HOUSE OF ASSEMBLY

Tuesday 14 March 1995

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

PIPELINES AUTHORITY (SALE OF PIPELINES) AMENDMENT BILL

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

ASSENT TO BILLS

Her Excellency the Governor, by message, intimated her assent to the following Bills:

Correctional Services (Private Management Agreements) Amendment,
Criminal Law Consolidation (Felonies and Misdemeanours) Amendment,
Southern State Superannuation.

CAPITAL PUNISHMENT

A petition signed by 51 residents of South Australia requesting that the House urge the Government to reintroduce capital punishment was presented by Mr Becker.

Petition received.

SODOMY

A petition signed by 33 residents of South Australia requesting that the House urge the Government to criminalise sodomy was presented by Mr Meier.

Petition received.

QUESTION

The SPEAKER: I direct that the following written answer to a question without notice be distributed and printed in *Hansard*.

PORT ADELAIDE GIRLS HIGH SCHOOL

In reply to **Mr De LAINE (Price)** 14 February.

The Hon. R.B. SUCH: My colleague the Minister for Education and Children's Services has provided the following response.

At the time of the announcement of the closure of Port Adelaide Girls High School, it was also announced that a small management group would be convened to consider a range of options to continue effective learning outcomes for the students at Port Adelaide. The members of this Review Group include the current principal of Port Adelaide Girls High School, the Chairperson of the school council and an elected staff representative. It is chaired by a District Superintendent of Education.

This management group is considering a range of essential factors that pertain to the education of the current students including costs of transport to alternative schooling sites, the implications of friendship groupings and family needs, and alternative educational pathways. The plan that is being formulated includes negotiations with other schools which can provide the ongoing curriculum needs of the students and extensive consultations with students and their families.

This implementation plan for the best possible transition of the students at Port Adelaide Girls High School is well under way.

SOCIAL DEVELOPMENT COMMITTEE

Mr LEGGETT (Hanson): I bring up the sixth report of the committee on long-term unemployment and the adequacy of income support measures and move:

That the report be received.

Motion carried.

ADELAIDE AIRPORT

The Hon. DEAN BROWN (Premier): I wish to make a ministerial statement. Since taking office, my Government has given a very high priority to establishing Adelaide Airport as a truly international gateway. This means securing major development of airport facilities and a new ownership and operating structure.

There has been virtually no development of the airport since 1982 when the last Liberal Government achieved what were then two very significant initiatives. The international terminal was constructed and direct international flights to and from Adelaide began. Since then, only minor bandaid improvements have been made to the international terminal, and our airport still lacks more than a single air bridge. The runway remains the shortest of any of Australia's gateway airports. It is too short to accommodate international flights sufficiently.

These limitations on our airport facilities impose a severe constraint on South Australia's opportunity to develop export and tourism industries. My Government has put a strong and detailed case to the Federal Government about the urgent need to address these issues. In this, the Minister for Transport is acting as project manager with the Minister for Industry, Manufacturing, Small Business and Regional Development coordinating the economic justification for our case. I commend both Ministers for the work they are doing to convince Canberra to share our priority for this important project.

Members will be aware that, following submissions we made to the Federal Government last year, the ALP conference in Hobart last September changed the Federal Government's platform to allow long-term lease of Federal airports.

Members interjecting:

The Hon. DEAN BROWN: We are still waiting for the promised money—the quantity of money or when it will come. The conference also passed a resolution to the effect that the Federal Government would ensure finance for a runway extension and upgrading of facilities at Adelaide Airport as part of the leasing process. Since then, my Government has engaged in further discussions with the Federal Government aimed at bringing forward both financing of these developments and the lease of Adelaide Airport.

A number of options have been considered to achieve these objectives against a background of reluctance by the Federal Government to commit funds next financial year for Adelaide Airport. The option that best meets the needs of South Australia and alleviates the Federal Government's funding position is for the Federal Government to transfer Adelaide Airport to the State Government at no cost in exchange for South Australia's undertaking the runway development. The South Australian Government has already made budgetary commitments of $20.5 million for Adelaide Airport development. This option would relieve the Federal Government of its obligation to finance the runway extension

while at the same time putting the State in control of the development timetable and providing it with an opportunity to recover its costs from later on-lease of the airport.

The Federal Minister for Transport met the South Australian Ministers for Transport and for Industry, Manufacturing, Small Business and Regional Development in February to discuss this and other options. It was agreed at that time that South Australia would formally propose that Adelaide Airport be transferred to the State Government in the manner I have described, subject to further discussions by State Cabinet. I can now advise the House that State Cabinet has endorsed this option.

It will now be put to the Federal Transport Minister this week in time for its consideration by Federal Cabinet in April in the wider context of consideration of recommendations concerning the leasing process for all Federal airports. I have also sought a meeting with the Prime Minister when he visits Adelaide later this month to discuss the future of our airport.

Members will readily understand that many issues surrounding this proposal will require negotiation with the Commonwealth. These include agreement on the scope of works required, the process for transfer and later on-lease of the airport and provision of any 'gap funding' required if proceeds from on-sale of the airport's lease fail to meet the agreed development costs.

As a result of the considerable work already undertaken by my Government over the past year, we are able to propose to the Federal Government an immediate start to these negotiations with a view to achieving transfer of the airport simultaneously with Canberra's planned lease of the first airports later this year or early in 1996.

Depending on the outcome of these negotiations, our proposal stands to deliver substantial benefits both to the State and to the Commonwealth. From the State's point of view, it places us for the first time in a position of control over the timetable for development of infrastructure vital to regional economic development in South Australia.

As importantly, it also allows the State, through the on-lease process, a very significant voice in determining who the eventual owner and operator of the Adelaide Airport will be. It is absolutely crucial that we achieve an operator committed to the expansion of the airport's role as a generator of economic activity in this State. This requires a single minded focus on Adelaide Airport's gateway role rather than on its place in a national network, as has previously been the case. In the meantime, in order to ensure that no more time is lost in the process required before the runway extension can become a reality, South Australia will seek immediate agreement from the Commonwealth Environment Protection Authority on an appropriate environmental assessment procedure, which the State Government believes will be a full environmental impact statement to be undertaken and funded by the South Australian Government. I am sure all members will join me in supporting this very positive progress towards achieving an airport appropriate to South Australia's needs. I hope to be able to report further progress in the near future.

STATE CHEMISTRY LABORATORIES

The Hon. S.J. BAKER (Deputy Premier): I wish to make a ministerial statement about the State Chemistry Laboratories. Last night on the Channel 7 *News* it was stated that scientists at the State Chemistry Laboratories were told that the lab was to be shut down to save money, and there were warnings that this action could kill. In fact, the statement was 'Another Government department is about to face the axe, and there are warnings this cut could kill.' Indeed, the reporter, Mr Randall Ashbourne, linked the work of the State Chemistry Laboratories to uncovering the organism that was responsible for the tragic death of one girl and serious illness in a number of other children during the recent Garibaldi meat scare.

I am advised that the State Chemistry Laboratories had no role in the identification of the organism involved in the Garibaldi meat scare and that this work was carried out by the Institute of Medical and Veterinary Science, consistent with past practice, and indeed as stated on a number of occasions by the Minister for Health in this place. I suspect the misinformation was generated by the Public Service Association, which was told yesterday, in response to a direct question, that the Garibaldi testing was not carried out at the State Chemistry Laboratories. Mr Ashbourne did not seek to clarify the situation with my office or indeed with the director responsible for the State Chemistry Laboratories, Dr Bill Tilstone. The unfortunate result was a report that was misleading and unnecessarily created concern to many South Australians.

Following last night's news report, let me place the facts on the record. State Chemistry Laboratories had nothing to do with the Garibaldi investigation. That was done by the IMVS. Lives are not at risk. There is no shortage of availability of external laboratories to carry out critical work—indeed, we already have a multitude of laboratories within government. State Chemistry Laboratories did indeed carry out strychnine analysis work in the mouse baiting program in 1993. However, the Department of Primary Industries also used other sources. State Chemistry Laboratories does not routinely handle chemical spills and other emergency situations. Scientists at the State Chemistry Laboratories have not been told by me, or to my knowledge any senior staff, that they will be sacked if they talk about the issue.

Claims to this effect made on the Channel 7 *News* last night can therefore be presumed to be unsubstantiated innuendo from the Public Service Association, or Mr Ashourne has been using his journalistic licence again. I wish to place on the record the action the Government is taking, which will have no adverse impact on public health in South Australia. State Chemistry Laboratories currently employs 18 staff. Discussions have been taking place for some time—indeed, not long after we came into Government—on the future of the operations which, like all areas under my control in State Services, have been or are under review in terms of the appropriateness of the Government being involved in particular areas of service delivery.

The option of closing the State Chemistry Laboratories is under consideration, and consultation has been carried out with interested parties while other work is taking place on transferring the operations currently carried out by the laboratories to other arms of Government and the private sector. State Chemistry Laboratories has always lost money. The deficit in 1991-92 was $146 000, in 1992-93 it was $105 000, and in 1993-94 it was $328 000, with a similar loss expected in the current financial year. Let me make this point: I will not apologise for trying to save South Australian taxpayers' money. I would stress that, in any event, the final decision to close the State Chemistry Laboratories will rest with Cabinet. I will keep the House informed of any significant developments in this area, including those essential

services provided by State Chemistry Laboratories and how they will be maintained within government.

HOSPITALS DISPUTE

The Hon. G.A. INGERSON (Minister for Industrial Affairs): I wish to make a ministerial statement. I want to clarify a reference in my ministerial statement of 8 March 1995 in respect of the hospitals dispute and in particular discussions with the Federal Minister of Industrial Relations. The statement could be interpreted as meaning that at that time I had discussed the dispute with the Federal Minister. However, the statement should have more accurately indicated that I intended to speak with the Federal Minister regarding this specific dispute, which I have subsequently done.

PAPERS TABLED

The following papers were laid on the table:

By the Minister for Industry, Manufacturing, Small Business and Regional Development (Hon. J.W. Olsen)—

National Road Transport Commission—Report, 1993-94.

By the Minister for Health (Hon. M.H. Armitage)—

Aboriginal Lands Trust—Report, 1993-94.
Public Works Committee—Response to Report on Upgrade of Accident and Emergency Facilities at Flinders Medical Centre.

By the Minister for Housing, Urban Development and Local Government Relations (Hon. J.K.G. Oswald)—

Administration of the Development Act—Report for 15 January 94—30 June 94.
District Council of Strathalbyn—
By-law No. 1—Permits and Penalties.
By-law No. 2—Moveable Signs.

QUESTION TIME

ABORIGINES, DOCUMENTS

The Hon. M.D. RANN (Leader of the Opposition): Will the Minister for Aboriginal Affairs immediately order an investigation as to whether a breach of the State Aboriginal Heritage Act has occurred in relation to the copying and divulging of information on the secret beliefs of Aboriginal women and, if not, why not? It has been widely reported that senior Federal Liberal politicians from South Australia, Ian McLachlan and Chris Gallus, were in possession of or distributed copies of documents containing the sacred beliefs of women of the Ngarrindjeri people. Section 35(1) of the State Aboriginal Heritage Act provides:

> Divulging information contrary to Aboriginal tradition, except as authorised or required by this Act. A person must not in contravention of Aboriginal tradition divulge information. . . relating to an Aboriginal site, object or remains, or Aboriginal traditions. Penalty $10 000 or imprisonment for six months.

The Hon. M.H. ARMITAGE: I have a very great and ongoing commitment to the confidentiality provisions of the State Aboriginal Heritage Act. Accordingly, it has caused me some distress that during the past 12 months a vast number of parties have, to all intents and purposes, disregarded those matters. Those groups include the Federal Minister for Aboriginal and Torres Strait Islander Affairs, Mr Robert Tickner. On 23 May 1994, Mr Tickner wrote to me indicating that he had appointed Professor Cheryl Saunders to provide an overview of the matters in relation to Hindmarsh Island. On 25 May 1994, I wrote to Mr Tickner stating that the Draper report—which I had commissioned—was subject to the confidentiality provisions of the State Act. Mr Speaker, you can then imagine my surprise when I found that the Federal Minister had completely disregarded that information and, without authority, had provided that report to Professor Saunders—without the consent required under the Aboriginal Heritage Act 1988.

He indicated that in a letter to me of 24 June, which was one month after I had written to him indicating there were confidentiality clauses. One month later he completely disregarded that Aboriginal Heritage Act in South Australia and distributed it to whomsoever he chose. A few days later, I wrote to the Minister indicating that I was very concerned at his flagrant and deliberate breach of our Act. On 10 May 1994 the Aboriginal Legal Rights movement in South Australia wrote to me confirming that, without my authority, which is required under the Act, it had sent a copy of the report to an officer of ATSIC. The simple fact of the matter is—

Members interjecting:

The SPEAKER: Order!

The Hon. M.H. ARMITAGE: —that there have been flagrant breaches time and again in relation to this matter. As the Leader of the Opposition identifies, on Monday 6 March some matters were raised in the Federal Parliament. I am told that both the Federal Attorney-General and the Federal Minister for Aboriginal and Torres Strait Islander Affairs, who, as I indicated before, was only too happy to disregard our Act, have indicated that the Commonwealth will be taking legal action against Mr McLachlan. I have made the decision that I will consider what action should be taken appropriately under the South Australian Aboriginal Heritage Act. After the completion of those investigations and proceedings—

The Hon. M.D. Rann interjecting:

The SPEAKER: Order!

The Hon. M.H. ARMITAGE: The Leader of the Opposition says I am looking after my mates. I am only too happy to indicate to the Leader of the Opposition that, if and when these matters of breaches on all sides are investigated and confirmed, there is absolutely no question that appropriate measures will be taken under our Act.

Members interjecting:

The Hon. M.H. ARMITAGE: On all breaches of the Act. The simple fact of the matter is that I am concerned that this information is in hands for which it was not intended, and by that I mean everyone who has it. Whilst I have no power under my Act to actually seek the return of those documents, I appeal to everyone who has copies to return them forthwith to the Federal Minister.

WINE TAX

Mr ANDREW (Chaffey): Will the Premier advise the House what action the South Australian Government is taking to oppose the recommendations of the Industry Commission relating to taxation of the wine industry? There has been significant and justifiable concern and reaction from the whole of the wine industry in South Australia since the release, at the end of last week, of the interim report of the Industry Commission into the future of taxation applicable to the wine industry.

