reduced taxation, have water without paying for it and have a whole number of Government charges removed because of the rural crisis, yet now with this proposition we are actually being asked to deny the Minister the opportunity to support some of the propositions put up by members opposite. I am absolutely astounded!

I have heard this sort of debate about supporting the private sector before, particularly from the member for Murray-Mallee. Whenever members on this side of the House want to take away a Government service that would assist the private sector because it would fill the vacuum, we get nothing but opposition to make sure that the services continue. With this proposition we have the opportunity to do something for the rural sector, yet the shadow Minister seeks to remove this measure from the proposition. His argument is that he wants to support the private sector; in other words, he wants to support private business and private organisations against the interests of the people he represents. I find this absolutely astounding.

Mr LEWIS: The member for Henley Beach does not understand the difference between social need and economic convenience. On the one hand, he set out during the debate on this clause to tell me that I did not know what the fee would be because it had not yet been set and that it would not be subsidised and, therefore, not cost the taxpayers anything, yet now he is telling me that it will be set at less than the real cost of providing this service case by case in the circumstances of the needy. It is economic convenience for the person who happens to own the real property to have a valuation made for private purposes. It is not for taxation or rating purposes but for personal economic reasons. It has nothing to do with social need, educating children, caring for the sick, ensuring that everyone observes the law or providing decent roads or library facilities to communities or schools.

It has nothing to do with social need; this provision is simply economic convenience, and is really more about the economic convenience of expanding a Government enterprise in a way which will stultify the development of a professional private enterprise activity. The Opposition opposes the inclusion of this clause in the Bill.

Mr FERGUSON: I cannot let that go unchallenged because we now have two new definitions—social need and economic convenience. The member for Murray-Mallee has interpreted this clause in such a way as to suit the argument he is putting to the Committee. I see no reason why, in the present circumstances in the rural industry, we should not give the Valuer-General the ability to provide discounted valuations for those people who might be in such necessitous circumstances—

Mr Lewis interjecting:

Mr FERGUSON: Don't you support your rural population? We heard from the member for Flinders, who I believe is a very honourable man, that one-third of his electorate is up for sale. He told us that the other night in debate, and I believe him. One of the reasons why one-third of his electorate is up for sale is that people living in that area simply cannot pay their debts. If they are looking to sell their property and for one reason or another they need to have that property valued and simply do not have the money available to engage a licensed valuer, what is wrong with the Valuer-General providing to them at a reasonable rate a valuation of their property?

Here is somebody from the rural sector who is arguing against his own people. Here am I, a member from the western districts of Adelaide who generally represents the working class, put in a position where I am fighting for the farmers of the State. I do not see anything to laugh about in that. We on this side of the House have always been prepared to look at cases of genuine need. I do not see any reason why this clause should not be passed. The member for Murray-Mallee should remember from where he comes and should support the clause.

The Hon. S.M. LENEHAN: I urge the Committee to reject the member for Murray-Mallee's amendment on the following grounds. First, as the member for Henley Beach pointed out, this clause was not just dreamed up by me or my department; in fact, it was included in response to approaches made from the rural sector. Indeed, it was drafted after consultation and support from both the Australian Institute of Valuers and Land Administrators and the Valuation Division of the Real Estate Institute of South Australia. I believe the member for Henley Beach has put a most cogent argument for supporting those people in the far-flung parts of the State who, through—

Mr Lewis interjecting:

The Hon. S.M. LENEHAN: The member for Murray-Mallee seems to think that the people covered by this clause are extremely wealthy and just want to get some form of cheap valuation. I can inform the honourable member that when a partnership is dissolved or a marriage breaks up—and anyone who has been through a marriage breakup knows only too well it is the quickest way into a poverty trap—there are cases of genuine hardship when a valuation may be needed. Indeed, as the member for Henley Beach pointed out, members of this House, such as the member for Flinders and the member for Eyre, would certainly support the Government's position on this because they have made it very clear to the Parliament that people are

having to sell their properties for one reason or another and will require valuations.

Perhaps I will quietly explain to the member for Murray-Mallee what will happen. Because the Department of Lands has regional offices and valuers situated in the regions throughout South Australia, they are already relatively accessible to those people in outback country South Australia. If we do not pass this clause it will mean that those people will have to pay for a valuer to come from the city to do one valuation—they will have to pay for air fares, perhaps overnight accommodation and so on. If we allow, in cases of hardship, the department to provide the services of the valuer who is stationed in a particular country region—

Mr Lewis interjecting:

The Hon. S.M. LENEHAN: Perhaps if you listened you might understand. That valuer can be accessible to the property in question to undertake a valuation. We will attempt to recover from the private landowner the full cost for the valuer to do that. On any commonsense appraisal, it will cost infinitely less for a valuer stationed in the regional area who is going about his or her daily business of valuing to value a property in a private capacity because they are in that area. It will not cut across the competitiveness of the private valuation system, otherwise the institute would not be supporting this amendment.