The Hon. DEAN BROWN: I was very concerned last Friday when I heard of the proposal by the minority group of the Industry Commission in the report that was released. That minority report was put forward by the Chair of the Industry Commission, Mr Bill Scales, and that is why I have so much concern. Mr Scales is a Federal Government appointee to the Chair of the Industry Commission.

Therefore one would assume that, even though it is a draft report, at this stage the authority of the commission proposes a very substantial increase in the wine tax in South Australia, and that would have a devastating effect on this State. Here is a proposal by the Chair of the Industry Commission effectively to increase the tax rate on wine from 26 per cent to 64 per cent. That is effectively a $1.20 increase in the price of the average bottle of wine, and that would destroy what is now the fastest growing export industry that this State has seen. Since 1987 this industry has been increasing its exports of wine from Australia by a compound growth rate each year of 45 per cent. No other industry has been more successful over such a long period in terms of getting out there and becoming established on world markets.

But what do we have? After the success of this industry, we have the Federal Government once again wanting to come in and cut down the tall poppy. Every time an industry appears to be successful, in comes the Federal Government wanting to chop it off at the knees. I have issued invitations to all Federal members of Parliament from South Australia—Liberal, Labor and Australian Democrat—to come to my office on Friday afternoon for a full briefing on the potential impact of this proposed wine tax on the wine industry in South Australia. The wine industry in this State represents 65 per cent of all wine exports out of Australia, so you can see the extent to which this industry is really a South Australian rather than a national industry. We are in the process of planting something like 15 000 hectares of new vineyards in South Australia with a capital investment of about $400 million, and the last thing we want is the Federal Government coming along with a huge increase in tax such as this and cutting off that investment and the growth within that industry.

So, I intend to rally the support of all South Australian Federal members of Parliament, and I hope that the Federal Minister, Mr Bilney, whose area covers the Southern Vales and the wine growers around McLaren Vale and whose seat is a very marginal one, will stand up and truly fight for South Australia, as he has not done in the past. It is about time we ensured that the Labor members of Parliament from South Australia—particularly Mr Bilney, being the only representative in Federal Cabinet in the House of Representatives—stood up and protected their own electorates and protected this State. Equally, we will be putting a very strong case from the State Government; we have established a unit under the South Australian Development Council, and that unit will be putting a case to the Industry Commission highlighting how the draft report is fundamentally flawed and how it will severely damage jobs and the wine growing and wine making industry in this State and, finally, cut down what has probably been Australia's most successful export industry over the past 10 years.

Members interjecting:

The Hon. DEAN BROWN: No word from the Opposition at all. Not one utterance has come out of the Opposition.

The SPEAKER: Order! There is too much discussion on my right, and interjections across the Chamber are not necessary or helpful.

ABORIGINES, DOCUMENTS

Ms STEVENS (Elizabeth): Does the Minister for Aboriginal Affairs disassociate himself and his Government from the actions of Federal Liberal politicians, Ian McLachlan and Chris Gallus, in copying and disseminating information containing secret Aboriginal beliefs; has he spoken to the two politicians concerning their behaviour in this matter; and what action has he taken to limit the damage to Aboriginal communities and the Ngarrindjeri women in particular from these actions?

The Hon. M.H. ARMITAGE: The member for Elizabeth indicates that the Federal member for Hindmarsh copied and distributed these documents. That is straight out false.

Members interjecting:

The SPEAKER: Order!

The Hon. M.H. ARMITAGE: It is a falsehood, as are a number of previous matters that the member for Elizabeth has raised. It is simply incorrect. Clearly, the State Opposition is attempting to throw a very wide net and impute motives to people who are simply not guilty of the things of which they are being accused. As I indicated in my answer to the previous question, I am distressed by these matters that have caused any concern to the Ngarrindjeri women and I have requested anybody who may have copies of the documents to return them forthwith.

TOBACCO REVENUE

Mr BECKER (Peake): My question is directed to the Treasurer. What action is the Government taking to ensure that the State does not lose out in revenue terms from illegal trade in tobacco products? Several States have lower tobacco taxation rates than South Australia, opening up the potential for traders to transport tobacco products across the border to be sold here.

The Hon. S.J. BAKER: It has been a matter of concern for some time that South Australia has a tax rate on the wholesale price of 100 per cent, as have Western Australia and Tasmania. However, lower rates prevail in other jurisdictions: for example, 85 per cent tax rate in the Northern Territory and 75 per cent in New South Wales, Victoria, ACT and Queensland. There is some incentive to avoid tax and, despite the laws we make, there are those people who would wish to avoid that taxation and make profits. Those who are caught face significant fines but, more importantly, by having the product confiscated they will be unable to continue to trade.

I am pleased to report that over the past 12 months we have had six successful prosecutions, and the Government now has $200 000 worth of tobacco products that it has confiscated. So, those who have been caught would not feel that it is a particularly worthwhile enterprise. We believe through these prosecutions—and there are more pending—that we have stopped at least $5 million worth of trade in illegal tobacco products across the border. The issue does not rest there, of course, because there are also unpaid State taxes. Not only have these individuals lost $200 000 worth of goods but $14 000 worth of fines have been levied, and unpaid State taxes will also be levied on these particular individuals, amounting possibly to about $250 000 that will be forthcoming.

We want to make quite clear that this Government is adamant that people shall comply with the law and that they will not use illegal means to traffic in tobacco. We make the

point—and my thanks goes to the State Tax Office for its cooperation in this regard with interstate counterparts, and also the Australian Taxation Office—that we are now getting a better handle on some of this illegal trade which, I might add, was allowed to prosper under the previous Government. We do not necessarily say we will capture everyone in the process, but there may well be a big warning out there for other people who think they can make a short-term gain, because at the end of the day any profits may turn into substantial losses. My congratulations to the State Tax Office and all the individuals concerned and we will continue to pursue this matter.

POLITICAL DONATIONS

The Hon. M.D. RANN (Leader of the Opposition): Given the Premier's stated concerns about potential damage to foreign investment in South Australia, will he now support tough legislation that will protect overseas companies not registered in Australia by prohibiting them from making political donations?

Members interjecting:

The Hon. M.D. RANN: Well may you laugh.

The SPEAKER: Order! I suggest the Leader explain his question and not comment. I do not need any further interjections from my right

The Hon. M.D. RANN: Following concerns expressed by both the Premier and Mr Rob Gerard on the same day about the negative impact of public disclosure of foreign companies that wish to be involved in making political donations but do not want to be involved in political debate, I will introduce legislation—

The SPEAKER: Order! The Leader is now commenting.

The Hon. M.D. RANN:—that will prevent any Party from accepting donations—

The SPEAKER: Order! The Leader is commenting. The honourable Premier.

The Hon. M.D. RANN:—from companies not registered in Australia.

The Hon. DEAN BROWN: It would appear that the Leader of the Opposition has a very short memory, because about three weeks ago I answered this very question in the Parliament, indicating my view that I did not think it appropriate that overseas corporations should be allowed to make a donation to a political campaign here in South Australia unless they did so through a registered office in Australia.

The Hon. M.D. Rann interjecting:

The SPEAKER: Order!

The Hon. DEAN BROWN: I more than adequately answered the question three weeks ago. I simply suggest—

The Hon. M.D. Rann interjecting:

The SPEAKER: Order! The Premier will resume his seat. The Leader has asked his question and I suggest that he allow the Premier to reply. I point out to the Leader that last week I ruled on members continuing to ask questions while the Minister was attempting to answer them and indicated there would be consequences. The honourable Premier.

The Hon. DEAN BROWN: As I said, I answered this question several weeks ago. The Leader asks whether I will support his legislation. I have not seen his legislation, so how do we know what is in it? Interestingly, the Leader of the Opposition was on radio this morning jumping up and down and frothing at the mouth, as he has a habit of doing, talking about how the Liberal Party and the Australian Democrats had not supported the legislation on disclosure introduced last year by the Labor Party. I point out to the House that the legislation introduced by the Labor Party last year was an exact mirror of the Federal legislation which already applied in South Australia to both State and Federal elections. Absolutely nothing would have been achieved by supporting the legislation introduced by the Labor Party last year.

The Hon. M.D. Rann interjecting:

The SPEAKER: Order!

The Hon. DEAN BROWN: Again, it was the Leader of the Opposition spreading half truths, as he has a habit of doing, twisting this way and that way and never wanting to be quite frank with the public about where he stands. We had the State leader—

The Hon. M.D. Rann interjecting:

The SPEAKER: Order!

The Hon. DEAN BROWN:—simply putting up legislation that mirrored the Federal legislation and not disclosing to the public that the Federal legislation already covered State election campaigns, as we all know. The so-called State Labor Party legislation of last year would not have achieved a thing. In a debate in the Upper House the Australian Democrats highlighted that very point, that it simply mirrored the Federal legislation and achieved absolutely nothing further than the Federal legislation already achieved. The Leader is out there frothing at the mouth on this issue, but I suggest that he ought to refocus on what are the important issues for South Australia, that is, getting this State going again and trying to attract new investment funds so that we can have some of those tourist projects that he failed to deliver as Minister of Tourism.

I remind the House of the absolutely abysmal performance of the now Leader as then Minister of Tourism in failing to secure a single major project for South Australia in all that time. South Australia lost 34 000 jobs—I think was the figure—when he happened to be Minister for Employment. His Government had overseas visitors who wanted to invest in South Australia and who went to West Beach and got to the point of putting down millions of dollars but were driven away from the State by that Government. Then, as I revealed in this House last week, another substantial donor wanted to invest in Wirrina in 1992—

Mr Atkinson: A donor to whom?

The SPEAKER: Order!

The Hon. DEAN BROWN:—a donor to the State—an investor who wanted to invest here in South Australia, and I revealed that in a letter. He wanted to establish a 500-bed motel at Wirrina plus all the condominiums and the housing estate to go with that. But what happened? Despite that person's approach, the then Tourism Minister, the now Leader of the Opposition, could not even secure that development for South Australia. Their performance was abysmal and South Australia suffered as a result.

Mr Atkinson interjecting:

The SPEAKER: I suggest to the member for Spence that he not continue to carry on a conversation across the Chamber.

HOSPITALS DISPUTE

Mr BASS (Florey): Can the Minister for Industrial Affairs inform the House whether the Federal Government's industrial relations laws assisted the process of enterprise bargaining in the recent dispute affecting South Australia's public hospitals?

The Hon. G.A. INGERSON: For the past three weeks the State Government has been dragged into the Federal system—I might point out not without making it very clear that it is not our intention to stay there—by these ridiculous Federal laws. Over the past three weeks I have been absolutely staggered by the absolute lack of comment or involvement by the Leader, the Deputy Leader or anyone else from the other side regarding these industrial laws. When industrial laws encourage the union movement to make such statements as were made before the Industrial Commission at the weekend, it just shows the hopeless laws we have to deal with that were set up by the Federal Government. These Federal laws, in essence, have forced the union to prove beyond any doubt that its actions were causing a safety risk through this industrial dispute.

Last weekend in the commission the union said under oath that it would remove all rights to control fire in the Women's and Children's Hospital. In other words, they would walk away from any potential fire in the Adelaide Women's and Children's Hospital and stop the sterilisation or control of any of the baby food in that hospital. That is bad enough in itself—that under this Act they were able not only to say they would do it but also get away with the implication of it—but the thing that I think is the worst of all is that the very same union (I can only assume with the support of the Deputy Leader of the Opposition and all the members opposite) under oath said, 'What we have to do to create an industrial problem is to make sure that all the intellectually retarded kids at Strathmont and the adults there have all the services removed from them so that we can carry out industrial action.' They were able to do that and get away with it under Federal law.

I have been absolutely staggered that the Deputy Leader, the man who believes in the principle of unionism and who keeps telling everybody about it, would be prepared to allow and support a law in the Federal arena that encourages that sort of action. That is the most disgraceful and despicable action that any union has ever put before the Industrial Commission. It was so bad that the Commissioner herself could not believe it and had to ask on several occasions whether what was being done was really true. However, at the end of the day the Commissioner had to rule in favour of the union because the Federal Act provides that, if at any stage the health, safety and welfare of any person in this State is at risk, they have to rule in favour of the union. That is a disgrace in this Federal Act, and that is why in recent days I have been talking to the Federal Minister to try to do something about it. I do not think that he believed in his heart that that was what was intended.

Now that we have had the health of our kids, intellectually disabled children, put at risk by this union, it will be interesting to see whether the Leader of the Opposition, with all the power that he has with the union movement, can do anything about trying to get some change. This is despicable action. The Federal law has to be changed, and it is about time that, instead of just sitting back and looking after your mates, you went out and stopped this ridiculous industrial action.

POLITICAL DONATIONS

The Hon. M.D. RANN (Leader of the Opposition): In view of Rob Gerard's membership of the Liberal Party's fundraising committee, is the Premier now fully satisfied that Mr Gerard did not know until last week that his business partner, Victor Lo, had made the $100 000 Catch Tim donation? On 8 March, Ms Vickie Chapman said that the Liberal Party Finance Committee had scrutinised the Catch Tim donation and was satisfied as to the true existence of the donor. Mr Gerard is a member of the committee that received and investigated the Catch Tim donation from Mr Gerard's business partner, a donation organised through another director of Gerard Industries, Mr Bill Henderson, even though Mr Gerard says that he knew nothing and had never even heard of Catch Tim. Does the Premier believe his mate?

Members interjecting:

The SPEAKER: Order! When the House comes to order—

The Hon. S.J. Baker interjecting:

The SPEAKER: Order! I suggest that the Minister cease interjecting as well. I point out—

An honourable member interjecting:

The SPEAKER: Order! The Minister will not continue to chatter while I am addressing the House. I point out to the Leader that he knows full well that the comments were out of order, and he has been warned sufficiently to know that that sort of practice will not be tolerated.

The Hon. DEAN BROWN: The answer to the question is 'Yes.' I am entirely satisfied that Mr Gerard did not know a thing until Thursday afternoon of last week. I will further substantiate my reason for saying that. First, a number of other people equally did not know, and if Mr Gerard did know then all those other people are lying, including Mr Henderson and Mr Lo. All the public statements made substantiate that point of view quite clearly. What I find interesting here is that on Sunday—

Members interjecting:

The Hon. DEAN BROWN: Well, just listen to this. On Sunday the Leader of the Opposition put out a statement under his letterhead which, incidentally, refers to him as the Opposition Dealer—not the Opposition Leader. We know that he is a dealer in half truths; we know that he is a wheeler and dealer of the highest order—

Members interjecting:

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

The Hon. DEAN BROWN: I find it interesting that the Leader of the Opposition has apparently looked in the mirror—

The SPEAKER: Order! The member for Giles has a point of order.

The Hon. FRANK BLEVINS: Mr Speaker, my point of order is that I cannot hear the Premier for the noise and the interjections of all the members on your right. They are extremely disorderly, which is a breach of Standing Orders.

The SPEAKER: Order! The member for Giles is correct. There have been too many interjections on my right. I am having difficulty hearing what the Premier has to say. I point out to the House that disorderly conduct is not acceptable. I suggest that members should listen to what the Premier has to say, because the Chair intends to hear him.

The Hon. DEAN BROWN: Mr Speaker, if you did not hear it, I will repeat it. In the press release put out on Sunday 12 March by the Leader, he describes himself as the 'Opposition Dealer, Mike Rann'. As I pointed out to the House, the one thing that he has trouble dealing with is the truth. I specifically want to refer to this press release by the Leader. I should like to quote to him what he said in the press release, because he repeated it on radio and television on Saturday. He said, 'I am not interested in Rob Gerard or Vickie Chapman.'

The Hon. M.D. Rann interjecting:

The SPEAKER: Order!

The Hon. DEAN BROWN: This is the interesting point: on Saturday, again on Sunday and here in writing we have the Leader of the Opposition, or the Dealer of the Opposition, saying that he is not interested in Rob Gerard. Then in the House today he is back on his feet trying to knock down one of the biggest employers in South Australia—a man who has established factory after factory after factory in this State and a series of companies—

Members interjecting:

The SPEAKER: Order! The Premier is on his feet. I warn the member for Spence and the Leader under Standing Order 137.

The Hon. DEAN BROWN: Here is a company and a man to whom not once but on at least two occasions the former Labor Government gave substantial financial support to establish factories here in South Australia—in fact, as we have pointed out to this House already, it gave more support than this Government has given to the proposed new factory at Strathalbyn. Day after day the Leader of the Opposition wants to knock the large employers in South Australia such as Mr Gerard. I suggest that he read the editorials in the *Advertiser* and the *Sunday Mail* and listen to what some of the large employers are saying around South Australia, namely, that they are sick and tired of the extent to which the Leader of the Opposition is no more than a knocker of everyone who wants to do anything whatsoever here in South Australia. Here is further proof of it; here is the classic example. On Saturday and Sunday he said he was not interested in Mr Gerard; today he cannot help himself but is up on his feet again under the protection of the Parliament.

The Leader of the Opposition made no suggestion outside this House that Mr Gerard was not telling the truth, because he would have been sued. He did not do it on Saturday or Sunday; he waited until he could get into this house under the protection of Parliament before he tried to make this weak allegation. I point out that Mr Henderson, Mr Lo and Vickie Chapman as President of the Liberal Party all supported and substantiated the point of view which was expressed by Mr Gerard in his statement.

ALGAL BLOOM

Mr VENNING (Custance): My question is directed to the Minister for Primary Industries. Reports have been received from the aquaculture industry of an algal bloom in the Coffin Bay waterways. Can the Minister identify the extent of this bloom and the actions taken to prevent damage to this industry?

The Hon. D.S. BAKER: I thank the honourable member for his question. It is correct that there has been a report of discoloured water just off Farm Beach north of Coffin Bay which is causing some concern. I am also informed of circumstantial evidence that some fish species, in particular stingrays and cockles, have been found dead in that area. The department has instigated water sampling today. I am assured that Pacific oysters have the ability to close up for several days and so would not be affected, and also that Pacific oysters are not being sold from Coffin Bay at this time. I will report back to Parliament tomorrow about what the water sampling test indicates is going on in that area, but it is important to realise that it could quite easily be an algal bloom which will not have an adverse effect on the oysters. The danger will be if it is found to be a toxic algal bloom, but I will report to the house on that matter tomorrow.

POLITICAL DONATIONS

Mr ATKINSON (Spence): Will the Premier now instruct the President of the Liberal Party, Ms Vickie Chapman, to arrange a second declaration under the Electoral Act to name Mr Lo, not Catch Tim or Mr Lam, as the donor of $100 000 to the Liberal Party? On 23 March the Premier announced that he had instructed Ms Vickie Chapman to reveal details, including the name and address, of the person who authorised the donation. Ms Chapman released a return, signed by Mr Simon Lam, naming Catch Tim as the donor. Ms Chapman said that Mr Lam was a man of substance and that, 'Like any other donor he can make a contribution.' On 11 March Mr Bill Henderson said Mr Lo and not Mr Lam made the donation.

The Hon. DEAN BROWN: As I understand it the return lodged already with the Australian Electoral Commission fully complies with the Electoral Act and, if it does not, I am sure the Australian Electoral Commission will notify the Liberal Party. However, I understand that it fully complies with the law. In fact, it does not even have to be complied with for another 15 months, but I understand that it does.

Mr Atkinson interjecting:

The SPEAKER: Order! This is the second time I have called the member for Spence to order.

The Hon. DEAN BROWN: So, I suggest that the honourable member's question is invalid.

WATER INDUSTRY

Mr MEIER (Goyder): Can the Minister for Infrastructure inform the House of the reaction he received to South Australia's unique water industry initiative during his recent trip to Europe?

The Hon. J.W. OLSEN: The meetings were with some 37 companies with which the CEO of the EDA, the CEO of the EWS Department (Mr Ted Phipps) and I met during the two working weeks that we were away. They were beneficial and productive discussions to assess the capacity of the four companies—two French and two British—that have been invited to submit proposals to the South Australian Government to assess their capacity to implement international best practice in their operations, the way in which they have developed a strategy for their water companies to access the Asia Pacific market, recognising that the World Bank has identified that there will be $814 billion worth of infrastructure, water and sewerage requirements in Asia over the next 20 years.

This Government is intent on achieving a slice of that action for South Australia. Another thing that was reaffirmed in discussions in the United Kingdom in particular was that our policy thrust will avoid the UK experience in that we in South Australia will control the assets; we will control pricing; we will control water quality; and we will control the upgrading and maintenance program of the asset during the term of the contract. So, we will not have the UK experience, and it is not privatisation that we are pursuing: it is outsourcing the operation and the maintenance of that function.

It was also interesting that each of these companies stated that the policy thrust of the South Australian Government was unique in that for the first time in an outsourcing contract the outsourcer was not looking just for dollar savings in the operation and maintenance, year in and year out, but that they were seeking a unique situation of economic development in

this State as part of that contract. What I put to those four companies was that if there are no substantial cost savings and no economic development there will be no contract, and it is now up to those companies to develop a plan for us which will have annual savings for the benefit of consumers in South Australia and economic development initiatives so that we can expand the economic base of South Australia. We need to recognise that in pursuing this course South Australia is setting itself apart from the other States of Australia.

The first State that is able to establish a South Australian based water industry using, as an international company, Adelaide South Australia as their base to access the Asia Pacific region will position themselves and will have a critical mass to access those contracts in the Asia Pacific region. In stark contrast, Melbourne's water has been divided up into three competing bodies, and as a result of that they do not have a critical mass in which they can access those international contracts. So, we are doing it differently, avoiding the UK mistakes and doing it differently from the other States in Australia in that we are setting the foundation stone for South Australia to access those international contracts. In summary, the South Australian water industry initiative has been acknowledged by those four leading international water companies as being better than privatisation, better for economic development, better for customers and, at the end of the day, it will be better for South Australia.

POLITICAL DONATIONS

Mr ATKINSON (Spence): Is the Premier satisfied that Mr Bill Henderson, a director of Gerard Industries, was the only person who knew that Mr Lo, Mr Gerard's business partner, was the true source—

The SPEAKER: Order! The honourable member is commenting. The honourable member will continue to ask his question without commenting.

Mr ATKINSON: —of the $100 000 donation to the Liberal Party?

The SPEAKER: Order! Question has been called.

Mr Atkinson: By whom?

The SPEAKER: Order! I understand the member for Lee called for question.

Members interjecting:

The SPEAKER: If that is not the case, the honourable member can continue with his explanation.

Mr ATKINSON: A report prepared by the Liberal Party called 'Liberals Working Together' lists the membership of the South Australian Liberal finance committee as Mr John Harvey, Ms Vickie Chapman, Mr Brian Fricker, Dr Jim Forbes, Mr Robert Gerard, Mr Don Laidlaw and Mr Stephen Mann. On 7 March Ms Vickie Chapman said Catch Tim was the actual donor; on Saturday Mr Henderson revealed that this was not true and said that he did not disclose the true source of the donation until last Friday due to professional ethics—

The SPEAKER: Order! The honourable member is now clearly commenting. Leave is withdrawn.

The Hon. DEAN BROWN: It was an awfully confused sort of question but, as I understand it, the question was: is Mr Henderson as a qualified accountant, as a man who has made a public statement, telling the truth?

Mr Atkinson interjecting:

The SPEAKER: Order! No further questions are permitted.

The Hon. DEAN BROWN: The question was, 'Is Mr Henderson telling the truth?' Mr Henderson is a qualified accountant and has stood out there on his public reputation and made a public statement. That public statement has been substantiated and supported by Vickie Chapman as President of the Liberal Party, Robert Gerard, Mr Lo and Mr Lam. If Mr Henderson is not telling the truth, you should stand out there and accuse him of not telling the truth and all the others as well, because it is not just one person. Here they are trying to infer whether Mr Henderson told the truth, when the point is that every one else has made a statement which clearly shows that Mr Henderson has told the truth.

If the Leader of the Opposition and the member for Spence allege that either Mr Gerard or Mr Henderson is not telling the truth, I challenge them to go outside and make that allegation on the steps of Parliament. It is time they put up or shut up once and for all. All they are trying to do is hide in here in cowards' castle and make those sorts of allegations when over the weekend they were specifically challenged on these matters and they said they were not after Mr Gerard at all. I point out that three times on Saturday a journalist asked the Leader of the Opposition—or the Dealer of the Opposition—whether he was accusing the Premier of misleading Parliament, and three times the Leader of the Opposition said 'No'.

OUTBACK AREAS COMMUNITY DEVELOPMENT TRUST

Mrs HALL (Coles): Will the Minister for the Environment and Natural Resources inform the House of his involvement with the Outback Areas Community Development Trust, particularly as it relates to the Far North of our State which has played such a major role in the economic development of South Australia?

The Hon. D.C. WOTTON: I am sure that you in your position, Mr Speaker, would share the sentiment that the north of the State and particularly the outback areas of South Australia do play a major role in the economic development of this State. The Government will continue to support those areas. It is far too easy for politicians to focus on city based issues, and one of the advantages that I have in the portfolios that I represent—Environment and Natural Resources and Family and Community Services—is the opportunity to meet with South Australians in areas that we commonly refer to as the outback.

Next weekend, Mr Speaker, as you would be aware, I have the opportunity to visit the north of the State and to open a new swimming pool for the community of Oodnadatta. The pool was made possible by a subsidy of approximately $120 000 by the Outback Areas Community Development Trust. The project has been supported by the Dunjiba Communities Council, the Education Department, the Oodnadatta Progress Association, the Oodnadatta Aboriginal School and the principal, whose efforts were tireless. This project is not just about providing better recreational facilities to an outback community: it is also about bringing better health to that community, something which you, Mr Speaker, I am sure would support in your area.

Construction of the pool followed concern from the South Australian Health Commission about the incidence of eye, ear, nose and throat infections in the community. This is a practical example of how the Government, with the community, can help improve both the standard and quality of life in one of our outback communities. Through such

bodies as the Outback Areas Community Development Trust, this Government will continue to support those outback communities which do play a major role in the economic development of this State.

Finally, can I say that whilst in the Far North I will also be taking the opportunity to travel with you, Mr Speaker, to meet with other outback communities, Aboriginal leaders and station leaseholders as well as inspecting progress of work in the protection of the sensitive Mound Springs. I remind the House of the protection work, the creation of new camping grounds and two new conservation parks that are part of the $1 million worth of works being undertaken over two years in the Lake Eyre Basin region. I look forward to being able to make the House aware of the progress of those projects.

POLITICAL DONATIONS

Mr ATKINSON (Spence): Was the Premier misled by the President of the Liberal Party before telling Parliament on 7 March 1995 that—

The Hon. S.J. BAKER: I rise on a point of order, Mr Speaker. I question the relevance of this question. The honourable member asked not whether the Parliament was misled but whether the Premier was misled by someone who has no responsibilities for the Government of this State.

Members interjecting:

The SPEAKER: Order!

The Hon. M.D. Rann interjecting:

The SPEAKER: I do not want to hear anything further from the Leader of the Opposition or other members whilst the Chair is about to rule on this point. In relation to the question raised by the member for Spence, one could clearly indicate that the administration, which is in the hands of Ms Chapman, is therefore not the responsibility of the Premier. However, in view of the fact that the question was couched in terms asking the Premier particular matters, I will allow the question. I point out to members that there have been a number of questions of a similar nature in relation to the same subject and that members cannot ask the same question on more than one occasion. The honourable Premier.

Mr Atkinson interjecting:

The SPEAKER: Order! Is the honourable member for Spence taking a point of order?

Mr ATKINSON: My point of order is that I was cut off without being able to complete even my question, let alone my explanation.

The SPEAKER: Order! The honourable member for Spence is correct. Therefore, I will allow him to complete his question.

Mr ATKINSON: Thank you, Sir. Was the Premier misled by the President—

Members interjecting:

The SPEAKER: Order! I think we have already had that part of the question.

Mr ATKINSON: —of the Liberal Party before telling Parliament on 7 March 1995 that 'the declaration being revealed by the President of the Liberal Party shows that the donation was made by Catch Tim'? On 7 March, the Premier said:

> I can assure the House that Vickie Chapman, the President of the Liberal Party, is making a very detailed statement today. In that statement, she is revealing the specific declaration the company had to make.

On 11 March the Premier released a media statement saying he had asked Ms Chapman for further specific information and, as a result, Mr Lo was finally identified as the real donor, not Mr Lam.

The Hon. S.J. Baker interjecting:

The SPEAKER: Order! The honourable Premier.

The Hon. DEAN BROWN: As the Deputy Leader has said, the member for Spence is a bit thick between the ears.

The SPEAKER: Order! I suggest to the Premier that those comments are not necessary and he should withdraw them.