I cannot believe—and I say this with great sadness—having been in this House now for eight years, that a country member would argue against a Government proposition based on humanity, compassion and commonsense and argue for a private valuation system when those private valuers have told my department that they are happy with this amendment. I question where commonsense has gone when we are here at this hour on the third sitting day of the week arguing about whether or not we are to offer to a very small number of rural constituents a service that will not cost the taxpayers of South Australia any appreciable amount, if anything at all. This amendment has the support of the valuation industry. The only person opposing it is the shadow Minister of Lands.

Amendment negatived; clause passed.

Clause 6—'Repeal of s. 20.'

Mr LEWIS: I move:

Page 2, line 20—Leave out 'repealed' and substitute 'amended by inserting after its present contents (now to be designated as subsection (1))' the following subsection:

(2) The Valuer-General must, on payment of the prescribed fee, provide a person who requests a copy of the valuation list or of a part of the valuation list with such a copy.

This amendment simply ensures that a CD ROM or some other record is available for public inspection provided by the department at no cost to citizens so that they can examine the record and get information not only about their own value but about other values, in the event that they need such information, for the purpose of appeal or any reason whatsoever.

Up until now, ever since he (Robert Torrens) who graces the wall of this House introduced the land titles system, and tax was imposed on the titles so determined where values were ascribed to those titles, the public have been able to look at the record of the Government's valuations on their land to see whether or not they have been treated fairly. The proposed changes to the law in the Bill before us will allow only free visual examination of the one entry relevant to one piece of real property. That is wrong because the public need to be allowed access to other information. We do not know what fees the Minister will charge. In fact, she proposes to make those fees a secret. They will not even be put in the *Gazette*, and they certainly will not be subject to parliamentary scrutiny and debate. They will go into a secret file so we cannot know when it happens.

The other bad thing is that one will be allowed to look at only that one entry in future. The Opposition believes, in all fairness, that a citizen ought to be allowed to examine the records that are relevant not only to the land that they own but other land. That need not be hard copy; it can be on a CD ROM. Members should understand what that is and, if they do not, they can come and see me later.

The Hon. T.H. Hemmings: I know what it means.

Mr LEWIS: Good. I am pleased to hear that the member for Napier, by way of interjection, says that he understands what the term means. As I said before, it is 'compact disc read only memory'. The repeal proposed in the Bill will mean that the Valuer-General will no longer be required to keep and make available free of charge the valuation list for public inspection in normal office hours in the department's offices around the State. The Opposition believes that we should change it so that the Valuer-General is still required to keep the records and make them available free of charge for people who wish to examine them and provide that they have to pay a fee only if they wish to obtain hard copy—otherwise no fee.

The Hon. S.M. LENEHAN (Minister for Environment and Planning): I move:

That the time for moving the adjournment of the House be extended beyond 5 p.m.

Motion carried.

The Hon. S.M. LENEHAN: I reject the honourable member's amendment. I refer members to section 20 of the principal Act. The Government is moving to delete this section. Parts of it are picked up later in the Bill. Section 20 provides:

As soon as a valuation roll has been completed by the Valuer-General, a valuation list containing such particulars from the valuation roll as the Valuer-General may determine shall—

(a) be deposited in the office of the Valuer-General; and

(b) be available, free of charge, for public inspection, between the hours of ten o'clock in the forenoon and three o'clock in the afternoon of every day on which the office of the Valuer-General is open for business.

I think it is fairly obvious from the use of language, and from the fact that we now have moved into a computerised period of history, that that section is really not appropriate in a modern, up-to-date Bill using modern language and picking up the whole concept of modern technology. So, in this Bill I propose to repeal section 20, and I refer the member for Murray-Mallee to clause 15 of the Bill, which talks about how extracts of entries in the valuation roll can be accessed. In fact, proposed new subsection (4) provides:

The Valuer-General must, at the request of the owner of land, permit the owner to inspect, free of charge, entries in the valuation roll relating to that land.

Mr Lewis: Of that land alone—

The Hon. S.M. LENEHAN: That's right. Perhaps I should also read out proposed new subsection (3) for the benefit of the member for Murray-Mallee, although I thought he could have read it for himself. It provides:

The Valuer-General may publish information as to land value in such forms as the Valuer-General thinks appropriate and make publications containing such information available for purchase at prices approved by the Minister.

If the general community want to find out about someone else's land, they will have to pay a fee to do so. If I wished to find out about the valuation of my land, or, indeed, if you, Mr Chairman, wished to find out anything about the valuation of your land, you would have access to that, and

you would have it free of charge. As well as that, I remind members that our modern land information system is probably at the forefront of any land information system not just in Australia but in the world. I heard that sort of recognition for the South Australian land information system when I visited the United Nations in May to look at the ways in which we can share some of our land information technology.