The Hon. DEAN BROWN: I certainly withdraw them. I just highlight the extent to which the member for Spence does not seem to be able logically to think through this point. In fact, Catch Tim Ltd was the donor to the Liberal Party, and that is exactly how it was recorded. The answer to the question is 'No'; Vickie Chapman has not misled me. Can I also suggest that the member for Spence go outside the Parliament and try to repeat that statement or accusation that Vickie Chapman had misled me, because Vickie Chapman is a lawyer and, I am sure, a much smarter lawyer than is the member for Spence and will absolutely strip him bare in any action she takes against him. We now have coward no. 2 in the Parliament, because—

Mr ATKINSON: On a point of order, Mr Speaker—

The SPEAKER: Order! The Chair will deal with this. I would suggest to the Premier that that particular term was also unnecessary and he ought to withdraw it.

The Hon. DEAN BROWN: I withdraw it, Mr Speaker, and say that we have the second Labor member wanting to use this Parliament as a cowards' castle. Everyone understands fully what that means, and I highlight again what the Leader of the Opposition said in his statement on Sunday: 'I am not interested in Vickie Chapman.' That is what he said. Here they are; they get into this cowards' castle and the first thing they want to do is stand up and claim that Mr Henderson has misrepresented the facts, that Mr Gerard has misrepresented the facts, that Vickie Chapman has misrepresented the facts. I am sure they are about to say that Mr Lo and Mr Lam have misrepresented the facts. But they will not do it outside this Parliament, because they know there is absolutely no truth in it whatsoever and they would get skun alive in the courts.

PUBLIC SECTOR COMPUTERS

Mr CONDOUS (Colton): I direct my question to the Treasurer. What savings does the Government expect to achieve from standardising the desktop computing environment within Government? I know that the Treasurer has recently announced that tenders will be called for the supply and total replacement, over time, of approximately 18 000 personal and notebook computers in use in the public sector.

The Hon. S.J. BAKER: I will be very brief, because we have only five minutes of Question Time left. Yes, the Government has decided to take a whole of Government stance and obtain a standardised desktop computing environment. That is different from the previous Government, which allowed agencies to do what they liked when they liked at massive cost and wastage to the taxpayers. Under this Government, we have about 18 000 to 20 000 desktop and notebook computers of various configurations. We want to have a commonality; we want to be able to have an interchange with all our desktop environment and a capacity to communicate with our mainframe, so the Government has taken a decision.

Tenders will be called within the next two months to standardise the desktop environment. As members would clearly understand, we have mandated Microsoft, so we will be looking at a Microsoft Windows working environment, and we will have an Intel or Intel compatible central processing unit and a lifetime warranty. If more time was available I would provide further details to the House, but I am sure that everyone would recognise that Government must become more efficient and ensure that taxpayers' money is spent wisely, and we intend to do that in this area.

POLITICAL DONATIONS

The Hon. M.D. RANN (Leader of the Opposition): My question is directed to the Premier. Following the Premier's statement on national television that the Catch Tim affair had enhanced his credibility and integrity, will he now further the process by revealing the true identity of Moriki Products? Moriki Products, whose address is given as 50 Lorong J Telok, Kurau, Singapore, made a donation of $50 000 to the State division of the Liberal Party on 19 February 1993. I have now received a fax from the Singapore Government. The Singapore Registrar of Companies and Businesses has advised me that they are unable to trace Moriki Products—the Liberal's Singapore sling.

The SPEAKER: Order! The Leader of the Opposition knows full well that his last comment was out of order. If he wants to proceed along these lines, he knows what the result will be. The Chair has been more than tolerant and he will not be told again. The honourable Premier.

The Hon. DEAN BROWN: Again, I point out to the Leader of the Opposition that each time we come to a Federal election the Liberal Party, including its South Australian division and its divisions right across Australia, are out there raising funds for the Federal election campaign. Each time money is raised through the various divisions of the Liberal Party—as the Labor Party does throughout Australia—those moneys are raised for the Federal election campaign and are spent on the Federal election campaign. I point out that that has no association with the State Government whatsoever: it is entirely a Federal issue. It is a Federal election campaign and the money must be spent in that campaign.

Members interjecting:

The SPEAKER: Order!

The Hon. DEAN BROWN: The Moriki donation was made more than two years ago, before the 1993 Federal election. The money was spent in that Federal election campaign and a return was lodged, as is required under the Federal Electoral Act, in conjunction with that Federal campaign for the moneys spent and moneys donated to the Liberal Party. As I understand it, that return was lodged fully within the 15 week period after the Federal election campaign. Therefore, Moriki has absolutely nothing whatsoever to do with the State Government. I bring to the attention of all members, and I read to the House, a letter addressed to me dated 14 March (today) from Vickie Chapman, President of the Liberal Party, and I quote:

> Following media speculation that you may be asked a question in Parliament today in relation to a donation to the last Federal election campaign fund of the SA Division by Moriki Products I write to clarify the Party's position. Two years ago in the course of the 1993 Federal election campaign Moriki Products made a donation of $50 000 to the SA Division. These funds were received during the campaign and were fully expended in support of the Federal election in South Australia. No part of these funds were used on our Party's campaign for the State election. It is a simple matter of record that your Government was not elected until 10 months after the Federal election. The donor sought no favour or special benefit in return for their funds. Following the campaign the SA Division duly completed its election return including in it all the requirements under Australian Federal Law. In addition, we wrote to all donors in the required categories reminding them of their obligations under the Act and enclosing a copy of the relevant forms. I am advised that the Australian Electoral Commission—

The Hon. M.D. Rann interjecting:

The Hon. DEAN BROWN: Just listen to this. The letter continues:

> I am advised that the Australian Electoral Commission received a completed donor return from Moriki Products in due course. During a routine compliance audit conducted by the AEC last year no query was raised in relation to the donation from Moriki Products. The SA Division of the Liberal Party has more than fully complied with its legal obligations.

The letter is signed, 'Yours sincerely, Vickie Chapman, President, Liberal Party of Australia (SA Division).'

Mr ATKINSON (Spence): Does the Premier stand by his statement to the Parliament that no benefit whatsoever has been passed onto South Australia from Moriki when a Liberal—

Members interjecting:

The SPEAKER: Order!

Members interjecting:

The SPEAKER: Order! I must say to the honourable member that the question is out of order. The Premier has already answered that particular question.

Mr ATKINSON: Mr Speaker, you have not let me ask the question.

Members interjecting:

The SPEAKER: Order! I point out to the member for Spence that the information has already been made available by the Premier. I call on the member for Spence for the next question.

Mr ATKINSON: Sir, on a point of order: you are ruling on my question having heard less than half of it. Could I ask my question and then have you rule on it?

Members interjecting:

The SPEAKER: Order! I heard quite sufficient of the honourable member's question to be in a position to make a ruling. The honourable member for Taylor.

Mr Atkinson: Cover-up!

The SPEAKER: I name the member for Spence.

Members interjecting:

The SPEAKER: Order! Does the honourable member for Spence wish to be heard in explanation or apology?

Mr ATKINSON: I asked a point of order; I asked you to rule on a point of order, and—

Members interjecting:

The SPEAKER: Order! The House will come to order.

Mr ATKINSON: It is usual in this place to allow the Opposition a line of questioning. This is a very important matter of public debate. It is of interest to the public of South Australia. My question was: did the Premier stand by his statement—

Members interjecting:

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

Mr ATKINSON: —on Moriki when a Liberal fundraising committee report reveals that funds raised—

Members interjecting:

The SPEAKER: Order!

Mr ATKINSON: —during 1993 were carried forward to 1994?

Members interjecting:

The SPEAKER: Order! All members will resume their seat. The honourable member for Ridley has a point of order.

Mr LEWIS: Sir, you invited the member for Spence to either explain his actions or apologise for them. He now persists in attempting to debate them.

The SPEAKER: Order! I point out to the member for Spence that he was invited either to explain—not debate — the issue or to apologise. I would suggest to the honourable member that he has already gone far beyond the bounds of explanation. I suggest that he confine his remarks to purely an explanation or an apology.

Mr ATKINSON: Sir, my explanation was that I was raising in Question Time a matter—

Members interjecting:

The SPEAKER: Order! There are too many interjections on my right.

Mrs ROSENBERG: Sir, I rise on a point of order. I seek clarification from the Chair whether the member for Spence was invited to give explanation for the words 'cover-up' or to explain his question?

The SPEAKER: The honourable member for Spence was invited to explain or apologise—

Members interjecting:

The SPEAKER: Order!—because he used the term 'cover-up' in relation to the ruling which the Chair gave, which is completely contrary to the Standing Orders. I now ask the honourable member for Spence either to complete his explanation or apologise.

Mr ATKINSON: If I may complete my explanation: I was raising a matter of public interest to the public of South Australia about campaign donations, and I was trying to complete my question, which was a one sentence question in which I wanted to ask the Premier whether he stood by a statement to the House—

Members interjecting:

Mr ATKINSON: May I explain it without interruption? I wanted to ask whether the Premier stood by a statement which he had made previously in Parliament and which he repeated today in response to the question before mine, in the light of a published document from the Liberal Party fund-raising committee which said that funds raised in 1993, including those from Moriki, were carried over in 1994 for the State election. You, Mr Speaker, did not allow me to complete that little sentence and then rule on whether the whole question was out of order. If you had allowed me to complete the question, I would be very happy to accept your ruling. As it is—

The SPEAKER: Order! There is a point of order.

The Hon. S.J. BAKER: I rise on a point of order. Mr Speaker, you asked the honourable member to explain his actions. He was accusing you, Sir, of a cover-up, and that is the only point at issue.

Mr Quirke interjecting:

The SPEAKER: Order! There will be one point of order at a time. Has the Hon. Deputy Premier completed his point of order?

The Hon. S.J. BAKER: I think that I should be able to complete it and then the honourable member can raise his point of order. It is a tradition in this House that the honourable member either explain himself or apologise: he cannot debate the issue. They are the rules of the Parliament. Otherwise we could be sitting here all day listening to the member for Spence—

Members interjecting:

The SPEAKER: Order! I suggest that the Deputy Premier has made his point. The Chair has been most tolerant again with the member for Spence in giving him great latitude. I now ask him to complete his explanation or apology, as he has had ample opportunity.

Mr ATKINSON: Thank you, Sir. So, after having my question ruled out of order, somewhat precipitately I interjected that perhaps your ruling was a cover-up. I now withdraw and apologise.

Members interjecting:

The SPEAKER: Order! The Chair is prepared to accept the explanation and apology. I point out to the member for Spence that he has been on a collision course with the Chair and he will not get that latitude again.

PERSONAL EXPLANATION

Mr LEWIS (Ridley): I seek leave to make a personal explanation.

Leave granted.

Mr LEWIS: On 16 and 22 February in grievance debates in this place I referred to a matter in which I believed WorkCover had some responsibility, involving the care and treatment of a burns victim, Mr Bond, of Geranium. I now apologise to WorkCover and the Chief Executive Officer, Mr Lew Owens, for inadvertently misleading the House by suggesting that WorkCover was in any way involved and explain to all members that my mistaken perception arose out of correspondence that was written by the lawyers acting for Mr Bond in which, to my astonishment, they referred to a WorkCover review officer in the following sentence:

> Our. . . has had discussions with Mr. . . of the State Government Employees Workers' Compensation Scheme and [a further gentleman] Mr. . . of your department [the Department of Education] who take the view that the issue is borderline and therefore ought to be argued before and decided by a WorkCover review officer.

I could not understand why WorkCover was pushing its nose into something in which it had no standing. However, on the information provided in that letter from solicitors, I believed it to be—

The SPEAKER: Order! I point out to the member for Ridley that he is going far beyond a personal explanation and he would be better to take the opportunity to participate in a grievance debate.

Mr LEWIS: With the greatest respect, Mr Speaker, I was apologising to WorkCover, pointing out how I had come to mislead the House and explaining why that was so. I have completed my personal explanation.

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

Leave granted.

Mr BRINDAL: In the course of the debate last week on the Prostitution (Decriminalisation) Bill and in other places the member for Goyder pointed out to me a mistake in *Hansard* which recorded that I had quoted the *New Testament* by saying:

> Go and lead your life of sin.

I discussed the matter with the honourable member and on Friday last consulted *Hansard*. Sir, *Hansard* acknowledged that I said:

> Go and leave your life of sin.

It was a mistake, both on my part in not correcting it and I believe on *Hansard's* part, and I just want that put on the record.

GRIEVANCE DEBATE

The SPEAKER: The proposal before the Chair is that the House note grievances.

The Hon. M.D. RANN (Leader of the Opposition): In his policy speech before the last State election the Premier said:

> A Liberal Government will be committed to open and honest government, fully answerable to Parliament and the people. A Liberal Government will ensure that Parliament is strengthened in holding Executive Government to account.

I challenge the Premier today to explain how the Liberals' extraordinary efforts to cover up the real identity of the Catch Tim donor meet his criteria for open and honest government. The Liberal Party has done everything possible to conceal the true identity and the real reason for the $100 000 donation. The Premier has done as little as possible to see our political donation disclosure laws upheld. There has been a conspiracy to deceive the people of South Australia about this donation and that of Moriki Products. That conspiracy involves officers and office holders of the Liberal Party, senior members of its finance committee—

Members interjecting:

The SPEAKER: Order! There are too many interjections. I will not allow a deliberate attempt to prevent the Leader or any member from participating in a grievance debate. I suggest all members cease interjecting. The honourable Leader.

The Hon. M.D. RANN: Thank you, Sir. The conspiracy involves officers and office holders of the Liberal Party, and also the hapless Mr Simon Lam, the man behind Catch Tim and its chain of 14 related companies, and Mr Henderson, a director of Gerard Industries who seems to be their expert in laundering money from overseas. Throughout the Catch Tim scandal the Premier has said that he knows nothing—the now celebrated 'Sergeant Schultz' defence. On 21 February he told Parliament that he did not know who Catch Tim was, but he knew who it was not. He told the House that his close friend—

An honourable member interjecting:

The SPEAKER: The member for Hanson.

The Hon. M.D. RANN:—Rob Gerard, had told him to tell Parliament that Mr Gerard had no association with Catch Tim.

Mr BRINDAL: I rise on a point of order. I believe it was a ruling of Speaker Peterson that it was incorrect for any member in any debate to criticise the Premier, any Minister or the Speaker other than by way of substantive motion. I believe that the Leader is criticising the Premier other than by way of substantive motion and I ask for your ruling.

The SPEAKER: The Chair cannot uphold the point of order. Members cannot be critical or make reflections on the Chair except by way of substantive motion. However, members are entitled to be critical of the Premier, any Minister or any other member as long as they comply with the Standing Orders. The Leader of the Opposition.

The Hon. M.D. RANN: Thank you, Sir. The Liberal Party and the Premier clearly planned to say nothing about their mystery donor and to play dumb. However, following a series of revelations that Catch Tim was a shelf company and part of a maze of companies designed to disguise the true nature of the donor, the Liberals were forced into damage control. The first explanation was made on 7 March. Party President, Ms Vickie Chapman, announced that Catch Tim genuinely had made the donation and she released a letter from Mr Simon Lam to that effect.

Ms Chapman assured us that her Party had acted both ethically and legally. Ms Chapman described Mr Lam of Catch Tim as a man of substance who, like any other donor, can make a contribution. Ms Chapman went on even further. She said that the Liberal Party's Finance Committee—of which Rob Gerard was a member—undertook the scrutiny of the donation and was satisfied as to the existence of the donor. But the questions kept coming and the Catch Tim maze became more tangled. No-one believed the Simon Lam story. Then, of course, there was a thunderbolt. We asked what was Bill Henderson's involvement? The name clearly had an electrifying effect on the Liberal Party and indeed the Premier's Office. On 11 March Ms Chapman made a second announcement that the donation was actually made by Victor Lo, the half owner of Mr Gerard's business and his friend.

Mr Brokenshire interjecting:

The Hon. M.D. RANN: It was all announced in a dead letter drop to the *Advertiser* after the TV news services had gone to bed.

The SPEAKER: The member for Mawson is out of order.

The Hon. M.D. RANN: It must have been a stunning embarrassment for the President of the Liberal Party to admit that her first statements about Simon Lam were completely untrue and that the Liberal Party's declaration to the Electoral Commission was false: a false declaration, a fake declaration. The Premier's performance on Saturday was also stunning after he had fled to Victor Harbor. The Premier continued to claim that Mr Gerard had no association with the Catch Tim donation when Mr Gerard's friend and business partner made the donation which was channelled through another Gerard director.

The SPEAKER: The honourable member's time has expired. The honourable Deputy Premier.

The Hon. S.J. BAKER (Deputy Premier): Again we have seen this Parliament abused by the Leader of the Opposition. It is about time that the Leader made all his statements outside. I remind him—he is going. Sit down and listen for a change.

Members interjecting:

The SPEAKER: Order!

The Hon. S.J. BAKER: On Sunday he said three times he was going—

The Hon. M.D. Rann interjecting:

The SPEAKER: Order! The Chair has given enough warnings. I will not speak again to the Leader of the Opposition. The Leader, the member for Mawson and the member for Wright have all been out of order. The honourable Deputy Premier.

The Hon. S.J. BAKER: On Sunday the Leader of the Opposition, or the dealer of the Opposition—whatever he calls himself—was asked three times: 'Are you accusing the Premier of misleading the Parliament?' and he said 'No', 'No', 'No'. But, now that he is back in cowards' castle where he cannot be sued, he is saying, 'There's a cover-up.' Why

did he not say that outside, if he is so positive? Again, under his own press release, he said, 'I don't have an interest in Rob Gerard. I don't have an interest in Vickie Chapman.' He does not have an interest in the Premier because he has already admitted that the Premier is not misleading the Parliament. So, where does he stand? I will tell you where he stands, Sir. He stands to denigrate anyone he comes into contact with either in or associated with the Liberal Party or the Liberal Government. That is where he is at.

Let us have a look at the record. It is not bad enough that he wants to trawl Gerard Industries, one of the major employers, through the net of the Parliament; he is not content with that. I remind members that he also wanted MBf dragged into the chain in relation to Wirrina. He also was canvassing the insurance industry in this Parliament as having had favours done for some reason. There is a distinct responsibility on members of Parliament. That responsibility has been fully complied with in this Parliament on this side of politics. There has not been any cover-up.

The Hon. M.D. Rann interjecting:

The SPEAKER: Order!

The Hon. S.J. BAKER: If the Leader of the Opposition wants to take it further, let him take it further outside and make those accusations. Nothing he has said to date cuts across—

Members interjecting:

The SPEAKER: Order!

The Hon. S.J. BAKER: Sir, I would like to complete my remarks.

The Hon. M.D. Rann interjecting:

The SPEAKER: Order! The Leader of the Opposition has been warned for the last time; he will be named on the next interjection.

The Hon. S.J. BAKER: I know that the tactics were to intimidate the Parliament and the Speaker today. I understood that a certain member wanted to take a walk and the Speaker did not give him the grace to create another story around the traps. Have a look at our record and then look at the Opposition's record. When we have what they did in Government—$3.5 billion later—and he tells us about a cover-up. When he was handing out favours—

The Hon. M.D. Rann interjecting:

The Hon. S.J. BAKER: Yes, indeed, and the royal commission found 'Guilty', 'Guilty', 'Guilty'—and I am pleased that the Leader of the Opposition brought up that issue. Have a look at the important issues of Parliament where his union mates are involved. Look at the workers' compensation measure—stopped in the Upper House because of his dirty little deals with the union movement. Have a look at shopping hours: every attempt was made to stop shopping hours.

Mr Atkinson interjecting:

The Hon. S.J. BAKER: The member for Spence had been paid off by the SDA. The industrial legislation involved the same issue. On the record—

Mr ATKINSON: I rise on a point of order, Mr Speaker.

The SPEAKER: The member for Spence has a point of order.

Mr ATKINSON: Mr Speaker, the Deputy Leader just said that I was paid off by an organisation, implying that I had taken a donation corruptly, and I ask him to withdraw.

Members interjecting:

The SPEAKER: Order! I suggest to the Deputy Premier that those words are inappropriate and he should withdraw them.

The Hon. S.J. BAKER: I will not withdraw those remarks, Sir, because it is on the record. The member for Spence took a personal donation. He took a personal donation from the SDA that had a vested interest.

The SPEAKER: Order! The Deputy Premier will resume his seat. The Chair has required that the Deputy Premier withdraw those remarks.

The Hon. S.J. BAKER: I will withdraw under the circumstances, Sir; I would hate to invoke your wrath. The record is quite clear: nowhere has the Opposition been able to substantiate any claim about position or favour or cite any other example—

The SPEAKER: Order! The honourable member's time has expired. The honourable member for Elizabeth.

Ms STEVENS (Elizabeth): It has not gone unnoticed, both inside the Parliament and in the community in general, that the Minister for Health always gets personal. Comments like 'only a teacher,' 'only been here a short time,' 'wouldn't have thought to have read the policy' and other comments of a demeaning nature that have nothing to do with the matter at hand are common in his answers to questions all the time. This approach is disappointing. It is not constructive and it demeans the position of a Minister of the Crown.

Last Thursday the Minister for Health implied that funds donated by the Miscellaneous Workers Union to the ALP on 19 May 1994 went to pay for the Elizabeth by-election, with a further implication that they bought my compliance on matters that concerned the union. These implications are totally false. That particular donation did not come to my campaign, and no-one buys my compliance on any issue. My first reaction on Thursday was, as I have done with all the other comments, to ignore such a laughable and amateurish attempt to smear me. However, on reflection, I have decided to set the record completely straight, leaving no further room for any more mischievous innuendo on that score.

Donations to the ALP do come from our trade union affiliates: after all the union movement is an integral part of the ALP. Indeed, the ALP was formed from the union movement 100 years ago. We stand above all for the rights of the ordinary working women and men in our society. We are the Party of social justice and social reform so that all people can participate in our society, unlike our opponents on the other side whose prime constituency are those with substantial means. However, the donations that have come to the Australian Labor Party are not secret: they are clearly accounted for.

Members interjecting:

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

Ms STEVENS: They are on the public record for all to see if you would bother to do that. We have never been part of the debacle that has occurred in this place over recent weeks in relation to Catch Tim. My advice to the Minister and to those opposite is: people in glasshouses should not throw stones.

The ACTING SPEAKER (Mr Bass): Order! The member for Hanson.

Mr LEGGETT (Hanson): I endorse fully the comments made by the Deputy Premier. For three weeks we have heard nothing but drivel, whingeing and whining from the Leader of the Opposition. We have heard gutless whining. Time and again the Premier has explained the position in respect of Catch Tim and legitimate donations made to the Liberal Party

of South Australia. The Leader of the Opposition ought to shut up, ship out or try the impossible and be an effective Leader of the Opposition. I emphasise that he should 'try the impossible'.

South Australians are sick and tired of his childish and sleazy outbursts. Both the Leader and the Deputy Leader hold their positions temporarily because the South Australian public is very perceptive and quickly recognises shoddy behaviour. Indeed, if the Leader of the Opposition had been in my class when I was a teacher at school, I would have whipped him outside and disciplined him severely, probably with two or three on the tail.

On a more significant note, I support the South Australian Police Traffic Safety Section and its energetic team under the guidance of Sergeant David Hearn. Last year I commended this worthy service to the House and referred to the financial support that it receives from its major sponsor, SGIC. I urge that this sponsorship continues. This important South Australian Police Traffic Safety Section has touched base over the past few years with 177 000 drivers under the age of 27. It has reached more than 270 000 people, including mature age drivers and students from TAFE colleges.

I recall as a teacher being present at some of the lectures with year 11 students. They were informative sessions: two sessions each lasting for two hours. In fact, I believe that these lectures have ultimately saved students from death or serious injury. The lectures are practical and informative and they are not threatening. In a report in the *Sunday Mail* of 5 March, Sergeant David Hearn, the unit's leader, said:

> Many students think they are going to be shouted at but after five minutes you can hear a pin drop.

I can vouch for that, as I have attended those lectures. Students were very attentive, and the lecturers were most informative and laid back. Sergeant Hearn said:

> We need four hours with school students and older drivers, and they get the message and hopefully as a result of that they become more responsible drivers.

I can say that the work they do and the rapport that lecturers have with students is outstanding. The message they try to get across is this: just a few seconds of stupidity or a stupid attitude or mood can put a person in a wheelchair, maim them for life or, even worse, it can kill them. I know that this four hour course has had a significant effect on many young people throughout South Australia.

I applaud the unit and hope that full sponsorship continues for many years, because these lecturers are in great demand and they often travel up to 1 000 kilometres to fulfil classroom appointments, from Edithburgh to Mount Gambier and right across the State. The same *Sunday Mail* article carries a photograph and story of a beautiful young lady, Tiffany Freeman. I had the pleasure of meeting Tiffany and hearing her tragic story. In 1987, at 17 years of age, Tiffany, who had her sights set on being a model, was critically injured in a car accident after a party. She suffered horrific injuries and has spent the past eight years being rehabilitated, much of the time at the Julia Farr Centre. All she did was go for a drive after a party with an intoxicated woman driver. Tiffany has turned this tragedy into a powerful tool for good and now accompanies the Police Traffic Safety Section to many schools in South Australia.

Tiffany walks with the aid of a walking stick and has a sobering effect on all students. Tiffany gives tremendous encouragement to all students, is a great example of perseverance and is a stark reminder that one error of judgment—driving with a drunk driver—can have devastating consequences. I wish her a full recovery, and I also wish the Traffic Safety Section in South Australia continued success in its work.

Mrs GERAGHTY (Torrens): Sir—

Mr Evans interjecting:

Mrs GERAGHTY: Thank you; I shall. In recent weeks we have heard much about WorkCover, and I have spoken on this topic on a couple of occasions. Today I want to refer to the impact of the WorkCover administration on injured workers. I will cite two cases of people in my electorate who have contacted me on many occasions, both during the week and on weekends, because of their desperation and the feeling of tremendous frustration they experience through the impact of this activity on their general well-being and family relationships. First, I refer to Rae, who sustained a minor ankle injury in October 1994. She had seen many doctors and was eventually advised in writing by WorkCover that those doctors were no longer recognised by WorkCover. My constituent phoned WorkCover to see what was going on with her case—

Members interjecting:

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

Mrs GERAGHTY: —and her case manager advised her that she was to select another doctor from the Yellow Pages. The quote was, 'There are plenty there. Find another doctor.' She was also advised that there would be serious implications if she returned to her former doctors. On 19 November a clot fragmented in her leg and moved to her right lung and she was admitted to Queen Elizabeth Hospital and discharged on 22 November.

From that time my constituent was harassed by her case manager until 8 December, when she was readmitted to the Queen Elizabeth Hospital with a stroke. My constituent was again discharged, and following that the case manager hassled and harassed her again until 16 December when she had another stroke. I spoke to the case manager myself. If she was as pleasant to my constituent as she was to me, I can understand the position.

I draw attention to the fact that the WorkCover case manager verbally abused my constituent and stated that forms that my constituent lodged were not received. However, we have copies of those forms to prove that they were lodged. The case manager guaranteed my constituent that her medical bills would be paid, but they have not been paid. The case manager has generally hindered any progress that my constituent attempted to make. My constituent only wanted to be treated for her injury in order to return to work as soon as possible. She is still trying to get back into the work force, yet she is just physically and mentally unable to do so. My constituent is desperate.

The second case to which I refer involves a worker who sustained an injury as a result of work. Again, not a terribly serious injury but it prevented him from carrying out his duties, which involved much walking. He, too, has been harassed. I will give details about what happened to him. WorkCover commenced payment in January 1994, and in March 1994 payment was suspended and then reinstated. WorkCover contacted his doctor. The doctor was reluctant to give a certificate until WorkCover gave the go ahead. Because of the attitude of the rehabilitation service, my constituent was forced to change to another rehabilitation service. Between then and September 1994 all letters

requesting certificates were complied with, yet his payments were terminated. WorkCover informed my constituent that it received no certificates, but that is simply not true. On 14 December another certificate was provided to WorkCover and a receipt given, but my constituent was informed that his payments would be again cut off on 29 December.

My constituent was summoned to a meeting scheduled on a particular day. He received a letter to that effect but, when he attended the meeting, the people who organised it failed to attend. WorkCover then failed to recognise the statements of a podiatrist and an orthopaedic surgeon. I simply cannot believe it. When it suits WorkCover, it will recognise some professional people but, when it does not suit it, it chooses not to recognise other professional people. My point is this: these people are not bludgers and are not out to abuse the system, yet they are treated as if they are bludgers and it is absolutely disgraceful.

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

Mr BUCKBY (Light): During Question Time today we saw the Leader of the Opposition go on a muckraking exercise, the Liberal Party having answered questions on donations according to Federal legislation and all that had to be done. The Leader of the Opposition is indulging in an exercise in which there is nothing to be gained because all disclosures have been made, yet he continues to rake this up and make it an exercise. It is easy to understand why, with that sort of attitude, business left South Australia under the legislation of the former Government. This Government is attempting to do everything that it can to encourage business to come to South Australia.