Because of our sophisticated information system, one could access that information in one of the regional areas of South Australia. One would not have to, as section 20 currently says, attend the Valuer-General's Department between the hours of 10 o'clock in the forenoon and 3 o'clock in the afternoon. In fact, that information could be accessed from a regional office virtually at any time because of the sophisticated technology and the modern systems. I would have thought that the member for Murray-Mallee might have well understood and appreciated that time has moved on since this Act was originally brought into force, and that we are merely bringing it into the 1990s and beyond.

Mr LEWIS: All I want to do is disabuse the Minister of her own ineptitude. She has not understood what I want to achieve with my amendment: that is, to make available to members of the general public the opportunity to look at the details relating to their own land at no cost to the themselves and, in addition to that, other values can be used to make comparisons in order to enable members of the general public to determine whether or not they should lodge an appeal. As it stands, they will have to pay a steep fee. I heard the Minister announce those fees when she introduced the LOTS system a few months ago. A citizen who needs eight or 10 other comparable variations would not be just $2, $3 or $10 out of pocket but something like scores of dollars in obtaining the information to appeal against their valuation, if a mistake has been made. A successful appeal could save them $40 or $50 in rates. Clearly, the intention is to do a mischief to the simple householder and to prevent them from getting access to the wider record for the sake of comparison.

It was not my wish, nor my intention, to retain section 20. All I wanted to do was to retain in the Act the provision which honestly allows members of the general public the opportunity to determine whether or not their valuation was fair, without the department's incurring any expense in consumables, that is, paper or anything else. Citizens could go along and make handwritten notes or whatever. If the Minister could tidy that up through arrangements in the other place, I would be pleased. I will not call for a division on the clause.

The Hon. S.M. LENEHAN: I do not believe that the honourable member understands the system.

Mr Lewis: I understand the system.

The Hon. S.M. LENEHAN: I do not believe that the honourable member does. Insults have been thrown across the Chamber to me. I do not intend to insult other members of Parliament by denigrating the debate to that level. I will clearly explain to the honourable member how the system works. If I live in a property, I can have access free of charge to the valuation of my property. The honourable member is saying that, if I want to ensure that my valuation is appropriate or accurate, I should be able to have access free of charge to the valuations of other properties around my property. However, the valuation of my property is not determined by the valuation of the properties around me; it is determined by the sale of other properties in the area. The valuation of my property is determined not by the valuation of the properties around me but by the market value of properties comparable to mine that have been sold recently. So, it is not even accurate to suggest that having access to this information free of charge will give me the information that the honourable member is saying that I need.

We are saying quite clearly that if I want access to the valuation of my property I can have it free of charge, but if I want to have access to the valuation of other people's properties I must pay a fee—I think that is perfectly reasonable. A Party that supports fee for service could hardly say no to that. What if someone wanted access to the 660 000 valuations in this State? Do we have to make them available free of charge? How absolutely ridiculous! Of course I will not do that and no reasonable and sensible human being would expect me to.

Amendment negatived; clause passed.

Clause 7—'Copies of valuation rolls, etc, to be supplied.'

Mr LEWIS: I move:

Page 2, lines 23 and 24—Leave our paragraph *(a)*.

At the moment the Act allows the Minister to fix fees by regulation. This clause will allow the Minister to determine the fees at the Minister's own discretion. The Opposition does not believe that the Minister should be allowed to make these changes to the fees in this clandestine fashion. We believe that this ought to be on the public record and that the Parliament ought to know about it when it happens. Of course, the only way to do that is by regulation. If it is not done by regulation, it will not be subject to the scrutiny of Parliament or to debate in this place by the means presently available to us.

The Hon. S.M. LENEHAN: This clause is totally in line with the Government's policy of deregulation. We believe that it is important in terms of deregulation to be able to set fees. I am very happy to make those fees public. In his last contribution, the honourable member acknowledged that, at the launch of further information on the LOTS system, I clearly articulated to the world at large what the fees would be.

To support my argument, I refer the honourable member to the fact that the Minister sets the fees in the Fisheries Act 1982, the Marine Act 1936, the Metropolitan Milk Supply Act 1947, the Mines and Works Inspection Act 1920, the Petroleum (Submerged Lands) Act and the Road Traffic Act 1961. These are just a few examples of where it is more appropriate that the Minister sets the fees rather than going through the process of setting them by regulation. I am very happy to make the fees public, which is the normal process, and indeed it is in line with the Government's deregulation policy.

Mr LEWIS: For the Minister to say that this is deregulation is poppycock. The regulation of fee levying and Government intervention is still there. Just because it is removed from regulation and parliamentary scrutiny does not mean that it is deregulated—the fee will still be there. The intervention and the activity by the Government for which the fee is charged will still occur. It is not deregulation at all—so much for the first point.