Let us look at another issue today—international competitiveness. Much is said by the Federal Government about international competitiveness and the international competitiveness of the Australian economy. However, competitiveness depends on two things: one is the cost of the inputs and the other is the cost of the infrastructure and services, which companies cannot control. Australian manufacturers are internationally competitive. Manufacturing contributes 16 per cent to domestic production and employs 16 per cent of the Australian work force. The question should be: what can the Government do to encourage manufacturing and to ensure that Government charges are at an internationally competitive rate?

I point out that in September last year there was a report on the Malaysian Government, which has worked very closely with business. Front page news was that Malaysia had surpassed Australia on the list of exporting nations: it is now nineteenth and we are twentieth. In this area, let us consider some aspects of transport. Road freight in Australia is 96 per cent reliable—it arrives on time—compared with 97 per cent for world best practice. That is a very good result. Loss and damage by Australian road transport is .4 per cent, which also equates to world best practice. With respect to rail transport, the average price for moving freight by rail is more than double world best practice. Best practice in Australia is 3.34¢ per tonne per kilometre on Australian National Rail. Global best is the USA at 1.6¢. ANR is also Australia's worst practice for damage and loss with its rate being 14 times world best practice in the USA.

What is needed to correct this situation? We need a strong Federal Government to apply benchmarking standards with explicit targets and time lines to ensure that microeconomic reform in Government business enterprises continues to be benchmarked against the best international practice. I have spoken before in this Parliament about the lack of microeconomic reform by the Federal Government. It still continues and we remain behind world best practice. Until the Federal Government decides to grasp the nettle and do something about it, that is exactly where we will remain.

Long haul operating costs for road transport in Australia are behind world best practice. Why? It stems from the level of taxes and charges paid by the Australian road freight industry. If we take out the tax component, we find that the industry is better than world best practice—101¢ compared with 106¢. As regards sea transport, Australia is behind world best practice on price for Government and port authority charges and ancillary charges. Australian charges for container ports are 2.5 times higher than the lowest overseas charges. It is high time that the Federal Government got on with microeconomic reform but, of course, it cannot, because it is tied to the unions which are involved in the transport industry in Australia.

INDUSTRIAL AND EMPLOYEE RELATIONS (MISCELLANEOUS PROVISIONS) AMENDMENT BILL

Returned from the Legislative Council with amendments.

MINING (NATIVE TITLE) AMENDMENT BILL

Consideration in Committee of the Legislative Council's amendments:

No. 1. Page 2 (clause 3)—After line 18 inert new paragraphs as follow:

(ca) by inserting after the definition of 'exempt land' in subsection (1) the following definition:

'exploration authority' means—

(a) a miner's right;
(b) a precious stones prospecting permit;
(c) a mineral claim;
(d) an exploration licence;
(e) a retention lease (but only if the mining operations to which the lease relates are limited to exploratory operations);

(cb) by striking out from subsection (1) the definitions of 'mining' or 'mining operations' and inserting the following definition:

'mining' or 'mining operations' means all operations carried out in the course of prospecting, exploring or mining for minerals (except fossicking) and includes—

(a) quarrying; and
(b) operations to recover minerals from the sea or a natural water supply; and
(c) operations under a miscellaneous purposes licence.'

No. 2. Page 2 (clause 3)—After line 33 insert new paragraph as follows:

'*(ea)* by inserting after the definition of 'precious stones field' in subsection (1) the following definition:

'production tenement' means—

(a) a precious stones claim; or
(b) a mining lease; or
(c) a retention lease (if the mining operations to which the lease relates are not limited to exploratory operations); or
(d) a miscellaneous purposes licence;'

No. 3. Page 3 (clause 3)—After line 7 insert new paragraph as follows:

'*(h)* by inserting after subsection (2) the following subsection:

(3) An explanatory note to a provision of this Act forms part of the provision to which it relates.'

No. 4. Page 4, lines 4 to 12 (clause 8)—Leave out subsection (4) and insert new subsections as follows:

'(4) A mining registrar may refuse to register a mineral claim (other than a claim that relates solely to extractive minerals) if satisfied that—

(a) before the claim was pegged out, an application had been lodged for an exploration licence for an area comprising the area of the claim or portion of the area of the claim; and

(b) the application has not been refused.

(4a) A mining registrar cannot register a mineral claim if to do so would be inconsistent with a public undertaking by the Minister to the mining industry.'

No. 5. Page 4 (clause 10)—After line 33 insert new subsection as follows:

(3a) An application for renewal of an exploration licence must be made to the Minister in the prescribed form not more than 6 months, and not less than 3 months, before the date of expiry of the licence.'

No. 6. Page 5, lines 19 to 22 (clause 13)—Leave out paragraph *(b)*.

No. 7. Page 6, lines 25 to 28 (clause 16)—Leave out paragraph *(b)*.

No. 8. Page 7, lines 33 to 35 (clause 19)—Leave out subsection (4) and insert new subsection as follows:

'(3a) A mining registrar cannot register a precious stones claim if to do so would be inconsistent with a public undertaking by the Minister to the mining industry.'

No. 9. Page 8, lines 3 to 6 (clause 20)—Leave out section 50 and insert new section as follows:

'Consent required for claims on freehold or native title land

50. A precious stones claim cannot be validly pegged out on land that has been granted in fee simple, or is subject to native title, except with the written consent of the owner[1] of the land.

[1]Owner of land is defined in section 6(1) to include a person who holds native title in the land.'

No. 10. Page 8, lines 36 to 38 (clause 22)—Leave out the clause.

No. 11. Page 9, lines 11 to 20 (clause 25)—Leave out section 58 and insert new section as follows:

'How entry on land may be authorised

58. (1) A mining operator may enter land to carry out mining operations on the land—

(a) in accordance with the terms of an agreement with the owner of the land; or

(b) in accordance with conditions laid down by determination of the appropriate court; or

(c) after giving notice of the proposed entry describing the nature of the proposed operations.

(2) However, a mining operator may not enter native title land under subsection (1)*(c)* if the mining operations may affect native title in the land.

Explanatory note—

This section extends to native title land. However, it should be noted that a mining operator is not entitled to carry out operations that affect native title unless authorised to do so by an agreement or determination under Part 9B (see section 63F). Hence a mining operator who seeks to enter native title land to carry out mining operations that may affect native title should negotiate an agreement, or obtain a determination, conferring the necessary authorisation under part 9B. Such an agreement or authorisation will not, however, be necessary if the right to carry out mining operations arises under a claim registered, or a lease or licence granted, before 1 January 1994 (see section 63W).

No. 12. Page 9, lines 31 and 32 (clause 25)—Leave out 'is held under a form of tenure that confers a right to exclusive possession of the land' and insert 'is freehold land, land held from the Crown under a perpetual lease or an agreement to purchase, or native title land'.

No. 13. Page 10, line 25 (clause 26)—After 'amended' insert new paragraph as follows:

(a) by inserting in subsection (6) 'or substantial damage to the land' after 'hardship';'.

No. 14. Page 11—After line 8 insert new clause as follows:-

'Amendment of s.61—Compensation

27A. Section 61 of the principal Act is amended by striking out from subsection (1) 'financial' and substituting 'economic'.'

No. 15. Page 11, lines 21 to 34 and page 12, lines 1 to 8 (clause 29)—Leave out section 63F and insert new section as follows:

'Mining operations on native title land

63F. A prospecting authority confers no right to carry out mining operations on native title land and a mining tenement over native title land may not be granted or registered unless—

(a) the mining operator is authorised by a native title mining agreement or determination registered under Division 3 to carry out mining operations on the land under the prospecting authority or mining tenement; or

(b) a declaration is made under the law of the State or the Commonwealth to the effect that the land is not subject to native title.[1]

[1.]A declaration to this effect may be made under Part 4 of the *Native Title (South Australia) Act 1994* or the *Native Title Act 1993* (Cwth). The effect of the declaration is that the land ceases to be native title land.

No. 16. Page 12, lines 9 to 20 (clause 29)—Leave out section 63G and insert new section as follows:

'Protection for applicants for mining tenements over native title land

63G. (1) If a person lodges an application under this Act for the grant or registration of a mining tenement over native title land, no other mining tenement may be granted over the same land for minerals of the same kind.

(2) If an application relates to land that is in part native title land, the Minister may subdivide the application and direct that it be granted insofar as it relates to land that is not native title land, and that consideration of the application insofar as it relates to native title land be deferred until a native title mining agreement or determination under this Part authorises mining operations on the land.

(3) The Minister may dismiss an application if it appears that the mining operator is not proceeding with proper diligence to obtain the necessary native title mining agreement or determination to authorise mining operations on the land.'

No. 17. Page 12 (clause 29)—After line 24 insert new subsection as follows:

(2) However, an application cannot be made if—

(a) the land is subject to a declaration under the law of the State or the Common-wealth to the effect that the land is subject to native title; or

(b) an application for native title declaration has already been made under the law of the State or the Commonwealth, and the application has not yet been determined.'

No. 18. Page 12, lines 27 to 39 and page 13, lines 1 to 24 (clause 29)—Leave out sections 63I to 63K and insert new sections as follows:

'Types of agreement authorising mining operations on native title land

63I. (1) An agreement authorising mining operations on native title land (a 'native title mining agreement') may—

(a) authorise mining operations by a particular mining operator; or

(b) authorise mining operations of a specified class within a defined area by mining operators of a specified class who comply with the terms of the agreement.

Explanatory note—

If the authorisation relates to a particular mining operator it is referred to as an individual authorisation. Such an authorisation is not necessarily limited to mining operations under a particular exploration authority or production tenement but may extend also to future exploration authorities or production tenements. If the authorisation does extend to future exploration authorities or production tenements it is referred to as a conjunctive authorisation. An authorisation that extends to a specified class of mining operators is referred to as an umbrella authorisation.

(2) If a native title mining agreement is negotiated between a mining operator who does not hold, or has not applied for, a production tenement for the relevant land and native title parties who are claimants to (rather than registered holders of) native title land, the agreement cannot extend to mining operations conducted on the land under a future production tenement.

(3) An umbrella authorisation can only relate to prospecting or mining for precious stones in a precious stones field over an area of 100 square kilometres or less.

(4) If the native title parties with whom a native title mining agreement conferring an umbrella authorisation is negotiated are claimants to (rather than registered holders of) native title land, the term of the agreement cannot exceed 10 years.

(5) The existence of an umbrella authorisation does not preclude a native title mining agreement between a mining operator and the relevant native title parties relating to the same land, and if an individual agreement is negotiated, the agreement regulates mining operations by a mining operator who is bound by the agreement to the exclusion of the umbrella authorisation.

Negotiation of agreements

63IA. (1) A person (the "proponent") who seeks a native title mining agreement may negotiate the agreement with the native title parties.

Explanatory note—

The native title parties are the persons who are, at the end of the period of two months from when notice is given under section 63J, registered under the law of the State or the Commonwealth as holders of, or claimants to, native title in the land. A person who negotiates with the registered representative of those persons will be taken to have negotiated with the native title parties. Negotiations with other persons are not precluded but any agreement reached must be signed by the registered representative on behalf of the native title parties.

(2) The proponent must be—

(a) if an agreement conferring an individual authorisation[1] is sought—

(i) an applicant for the grant or registration of a mining tenement over native title land; or

(ii) a person who holds a prospecting authority and wants to explore for minerals on native title land;

(b) if an agreement conferring an umbrella authorisation[1] is sought—the Minister or an association representing the interests of mining operators approved by regulation for the purposes of this section.

[1.]See the explanatory note to section 63I(1).

Notification of parties affected

63J. (1) The proponent initiates negotiations by giving notice under this section.

(2) The notice must—

(a) identify the land on which the mining operations are proposed to be carried out; and

(b) describe the general nature of the mining operations that are proposed to be carried out on the land.

(3) The notice must be given to—

(a) the relevant native title parties; and

(b) the ERD Court; and

(c) the Minister.

(4) Notice is given to the relevant native title parties as follows:

(a) if a native title declaration establishes who are the holders of native title in the land—the notice must be given to the registered representative of the native title holders and the relevant representative Aboriginal body for the land;

(b) if there is no native title declaration establishing who are the holders of native title in the land—the notice must be given to all who hold or may hold native title in the land in accordance with the method prescribed by Part 5 of the Native Title (South Australia) Act 1994.

What happens when there are no registered native title parties with whom to negotiate

63K. (1) If, two months after the notice is given to all who hold or may hold native title in the land, there are no native title parties in relation to the land to which the notice relates, the proponent may apply *ex parte* to the ERD Court for a summary determination.

(2) On an application under subsection (1), the ERD Court must make a determination authorising entry to the land for the purpose of carrying out mining operations on the land, and the conduct of mining operations on the land.

(3) The determination may be made on conditions the Court considers appropriate and specifies in the determination.

(4) A determination under this section—

(a) cannot confer a conjunctive or umbrella authorisation; and

(b) if the proponent is an applicant for the grant or registration of a mining tenement in respect of the land—has no effect until the tenement is granted or registered.

[1.]See the explanatory note to section 63I(1).'

No. 19. Page 14, lines 1 to 13 (clause 29)—Leave out subsections (2) and (3) and insert new subsections as follow:

'(2) If the proponent states in the notice given under this Division that the mining operations to which the notice relates are operations to which this section applies and that the proponent proposes to rely on this section, the proponent may apply *ex parte* to the ERD Court for a summary determination authorising mining operations in accordance with the proposals made in the notice.

(3) On an application under subsection (2), the ERD Court may make a summary determination authorising mining operations in accordance with the proposals contained in the notice.

(4) However, if within two months after notice is given, a written objection to the proponent's reliance on this section is given by the Minister, or a person who holds, or claims to hold, native title in the land, the Court must not make a summary determination under this section unless the Court is satisfied after giving the objectors an opportunity to be heard that the operations are in fact operations to which this section applies.

(5) If the proponent is an applicant for the grant or registration of a mining tenement in respect of the land, a determination under this section has no effect until the tenement is granted or registered.

No. 20. Page 14, lines 15 to 17 (clause 29)—Leave out section (1) and insert new section as follows:

'(1) The proponent and native title parties must negotiate in good faith and accordingly explore the possibility of reaching an agreement.'

No. 21. Page 14 (clause 29)—After line 27 insert new subsection as follows:

'(1a) The basis of the payment may be fixed in the agreement or left to be decided by the ERD Court or some other nominated arbitrator.'