My second point is that just because the Minister is able to refer to other Acts which have been amended recently to introduce this nefarious form of Government revenue raising is no reason for the Minister to expect us to accept that that is right. Indeed, it is bad to take things out of the scrutiny of the parliamentary arena and to put them into the secret domain of ministerial discretion where the Minister could shift the fees around like a movable feast. What is wrong with making the fees subject to parliamentary scrutiny? I do not see anything wrong with that or any reason to disagree with it. To my mind, it is the most

sensible thing to do. Clearly, the Minister and the Government have something to hide, and I know what that is: they do not want the public to be able to count the number of fee and charge increases. They want to be able to change the fees without having to make them the subject of parliamentary scrutiny.

Amendment negatived; clause passed.

Clause 8—'Heritage land.'

Mr LEWIS: I move:

Page 3—
Line 1—
Leave out 'and'.
After line 6—Insert—
and
(e) by inserting after subsection (7) the following subsections:
(8) Where—
(a) land forms part of the State heritage;
(b) more than one-eighth of the surface area of the land is covered with native vegetation,
the land is exempt from rates, land tax and other imposts under the law of the State.
(9) The Treasurer must reimburse any council for loss of revenue resulting from the exemption under subsection (8).

Clause 8 seeks to provide that the valuer place a value on land which forms part of our State heritage for the purpose of levying rates, taxes and other charges. The valuer is required to take into account the fact that the subject land is part of the State heritage and to disregard any potential use of the land for any other purpose. That is okay thus far, but proposed subsection (4) provides:

The fact that land becomes part of the State heritage does not invalidate pre-existing valuations.

Just because the land is part of the State heritage does not invalidate or reduce pre-existing valuations. That is my understanding of the provision, read in conjunction with proposed new subsection (4). As the law stands at the moment, no value is placed on large tracts of land that are part of the State heritage under the native vegetation clearance control legislation but, because the Local Government Association has complained about the loss in revenue resulting from that legislation, the Government has responded with this proposal to require the valuer to place some value on such land. That is what the Local Government Association assumes in a letter it sent to me in the following terms:

At the moment, the Department of Lands does not place any value on large tracts of land which are placed under heritage agreement. This has caused considerable loss of rate revenue in various parts of South Australia. If amendments to section 22 *(b)* mean that this land is now to have some value placed upon it, the amendment is totally supported.

But what about the ratepayers in rural areas? They will have to pay the rates on totally unproductive land which they cannot sell, subdivide or otherwise dispose of—it is valueless. They cannot graze it, they can get no benefit from it whatever, but they have to pay rates on it.

I put it to the Minister: why should she not pay rates on national parks from the department's revenue? National parks are part of the State heritage, are they not? My amendment seeks to insert the following:

(8) Where—
(a) land forms part of the State heritage;
(b) more than one-eighth of the surface area of the land is covered with native vegetation,
the land is exempt from rates, land tax and other imposts under the law of the State.

(9) The Treasurer must reimburse any council for loss of revenue resulting from the exemption under subsection (8).

I rest my case.

The Hon. S.M. LENEHAN: I shall not be accepting the honourable member's amendment, and I will explain why. In his amendment he seeks to remove the amendment that I am making to the principal Act and to add a very interesting subclause (9). I do not believe that we are in the business of writing blank cheques without understanding the cost to the community of this amendment.

Mr Lewis interjecting:

The Hon. S.M. LENEHAN: I have no intention of moving to that. If the honourable member is moving the amendment, it would be up to him to ascertain the value that he would be asking the community to find in that respect. My reason for not accepting the amendment is that the whole thing is provided for under section 16b of the South Australian Heritage Act Amendment Act 1985. I refer the honourable member to that Act where he will see that most of what he has asked for, with the exception of this interesting subclause (9), is covered. Therefore, it is not appropriate to restate it in this Bill. It is already there.

Mr LEWIS: That is incredible. The Minister says that the State cannot afford it. In effect, she is requiring individual landowners, who have these large tracts of heritage land with the native vegetation that they are compelled to retain, to pay. The State cannot afford it, but these poor farmers—

The Hon. S.M. Lenehan interjecting:

Mr LEWIS: They have to pay. Reading subclause (4) with subclause (6) *(c)*, there is no question about it. That is the Local Government Association's understanding in a letter that it wrote to me. The understanding is that the pre-existing valuation will not be altered prior to its becoming part of the State's heritage. This overturns all the commitments that this Minister gave when we debated the native vegetation retention legislation. It overturns all the commitments that this Minister gave, through the operation of the Native Vegetation Authority, to all those landowners out in the big paddock when they negotiated heads of agreement for the settlement of some gratuitous payment to them for the retention of native vegetation where it was required to be retained in the public interest and in the name of posterity. Those poor citizens, who own those large tracts of vegetation, according to subclause (6) *(c)* and subclause (4), will have to pay up. That is what the Local Government Association thinks, and the Minister did not disabuse it of that understanding when it consulted her. That is its word to me. The Minister cannot have it both ways.

The Hon. S.M. LENEHAN: I refer the honourable member to the South Australian Heritage Act Amendment Act 1985. Section 5, which amended section 16 of the principal Act, clearly spells out the circumstances where the agreement was entered into for the purposes of preserving or enhancing native vegetation. It goes on to talk about releasing the owner of the item wholly or to a specified extent from the obligation to pay rates, including council rates and taxes, in relation to the item, and it goes on further to say that a term of the heritage agreement releasing a person from the obligation to pay rates or taxes shall have effect, notwithstanding any Act or law to the contrary, and releasing a person wholly or in part from the obligation to pay council rates shall not operate before the commencement of the second rating year next following the date of agreement. My point is that this is already covered in these amendments to the South Australian Heritage Act Amendment Act, and I refer the honourable member to that Act.

Mr LEWIS: That makes it obvious that the Minister has come down on the side of having conned the Local Government Association into believing that it would get some rates, whereas it has lost all that rate revenue. At least, that is its understanding. If it is not the Minister's understanding,

she had better fix it up with the LGA. She does not have to tell me; she can simply write the association a letter. The LGA wrote to me saying that was its understanding of the meaning of these provisions. As that is the way in which the Minister has decided to go, I trust that her assurance about the outcome of this amendment will not compel those landholders to pay rates. However, I am not satisfied about that, because she is not the judge who will make the decisions when these people are taken to court by the local government bodies which require rates to be paid according to the valuation which has been lawfully determined in accordance with the provisions of the proposed clause. The Opposition must persist with its amendment.

The Hon. S.M. LENEHAN: I want to give a categorical assurance that we are not going to start charging or allowing rates to be charged to people who have entered into heritage agreements to preserve and protect native vegetation. I read out the relevant sections from the native vegetation legislation and spelt out that no other Act would apply.

I do not think it is appropriate for me to continue to argue with the member for Murray-Mallee, because he refuses to understand what the heritage Act is saying. The fact is that we are not going to be disadvantaging anyone. Those who have entered into heritage agreements will continue as they are; they will not have to pay council or other rates on that land that is under a heritage agreement with the State of South Australia.

Amendments negatived; clause passed.

Clause 9—'Notice of valuation.'

Mr LEWIS: I move:

Page 3, line 10—After 'valuation' insert ', and of the difference (if any) between the present and the previous valuation,'.

The Bill proposes an amendment which would provide that, where particulars of a valuation under the Act are provided in an account for rates, land tax or some other impost, the account will be taken to constitute the notice of valuation which the Valuer-General is required to give to the owner of the land. The Local Government Association is not too pleased about that, because it sees itself as being the bearer of unhappy tidings to ratepayers, and ratepayers get angry. I can understand the LGA's position.

However, as legislators on the matter, I believe that we should not waste taxpayers' money by sending them all separate notices. We should alleviate the ambiguities by providing that, as we will be revaluing the entire State's real estate every year for rating and taxation purposes, where we find a difference between the valuation put on the property last year and the valuation put on it this year, the taxpayers' attention should be drawn to that fact on the notice. We should point out the difference between the valuation last year, up or down, and this year. It is a simple thing. Such forms can be printed in their trillions at no extra cost, because it will mean just adding a couple of lines to let the general public know, when they get their notices, that there has been a slight increase or decrease according to the way that the market is going—and it is usually up. As we are doing it every year, it will be slight by comparison with the past, when it was done every five years. In the past, as a result, there were often substantial steep rises, and that shocked people and knocked quite a bit out of the household budget when that impost came along. I believe that this amendment is the least we can do. That is why I have moved the amendment. It will ensure that the ratepayer or taxpayer has drawn to his attention the change in valuation.

The Hon. S.M. LENEHAN: I really cannot believe the inconsistency of the member for Murray-Mallee. In moving this amendment relating to the 660 000 valuations that are currently provided annually to local government or anyone else, he is insisting not only that the final valuation is provided but that the difference between the present and previous valuations is shown. I do not purport to be a brilliant mathematician but, even if it cost the department only $1 to provide that difference in valuation, taking last year's valuation and this year's valuation and deducting for each one of the 660 000 accounts, it would cost the State a minimum of $660 000 extra a year.

It is absolutely outrageous for the member for Murray-Mallee on the one hand, to say we cannot offer a valuation service to rural constituents living in the outback under circumstances where there is genuine hardship because of the cost to the taxpayers and, on the other hand, to stand in the House and say, 'I am going to move an amendment that would, at the very minimum, cost the taxpayers of South Australia something like $660 000.' Why has he done that? It is because the Local Government Association contacted him and said, 'We do not want to be the bearers of bad tidings.' What a load of nonsense! Let me clearly say that, even if this information were provided, it would not change anything.