No. 22. Page 14, line 29 (clause 29)—After 'operations' insert 'and with rehabilitation of the land on completion of the mining operations'.

No. 23. Page 14, lines 31 and 32 (clause 29)—Leave out 'extending the right to carry out mining operations on the native title land to the proponent' and insert 'authorising mining operations on the native title land.'

No. 24. Page 15, lines 2 to 4 (clause 29)—Leave out paragraph *(b)* and insert new paragraph as follows:

'*(b)* if the Court considers it appropriate, order the registration of the agreement as originally negotiated or with amendments agreed by the parties.'

No. 25. Page 15 (clause 29)—After line 10 insert new subsection as follows:

'(7) If native title parties were not represented in negotiations by the relevant representative Aboriginal body, the Court may, on application by that body, made within 3 months after the date of a native title declaration to the effect that land is subject to native title, exempt (wholly or partially) from the application of subsection (6)*(a)* any person or group of persons who—

(a) are recognised at common law as holders of native title in the land; but

(b) were not among the original parties to the agreement.'

No. 26. Page 15, lines 24 to 30 (clause 29)—Leave out subsection (3) and insert new subsections as follows:

'(3) If the ERD Court determines that mining operations may be conducted on native title land, the determination—

(a) must deal with the notices to be given or other conditions to be met before the land is entered for the purposes of mining operations; and

(b) may provide for payment to the native title parties based on profits or income derived from mining operations on the land or the quantity of minerals produced.

(3a) If the proponent is an applicant for the grant or registration of a mining tenement in respect of the land, a determination under this section has no effect until the tenement is granted or registered.

No. 27. Page 16 (clause 29)—After line 1 insert new subsection as follows:

'(5) The relevant representative Aboriginal body is entitled to be heard in proceedings under this section.'

No. 28. Page 16 (clause 29—After line 31 insert new section as follows:

'Limitation on powers of Court

63PA. (1) The ERD Court cannot make a determination conferring a conjunctive authorisation[1] authorising mining operations under both an exploration authority and a production tenement unless the native title parties[2] are the registered holders of (rather than claimants to) native title in land, are represented in the proceedings and agree to the authorisation.

(2) The ERD Court cannot make a determination conferring an umbrella authorisation[1] unless the native title parties[2] are represented in the proceedings and agree to the authorisation.

Explanatory note—

An umbrella authorisation—

- can only relate to prospecting or mining for precious stones in a precious stones field over an area of 100 square kilometres or less; and
- if the native title parties are claimants to (rather than registered holders of) native title land, cannot authorise mining operations for a period exceeding 10 years.

Section 63I(3) and (4) are to similar effect in relation to native title mining agreements.

[1.] See explanatory note to section 63I(1).

[2.] See explanatory note to section 63IA(1).

No. 29. Page 17, lines 14 and 15 (clause 29)—Leave out 'If the Minister considers it to be in the interests of the State to overrule a determination of the ERD Court under this Part' and insert 'If, on application by a party to proceedings in which a determination was made, the Minister considers it to be in the interests of the State to overrule the determination'.

No. 30. Page 17, lines 19 and 20 (clause 29)—Leave out subsection (2) and insert new subsection as follows:

'(2) However—

(a) the Minister cannot overrule a determination—

(i) if more than two months have elapsed since the date of the determination; or

(ii) if the Minister was a party to the proceedings in which the determination was made; and

(b) the substituted determination cannot create a conjunctive or umbrella authorisation[1] if there was no such authorisation in the original determination nor can the substituted determination extend the scope of a conjunctive or umbrella authorisation.

1. See the explanatory note to section 63I(1).

No. 31. Page 17, lines 32 and 33 (clause 29)—Leave out 'the ERD Court or the Minister decides to authorise mining operations on native title land under this Part on conditions requiring the payment of compensation' and insert 'a determination under this Part authorises mining operations on conditions requiring payment of compensation'.

No. 32. Page 18 (clause 29)—After line 28 insert new section as follows:

'Review of compensation

63VA. (1) If—

(a) mining operations are authorised by determination under this Part on conditions requiring the payment of compensation; and

(b) a native title declaration is later made establishing who are the holders of native title in the land,

the ERD Court may, on application by the registered representative of the holders of native title in the land, or on the application of a person who is liable to pay compensation under the determination, review the provisions of the determination providing for the payment of compensation.

(2) The application must be made within three months after the date of the native title declaration.

(3) The Court may, on an application under this section—

(a) increase or reduce the amount of the compensation payable under the determination; and

(b) change the provisions of the determination for payment of compensation.'

No. 33. Page 19—After line 13 insert new clause as follows:

'Insertion of s.74A

32A. The following section is inserted after section 74 of the principal Act:

Compliance orders

74A. (1) If a person carries out mining operations without the authority required by this Act, the ERD Court may, on application by the Director or the owner of land on which the operations are carried out, make an order (a compliance order) requiring the person (the respondent)—

(a) to stop the operations; and

(b) if the operations have resulted in damage to land—to take specified action to rehabilitate the land.

(2) Before the Court makes a compliance order it must allow the respondent a reasonable opportunity to be heard on the application.

(3) A person against whom a compliance order is made must comply with the order.

Maximum penalty: $100 000.'

No. 34. Page 19, lines 17 to 20 (clause 33)—Leave out subsection (1) and insert new subsection as follows:

'(1) A claim or lease cannot be validly pegged out or granted in respect of extractive minerals on land that has been granted in fee simple, or is subject to native title, except with the written consent of the owner[1] of the land.

[1.]Owner of land is defined in section 6(1) to include a person who holds native title in land.'

The Hon. S.J. BAKER: I move:

That the Legislative Council's amendments be disagreed to.

This is a very important issue. We believe that the amendments made in the other place are inconsistent with our understanding of the direction that the Federal Government is pressing. Not all of the amendments are out of order; some of them improve the legislation. However, given that this will be a matter of considerable deliberation, I suspect that, when we reject these amendments, it might be appropriate to deal with all the amendments when we have the conference. As I said, this issue is quite complex and it deserves further discussion. The amendments are unacceptable to the Government because they make this Bill into an unacceptable form. Therefore, we reject them in totality, but recognise that a handful of the amendments make some sense.

Mr ATKINSON: The Opposition is minded to accept the amendments. We are persuaded that they are sensible. I should like to correct the Deputy Premier: none of the amendments is out of order. He and the Liberal Party may disagree with the amendments, but not one is out of order. I am also interested that the Deputy Premier expects that the amendments will be rejected. He seems to be reflecting on a decision of the Committee in advance. I hope that the Committee will consider the amendments on their merits. The Opposition believes that the Bill, in the form in which it comes from the other place, is now more in line with the letter and spirit of the Federal legislation.

Motion carried.

PHYLLOXERA AND GRAPE INDUSTRY BILL

Adjourned debate on second reading.

(Continued from 30 November. Page 1319.)

Ms HURLEY (Napier): The Opposition has consulted fairly widely with the industry regarding this Bill and has detected quite wide support for its provisions. We recognise that it will protect the industry in South Australia against phylloxera disease and we also recognise the importance to the growing industry here that that should continue. We are happy to support most of the provisions of the Bill. We shall have one or two comments to make about some of the amendments which have subsequently been introduced but, on the whole, we are happy to support the Bill as it stands.

Mr ANDREW (Chaffey): I support the principle of this Bill. As most of us would know, the wine industry in South Australia is currently a beaming light for the future economic growth of this State. This Bill is fundamental to ensuring that this State continues to capitalise on and maximise the success of this industry, of which we can all be justly proud. Because of this and by way of introduction, it is worth my giving a brief overview of the significance and the progress of the wine industry in explaining the value of this Bill in terms of the industry. We are continually reminded that the industry is on track in generating the national target of about $1 billion export revenue by the year 2000. This growth has been compounding at a rate greater than 40 per cent since 1987, and during the past eight or nine years export volumes of sales have increased from about 10 million litres to 130 million litres. It is well documented that, to achieve that target, the industry will require national investment of about $600 million in vineyards, $460 million in inventory and $150 million in wine processing facilities.

South Australia justly deserves its fair share of that investment. This State produces more than 50 per cent of Australia's wine grapes and is currently responsible for about 70 per cent of export sales. Such growth has come about only because of a strong history of comparative advantage, and I will now refer to the background of those advantages. They include natural resources, such as climate and soils and, importantly, the demonstrated willingness of innovative and progressive growers in leading the way and adapting new technology and production techniques specifically at the production and cultural level, as well as responding to changing market demands. Also, in terms of this comparative advantage, I would suggest that the whole industry—particularly the wine makers, whether they be large or small—has shown leadership and foresight in adopting new wine making technology with the resulting progressive innovation that has developed, as well as the foresight and confidence to accept the challenge of what the international markets have to offer.

I also want to acknowledge the significance of the larger wine makers as major vignerons in their own right, because I believe their contribution has also had a significant influence on the general industry in selling and assisting in the development of that technology, particularly at the vigneron level. We can all be proud of these world leaders across the whole ambit of the industry. Past and present State Governments have had the role of fostering and encouraging the industry with research, extension services, education through TAFE direct to the wine industry and, in particular, this State Government's current package of financial incentives for value added and export orientated industries. I cite the easy example of our current payroll deductions for industries involved in value adding and exporting. Direct and particularly indirect measures, as with the State Government policy in relation to irrigation water, are freeing up and giving flexibility and transferability to allow plantings to occur throughout the State.

There are impediments to the growth of this industry, such as that which we have come to recognise over the past 12 months and on which we have presented submissions. I refer to the Industry Commission's inquiry into the future taxation options for the wine industry. We would all be aware that 18 months to two years ago the Federal Government increased the sales tax on wine. I will restrain myself at this time but if time permitted—and I will be using the available opportunities in this House later in the week—I would detail my disgust with and absolute objection to the release last Friday of the minority and majority reports of the Industry Commission currently inquiring into the future taxation of the wine industry. But I will restrain myself now and refer to this issue later in the week.

Notwithstanding that, there is at present a progressive, determined and cooperative approach by industry, growers, wine makers and the State Government in terms of what I would call keeping it all together and making it happen so that this industry continues on track to set those record export and income targets. I believe that this Bill is part of that cooperative action to ensure that that occurs.

This State Liberal Government values the industry and its development not just because of the direct dollars it will bring into the State, as testament to our present and continued economic recovery in this State, but because of what it does along the way. It involves good employment generation prospects. As a value adding industry, it has significant service and support industries, whether transport or service industries; it has a significant multiplier effect in that regard. Just as importantly, much of the industry's growth is actively occurring outside the metropolitan area, thus spreading vitality throughout regional and country South Australia and helping to address the drift of population and services, both vital secondary and support industries, which are supporting and complementing this viable and efficient primary production.

In addition, the wine industry provides a direct and significant focus, impact and results for the tourism industry. There is a significant multiplier effect with direct impact on job creation, particularly for young people. This is demonstrated by the Tourism Commission's action plan which stylises a bunch of grapes as the new logo for the State as a tourist destination.

As the member for Chaffey, I believe I must mention very briefly the importance of the Riverland in terms of the wine industry. On current figures and a five year projection, more than 50 per cent of the State's tonnage will be produced in the Riverland. There is at present significant expansion of previous dry land facilitated by a transfer of irrigation rights, again assisted by Government policy to which I alluded earlier.

As a result of renewed confidence in the industry, the Government's capital input into the rehabilitation or irrigation infrastructure and a greater willingness by banks to lend, there is a vast amount of redevelopment of old vineyards in the Riverland to meet the demand for production and the future challenge to the industry. I cannot over-emphasise that the Riverland will continue to be the backbone of the increase of production.

I now turn to the significance of phylloxera as it is important that I provide background information on phylloxera as a pest. It is a root living aphid which causes a progressive decline in vigour of affected plantings. Generally speaking, it can take from one to three years to become apparent. Historically, there were devastating outbreaks in Victoria in the late 1800s and early 1900s, in particular from 1895 to 1902. Between 1915 and 1960, it was a significant problem in Victoria. However, since then further outbreaks in Nagambie, Glenrowan and Rutherglen have caused considerable losses to owners of infested vineyards and have reinforced the problem of grape phylloxera.

In particular, growers in the industry have been reminded of three important principles when dealing with phylloxera. First, it is a devastating pest in vineyards and there is no

economical method to control it on ungrafted vines; secondly, it is far better to avoid the problem by preventing the spread of the insect rather than attempting to control new outbreaks; and, thirdly, it is recognised that resistant rootstocks are the best long term way to prevent damage by phylloxera. Most commonly, the insect is spread by infected rootlings through the transfer of propagating material, but it can be passed on via leaves and possibly even fruit.

Experience has shown that outbreaks of this disease occur during periods of vineyard and industry expansion, as the industry is going through at present. An article in the *Australian* of 7 February highlighted the issue by stating that there was a demand for rootstocks and that a Langhorne Creek vine nursery had pre-sold this year's stock and had taken advance orders right through to 1996. That illustrates the present demand. As a result of the scarcity of rootstocks and their cost, and the cost of going into and developing new soil, there has without doubt been a significant trend towards the use of non-grafted vines, which have been used largely in the recent vineyard development, but of course that has placed the industry under greater threat with respect to phylloxera. Similarly, in terms of the harvest and transport of grapes, special conditions and procedures should apply in phylloxera infected areas. Interstate, these are called vine disease districts. Where grapes, equipment and labour are in high demand, there is a greater tendency to neglect measures that ensure that no transfer of infection occurs. In a period of expansion and changing practices, the potential for transfer of disease through the exchange of rootlings, the mobility of equipment and people, and the transport of uncrushed grapes is greater.

I am confident that this legislation will help to support South Australia's preventive measures so that we are better able to respond effectively to the issues threatening the grape industry. To date, this phenomenal development has been achieved through the initiative of private people and organisations. The progress of each region and section of the industry has been fostered by the establishment of a variety of groups who have made their contributions individually or in cooperation. The healthy situation currently being experienced is the achievement of a wide spectrum, as I mentioned earlier, whether they be grower organisations, wine makers, local regional bodies or organisations such as vine improvement committees.

I acknowledged the previous Government's action in initiating the review of the 1936 Act via the green paper in November 1992. There was a review of the proper functions of the Phylloxera Act and issues relating to the past. Anomalies in the Act were identified and, as a result of industry and public response, this Government released a white paper in 1994 outlining proposed amendments based particularly on green paper option no. 5, which importantly took a broader view of vine health.