The valuation has been determined, and whether it is up or down on the previous valuation really has no bearing on the final outcome. The council still sets its rate in the dollar; at the end of the day, the council determines how much citizen A or B will pay. We are now going to cloud the issue and provide another piece of information on the rating notice. We are going to provide last year's valuation and this year's valuation. I do not know whether the member for Murray-Mallee is suggesting that we have thousands of staff in the Department of Lands beavering away, subtracting those two valuations or whether he is suggesting somehow we do it on a computer. But, whatever he is suggesting, there has to be a cost to the people of South Australia.

As Minister of Lands, and as somebody who is very proud of the department, which works very efficiently and effectively, I have no intention of saying to the Valuer-General, 'You can provide this extra information for the 660 000 plus valuations that are done annually.' Really, there is not a shred of consistency in the honourable member's amendment if he is seriously suggesting this.

Mr LEWIS: The Minister's words were 'to cloud the issue'. Well, if ever an issue was clouded, it was this one—in the Minister's vain attempt to hide behind her own ignorance of how simple and inexpensive it would be. In less than one hour the computer program, which currently provides the means by which last year's valuation can be changed to this year's valuation and prints out the notices that go to local government, could be amended by the addition of, at most, four new steps—and the department would have to be using a pretty bad program at that. It is basic and one would have to be illiterate to think that it would take more than that. The difference in the valuation, up or down, would be automatically printed. It might cost the State about $300 to $500 a year for ink, but it would not cost any more in paper because the same amount of information can fit on to the paper that is to be sent out to local government already, anyway. It is an additional figure that would take up about one inch of a line on the paper, and all one has to do is rearrange the type size in the print to fit it in.

There is absolutely no reason why the Minister could not do this, and it is a tribute to her bloody-mindedness that she refuses to believe that anybody else can have a compassionate feeling if it differs from her own. I find that tragic. Again, we will not be calling for a division on this; I just think the Minister must have something to hide. I

did not introduce this proposal on behalf of the Opposition to make the Local Government Association feel better. I advise the Minister that there is another thing that they told me in their letter when I consulted them about the matter. The other thing was that they did not like being the bearer of bad tidings. Just because they said that—

The Hon. S.M. Lenehan interjecting:

Mr LEWIS: If it is down it is certainly bad tidings because it means that the economy has collapsed, the real estate market has collapsed and the banks will panic next. They will not be good tidings: they will be very bad tidings. It is getting worse. You want to get your facts sorted out in your mind.

The CHAIRMAN: Order! Personal conversations between two members are out of order.

Mr LEWIS: I apologise. It is tragic that the Minister does not even understand economics at its fundamental levels when she says that devaluation of properties across the State will be good tidings. Ye Gods! We will leave it at that: it is on the record. The Opposition wanted the public to be told by how much their valuation had altered and thereby help them understand why there had been a change in rates. Some people may lose their previous year's rate notice and be unable to discover what last year's valuation was when they get their new notice. They will therefore be unable to calculate the difference. Once they have the difference they will see whether a change in the rate has been made or a change in valuation, or both. It is fair to provide that information to the general public. It is not an expensive process. The Minister clearly demonstrates that she does not understand how computers operate or how computer programers and graphic artists can lay out that information on a piece of paper. If she thinks that it will cost the department or the taxpayer a lot more money, she is very much mistaken.

Amendment negatived; clause passed.

Clause 10—'Panels of licensed valuers.'

Mr LEWIS: The Opposition opposes this clause. It is not legitimate for the panels of licensed valuers to again have the fees altered upwards without their being included in subordinate legislation that would enable the Parliament to examine it. It is a matter of principle and not deregulation to say that we are now making something that the Government fixes and does not tell the Parliament about. The process is still administrative intervention, so it is just as regulated. Just because it does not appear under the legalistic noun 'regulations' does not mean that it is deregulated. That was the argument advanced by the Minister earlier. All these things should be subject to Parliamentary scrutiny: that is the view of the entire Opposition and the reason we oppose it.

The Hon. S.M. LENEHAN: The same principle is running right through this. I have made the points clearly previously, so I will not respond again.

Claused passed.

Clause 11—'Review of valuation.'

Mr LEWIS: Ditto for clause 10 as far as our reasons our concerned.

Clause passed.

Clause 12—'Saving provision.'

Mr LEWIS: I move:

Page 3—

Line 21—After 'amended' insert—

—

(a)

After line 25—

Insert—

and

(b) by inserting '(together with interest at the prescribed rate)' after 'shall be refunded'.

This is serious because it is under this provision that vindictively determined valuations provided by some valuers in a spiteful way or alternatively honest keystroke mistakes by people entering information into a computer can result in either case (and it is more likely to be the latter, where there has been a mistake in the entry of the decimal point) in an outrageously high valuation being applied to a property. As a ratepayer, you do not know that until you get your notice for rates, whether it be water or council rates. You find yourself, under provisions in law as they stand and as they will be amended, having to pay straight away the rate shown on the bill.

You have to pay that, then you can object and appeal. Of course, if that objection or appeal takes eight to 10 months, and if instead of having to pay rates of $68 you have to pay $6 800 because the decimal point was two out to the right, then the law should provide that the money ought to be refunded along with interest, because some citizens who do not have a great amount of cash at their disposal will have to go and borrow very heavily to pay those rates until their appeal on their objection to the valuation is heard and determined.

Why should they have to pay that huge amount of money and the interest on their borrowings without being able to get it back when the authority which gets paid (whether the E&WS Department or a local government body) would have been able to save itself the interest cost on that capital on that side of its ledger? I move the amendment standing in my name.

The Hon. S.M. LENEHAN: I oppose the amendments, because what the honourable member seeks to do is to impose a penalty on a rating authority when the rating authority does not really have any control over the situation. That, again, is what I would call the blank cheque provision which the member for Murray-Mallee seems very keen to move, under which everyone else can pick up the tab, without his having actually checked the figures and without having consulted with local government. I am sure that this is not something local government would want to see put in place.

We would be inserting amendments and saying to local government or to the E&WS, 'You will have to pick this up.' I think that it is quite inappropriate to do that when we would be imposing a penalty on an authority and when this would be outside the control of that authority.

Mr LEWIS: If I have to borrow $1 000 at 12 per cent to pay my rates, that is $100 a month interest. Let us suppose that those rates were determined because of a faulty valuation which was subsequently addressed. Then, 10 months farther down the track, the local government body or the E&WS Department which has had my $1 000 for 10 months has saved itself, at 12 per cent, another $1 000 in interest, because its bank balance has not been in overdraft by that much or, alternatively, it has been able to take that money and invest it in the money market at 1 per cent per month. That authority has $1 000 extra. I am not writing any blank cheques, nor is the Opposition. We are simply saying that we prescribe in regulations what the interest rate will be and the local government body or the E&WS Department, when it makes the refund after the valuation objection appeal has been upheld and adjustments have been made, not only gives the poor ratepayer his money back but also gives back something that enables him to meet the interest bill.

It is not as if the local government body or the E&WS Department is out of pocket: it would have had the benefit of that additional money that it really was not entitled to for whatever period of time it had held it. I cannot see that it is writing a blank cheque. The Opposition has clearly

specified in very simple terms how the system would operate. I think that it is fair for the citizen to be given an even break.

Amendments negatived; clause passed.

Clause 13—'Returns.'

Mr LEWIS: I move:

Page 3, lines 32 and 33—Leave out 'such questions as the Valuer-General may determine' and insert 'questions authorised by the regulations'.

When we read the Minister's second reading explanation, this clause is explained to us in euphemistic terms by saying that new subsection (2) specifies the matters in relation to which the Valuer-General may ask questions. It sets down in law what these questions will be in the general case, but the disturbing part about it is the provision that any matters relevant to the valuation of the land may also be asked by the Valuer-General.

Of course, if we read the principal Act we would take 'the Valuer-General' to mean the valuer on the job. I have had some dealings with some cases in which valuers have been involved, and I have not been at all impressed. Some are unworthy of their office. I, as a legislator, do not believe that we ought to trust those valuers to be fair in the way in which they can require someone who may be disputing the valuation of land to provide information which really is not relevant to the valuation of that land but which is nothing more and nothing less than harassment.

Accordingly, I believe that any other matters the particular valuer may wish to learn in addition to the use, nature and value of improvements on the land and tenancies (if any) to which the land is subject, ought to be specified in regulations, and it would not hurt to wait a week to have the regulations amended by adding whatever question may wish to be asked in that instance. There is no need to identify the instance in which it will be applied. That will prevent any ill-advised, mischievous and vexatious questioning being undertaken by the departmental officers, and it will satisfy us as legislators that we have removed the temptation for any valuer to engage in that practice. That is why the Opposition moves the proposition that such other questions ought to be prescribed in regulations.

Amendment negatived; clause passed.

Clause 14 passed.

Clause 15—'Copies of or extracts from entries in valuation roll.'

Mr LEWIS: I move:

Page 4, lines 3 to 5—Leave out paragraph *(a)*.

Paragraph *(a)* provides:

by striking out from subsection (1) 'the prescribed fee' and substituting 'the appropriate fee approved by the Minister';.

Again, it is a matter of ensuring that such charges are open to the scrutiny of Parliament. In my judgment, it is inappropriate that any Government agency through its Minister can fix fees willy-nilly to suit itself and the revenue it believes it needs—and it can justify that by fiddling the books—without those same fixings being subject to the scrutiny of Parliament.

Why the Minister and the Government cannot understand the concerns of the general public about this practice is beyond me. I suspect that the Government does understand but that it is just too difficult to tell its public servants that it is necessary to continue to enter these things in regulations and allow them to be disallowed by the Parliament if they are inappropriate. It is not fair on the public to require them to cough up whenever any Government agency says, 'Cough up'. Worse still, the Minister says how much they have to cough up without the members of the general public, through their elected representatives, being able to disallow such fees if they think them to be either wrong or excessive.

Amendment negatived; clause passed.

Remaining clauses (16 and 17) and title passed.

The Hon. S.M. LENEHAN (Minister of Lands): I move:

That this Bill be now read a third time.

Mr LEWIS (Murray-Mallee): Despite our best endeavours, the Opposition finds that the Government and the Minister have not accepted any of our submissions. The Government is determined to head in the opposite direction of public opinion. Public opinion is clearly in favour of more open Government, freedom of information, and readily accessible information where it impinges on the rights of citizens to make appeals to Government for variations of Government orders and ordinances. The Minister refuses to understand that principle, amply demonstrated during the Committee stage. The Bill, as it comes out of Committee, not only contains obscure provisions to make it more difficult to get information but also removes from public scrutiny the way in which the services the department provides are charged for. They are removed from the scrutiny and the disallowance procedure of this place.

All fees now in the Valuation of Land Act are no longer subject to parliamentary scrutiny. They are all fixed by Ministerial discretion. There is no way then that the Opposition can know when the Government has gone about increasing the revenue base in the charges that it makes on the citizen. It is crook to have such secrecy further compounded into legislation. It clearly illustrates that the Government does not mean what it says when it states that it has the citizens' interests at heart and that it cares for the kind of environment in which the citizen has to relate to the Government. It has given even greater power to the bureaucrats and greater cost to the citizen and, at the same time, disadvantaged citizens in their right to obtain information to address grievances or injustices which may have been imposed upon them by a Government agency, in this case the Department of Lands, seeking to have that resolved wherever those injustices may have occurred. The Opposition cannot support the legislation in this form.

The Hon. S.M. LENEHAN (Minister of Lands): I am disappointed in the member for Murray-Mallee's assessment of this Bill as it comes out of Committee because I believe the Bill certainly simplifies the principal Act, which goes right back to 1971. I think it is important that the Bill also enshrines in legislation a number of practices which have evolved, that is, the use of the computerised titles system, the use of valuations and access to valuations from our regional offices. The fact is that the Bill does take into account those people in far-flung parts of South Australia who are very disadvantaged under the current legislation. I am very proud that the Government has seen fit to ensure that those people have access to valuations at a fair and reasonable cost, and indeed access to valuations at all. In the situation that exists, if they cannot afford to fly a private valuer from Adelaide they cannot afford to have a valuation which, as I said, may well relate to some personal hardship or tragedy, and I think that that is important.

The Bill also clearly establishes what I would call 'level playing field' principles, and it has moved to a fee for service approach in a number of areas. I think that taking away the ability of the fees to be set by regulation, brings the legislation into line, as I clearly indicated in a number of other Acts, with the Government's policy on deregulation. I certainly had no representations made to me by any member of the community or any body indicating that they

were unhappy with these amendments to the principal Act. I have stated on two occasions, and will restate, that we had the support of the Institute of Valuers and the Valuation Division of the Real Estate Institute of South Australia. I think it is appropriate, as we vote on the third reading, that members, particularly members of the Opposition, clearly understand that a number of the Bill's provisions will certainly advantage and help their constituents. I am at a loss to understand why the member for Murray-Mallee has moved amendments that are against the interests of some sectors of the rural community.

The House divided on the third reading:

Ayes (21)—Messrs L.M.F. Arnold, Atkinson, Bannon, Crafter, De Laine, M.J. Evans, Ferguson, Gregory, Groom, Hamilton, Hemmings, Heron, Holloway and Hopgood, Mrs Hutchison, Mr Klunder, Ms Lenehan (teller), Messrs McKee, Mayes, Quirke and Trainer.

Noes (21)—Messrs Allison, Armitage, P.B. Arnold, D.S. Baker, S.J. Baker, Becker and Brindal, Ms Cashmore, Messrs Eastick, S.G. Evans, Goldsworthy, Gunn and Ingerson, Mrs Kotz, Messrs Lewis (teller), Matthew, Meier, Oswald, Such, Venning and Wotton.

Pairs—Ayes—Messrs Blevins and Rann. Noes—Messrs Blacker and Chapman.

The SPEAKER: There are 21 Ayes and 21 Noes; I cast my vote for the Ayes.

Third reading thus carried.

SOIL CONSERVATION AND LAND CARE ACT AMENDMENT BILL

Returned from the Legislative Council without amendment.

WILPENA STATION TOURIST FACILITY BILL

Returned from the Legislative Council with amendments.

ADJOURNMENT

At 5.58 p.m. the House adjourned until Tuesday 20 November at 2 p.m.