Those of us involved with the Minister for Primary Industries in formulating this legislation were aware that industry consultation was still taking place during the latter half of last year. Although we were still fine tuning some of the aspects, I commend and thank the Minister for introducing the legislation before the Parliament adjourned in December. In doing so, I acknowledge, first, that vine planting material was being transferred into this State at a great rate and there were questions as to whether we as a State could appropriately control or restrict the entry of questionable material, bearing in mind that we are always under threat by the limitations that section 92 of the Federal Constitution imposes upon us in terms of the potential for maintaining our phylloxera free status, and as a matter of priority. Secondly, we needed to signal very publicly our desire to give priority to this issue. Thirdly, the Minister made clear that further industry consultation would be available over the December to February period in effect to fine tune and get the best out of this Bill.

I was pleased to be involved in this progress and I am sure that my colleagues who represent other wine growing districts in this State will indicate in their contribution to this second reading debate that, without exception, we have been pleased to receive the deputations made to us. I have had significant representations made to me both in my electorate office and in Adelaide during this past month, and I particularly thank those individuals and all those groups in the industry who have made those appropriate representations. Because of that process I am pleased that the Minister has, in his name, foreshadowed a number of amendments, and I will use the Committee stage to address those matters and other aspects of the Bill as they emerge.

In the brief time available I will refer to some of the major aspects of this Bill. Overall, the aim is to strengthen and broaden the role of the Phylloxera Board and to increase communication between the board and the industry. I believe that those fundamental principles are being reinforced by this Bill. It provides strengthening in terms of the ability to determine policy and having a clearer say in the protection of the grape industry against disease, yet recognising the enforcement of such protection. In other words, any specific movement of propagating material or restriction thereof must remain under the current control of the Fruit and Plant Protection Act 1992. I specifically note that there is ability through this Bill to prescribe zones, which I believe will be an important aspect of the mechanism to control the movement of vine planting material in conjunction with the Fruit and Plant Protection Act.

In the sense of broadening its role, it is appropriate for the board (as requested through the green and white papers) to consider diseases other than phylloxera. This Bill is broader in the sense of assisting and supporting the grape industry in its initiatives: whether it be via collective statistics, education or with the approval of the wine industry, it gives the Phylloxera Board the opportunity to take on a broader ambit of requests with the approval, sanction, support and, to some extent, direction of the wine industry.

I support the principle of selection of the board as distinct from election or otherwise, because I believe it removes the political and ministerial influence in the choice of board members, and from the other extreme it gives the selection panel the opportunity to create a board balanced with a greater range of expertise and experience across the industry. With the South Australian Farmers Federation, the South Australian Wine and Brandy Producers and others being asked to provide names for the selection committee, the whole spectrum of the industry is being given a fair opportunity for input and to provide that specific balance of expertise and experience. With respect to communication, I particularly endorse the proposal as set out in the Bill for regional committees to provide a core network for the board to respond both at the grower level and to the industry as a whole.

Of the six or seven regional areas each has its own uniqueness and each has, to some degree, its own existing committee structures, whether it involves, for example, the Adelaide Hills Viticultural Group, the Barossa Wine Grape

Industry Advisory Committee, the Riverland Grape Industry Committee or the McLaren Vale Wine Grape Advisory Committee. It is important that this new Phylloxera Board be responsible to those groups, and I understand that this Bill provides the flexibility to use existing structures or committees to allow this to happen. I also note, as we will point out in the amendments, the provision for additional and specific reporting from the board throughout the industry.

This Bill is important to the whole industry. It will provide the additional safeguards, support and strength to afford the wine industry, over and above phylloxera itself, wider support in terms of disease protection and, in response to industry demands and priorities, to provide further assistance and support generally for this important industry in the State. I strongly support the second reading of this Bill.

Mr LEWIS (Ridley): Members, I am sure, would be interested to know something of the reason for our anxiety and concern about this particular pest, which motivates us as a Parliament to pass laws about the way in which we control its entry into and establishment in our State. We have heard from the member for Chaffey just how important it is. It always has been important, but is more so now because the wine industry has expanded its exports over the past decade from the early 1980s of $17 million to where it is now established at about $300 million, increasing to over $1 billion a year before the turn of the century if we do nothing more than keep up with the kind of inquiry we have had.

It is a known fact that wine consumption world wide under current conditions *ceteris paribus* will outstrip the capacity of the world's vineyards to meet that requirement after the turn of the century. We can project that far ahead. We cannot keep up with the increasing demand. It is for that reason, of course, that we should set out to protect what we have here in South Australia—a fairly unique situation in which we do not have to put up with the vagaries of phylloxera. The Minister is to be commended for bringing the Act up to date to make it relevant to future circumstances and to try thereby, through the operations of the board that gets its life and power through this legislation, to deal with the situation and protect the industry in a continuing way in South Australia.

In the course of constructing that board, I note that seven people will be nominated by the selection committee and that no more than any one member is to be nominated from any one of the prescribed regions. I would point out that, with the 45 000 megalitres of underground water which can be withdrawn in the Mallee, it is only a matter of time before land owners and irrigators in the Mallee, or indeed prospective viticulturists who would go into wine production, will recognise the great benefit to be derived from using at least some of that water on grape vines. It is a region which is at least equal to if not better than the Riverland itself, in that it is further south—about halfway between the Riverland and Padthaway.

Mr Brokenshire: Aren't you going to grow any hemp in the Mallee?

Mr LEWIS: No. People who think that hemp is a viable crop in this climate are really deluding themselves. There is no viability for that plant possible in this State: anyone who understands agronomy would know that. It is a blind by the dope smokers who want to cover up their production by obscuring it inside the plantations of hemp which they say is being grown for fibre.

Mr Ashenden interjecting:

Mr LEWIS: That is said to be at that rate: 45 000 megalitres per year. It is said to be the rate of recharge of the Murray basin, which permeates westwards below the layer of Hindmarsh clays from the infiltration strata of the eastern and south-eastern Australian Alps, underneath Victoria and under the Mallee, where there is a discontinuity of the Hindmarsh playa, and in some places it has reached the surface. But getting back to the substance of the legislation and the background to it, I would urge the Minister to bear in mind that over time a new, substantial and significant region of quality production has the capacity to emerge in that part of the State and that, on some of the heavier soils, there is a risk that phylloxera could be established. It is close to the Victorian border, and Victoria on that same latitude, a little further east than that point by a few hundred kilometres, suffered very severely from phylloxera outbreaks in those heavy soils in the Glenrowan and Rutherglen areas, and the like, to which the member for Chaffey has referred.

Therefore, I am anxious to see that we do not overlook the threat which may be posed by the development of an industry in that general area on other than the sandy soils. I turn the attention of members to the reasons why I have just said that. This rotten little pest, *phylloxera vitifoliae*, was first found to be a problem just over 140 years ago. It is an aphid indigenous to North America, where its habitat is confined to the area east of the Rocky Mountains and particularly along the east coast in the deciduous forests. The two vines on which it has lived for longer than European settlement of the North American continent have been *Vitis labrusca* and *Vitis riparia*, and the species that we rely on for commercial purposes is *Vitis vinifera*. It is very susceptible to this aphid, and once it found its way into the vine growing areas of southern France this aphid wiped out hundreds of thousands of acres of vines. It decimated the wine industry there, affecting some areas more than others.

It was discovered only later this century that some areas were more heavily infested and adversely affected than others because of winter/spring soil temperatures and, more particularly, because of heavier soil types, where self-structuring occurs in some measure. It is found not to be a problem in the sandy soils on some of the inland valleys and the sandy loams in those inland valleys in California, for instance. Even though it is not a native of California, it infested that area and devastated some of the extensive plantations on the heavier soils near the coast. In 1873 the presence of the insect definitely was established on vines that were dying from its effects in Sonoma and in the Napa Valley. So, just over 115 years ago the outbreak was identified as having been the cause of that devastation.

South Australia has been lucky; it has also been cautious, and it needs to continue with that caution. As the member for Chaffey has pointed out, it is vital that we plant our new plantings, where possible, on resistant root stock of either the modern hybrids that are available or at least on *Vitis labrusca* or *Vitis riparia* or one of the others. Certainly the practice that we have been able to enjoy and get away with of simply planting cuttings of *Vitis vinifera* is most unwise on any soil type that is heavier than a sandy loam and on any soil type that relies for the root zone of the established vineyard on the B horizon where that B horizon contains clay in any substantial degree, to the point where it would then be described as a loam. So, whilst you may have an A horizon which is sandy and in which you rapidly establish the seedlings, you would be foolish in the extreme if, underlying that sandy loam, there was a clay loam into which roots could be expected to

penetrate, because ultimately, upon phylloxera being introduced into that area, it would spread through the vines and probably would end up killing them or at least substantially depleting their capacity to produce.

Phylloxera is still to be found on some of the vines in some parts of Victoria. For whatever reasons that I have not discovered in the literature I have read, it remains dormant without doing much more than reducing the capacity of those vines in each of those localities to yield as much as some other vines even in the same vineyard, where heavier leeching has occurred at higher elevations at the end of the rows and there is deeper sandy loam in which the vines are growing. I have seen that myself; it has been pointed out to me.

Thank God rabbits are not like it, but the animal has the capacity to reproduce itself using what is described by entomologists and biologists as parthogenetic sexuality, which means that it does not need to mate. The female of the second generation is wingless and, after coming from the larvae which have hibernated through winter, has the capacity to develop into an insect which does not have to mate at all but which simply clones itself and lays up to 200 eggs in each batch. Depending on the temperature, those eggs can hatch within five to 30 days and, in consequence of that capacity, they can spread rapidly through a vineyard during spring, as one can imagine. In the springtime, the winter eggs that have been laid on the bark hatch, and they produce the so-called stem mother or fundatrix, which climbs out of the upper surface of the young leaf, and her feeding on the leaf causes those galls to form that bulge out on the underside of the leaf, and that is perhaps the first sign that you have an outbreak of phylloxera.

She will go on sucking food out of the leaf for a couple of weeks and lay up to 500 eggs in the gall she has created, and then she dies. Those eggs can then hatch into wingless females as well, and they migrate around the leaves and produce more galls, and as the over wintering form from underground they begin laying eggs parthogenetically—that is, without mating—and there will be four to seven generations of that lot, and you can imagine what seven generations, each generation producing 200 eggs, would result in by the end of summer. There does not seem to be a means by which we can control this insect economically with insecticides at this stage. With that sort of background information, I underline the importance of this legislation and the need for this State to be aware of the threat that this aphid poses to the industry that we seek to protect from it.

We must ensure that the general public understands the very serious consequences of allowing this insect to establish itself in South Australia and I point out the need, in the event that it is discovered anywhere, to take the most drastic action to eradicate it immediately. Nothing short of ripping out the vines and completely sterilising the soil is justified or warranted. We simply cannot afford to allow phylloxera to get established in this State. It will take hundreds of millions of dollars, if not over a thousand million dollars, annually out of this State's economy, and as we are already close to that point it will not be long before we pass it.

So, whilst I could go on and regale members with some of the consequences of ignoring the necessity for vigilance, for quarantine and for drastic measures of control, where failure to act in other parts of the world has caused that devastation, I will not do so. I simply say to the Minister and to the House: God's speed; may the measure pass into law, and may the board be successful not only in keeping phylloxera out of South Australia but also in ensuring that the public understands how vital it is that we do that. It is more important to keep phylloxera out of South Australia than it is to try to keep us fruit-fly free. We can at least control fruit-fly, but an attempt to control phylloxera without devastating the vineyards it infests is an exercise in futility. I commend the measure to the House.

Mr BUCKBY (Light): I support the Bill. It reminds me a little of the problems that this State's wheat industry had with stripe rust in the 1970s. Of course, that was much harder to control because of the transfer of hay and fodder from one State to another, and particularly from New South Wales to South Australia. It had extremely devastating effects, and I believe that were we not so diligent in bringing in this Bill the same fate could have befallen the grape industry. The grape industry is not only a growing industry but it is an extremely important industry within South Australia. It has set out to expand its exports and has done so very rapidly within the past two to three years. It has set a target to again double that and have 2 per cent of the world market by the year 2000.

It is important to maintain the disease free status of South Australia in respect of phylloxera. As members may know, and as others have already said in this debate, the disease is transferable via the transfer of root stock particularly from Victoria, as we know it exists there, to South Australian vine growers. Of course, with the industry expanding the way that it is at the moment in South Australia, vignerons are looking for root stock. As it is extremely scarce they may be tempted to look at a stock source in Victoria where this disease is noted. If they bring in root stock that is infested with phylloxera, they will expose the South Australian industry to disease which otherwise might not have been present.

In the Bill the importance of controlling the vine stock will be the responsibility of a board to be constituted of nine members. A selection committee will be set up to look at the members of the board. The functions of the board are particularly important and include assessing the relative threat to the State's vineyards posed by phylloxera and other diseases and assessing the risk of the movement of machinery and equipment into the State. The wine industry now is extremely mobile, with mechanical harvesters crossing State borders, particularly between Victoria and South Australia. As a result, there is a possibility of the phylloxera disease being carried on harvesters that have worked in a diseased vineyard. That practice must be controlled and reviewed to ensure that the machines are washed down and that the risk of the disease being carried into South Australia is minimised. The board, and in particular the chief inspector, has to determine action that will be taken if an outbreak occurs and provide ongoing advice to the Minister should an outbreak occur. I do not believe that there is anything more important than this in the grape industry at the moment. In speaking with Mr Leo Pech from Tanunda only the other day about this—

Mr Venning: He is in my electorate.

Mr BUCKBY: As the member for Custance suggests, he is in his electorate. I crossed the electoral boundary and had a chat with Mr Pech. He indicated that he had changed over to phylloxera resistant varieties, but many vine growers in this State have not done that as yet, and it is extremely important that this Government and the South Australian Farmers Federation encourage grape growers to plant phylloxera resistant varieties, thereby ensuring another safeguard to the entrance of this disease into South Australia. The Bill is extremely important, and I commend it to the

House as it is imperative for the continued success of the South Australian grape industry.

Mr BROKENSHIRE (Mawson): Like my colleague the member for Light I am also delighted to be able to contribute to debate on the Bill. In so doing I throw an accolade at the Minister for Primary Industries (Hon. Dale Baker) for the expediency with which he got on with the job knowing full well how important this Bill is. We are very fortunate to have a Minister who has such an interest in a growth area such as the wine industry. I am told that his work schedule is such that he does not have time to enjoy the fruits of the labour of the wine industry, but he is certainly very keen to make sure that those within the industry have every opportunity to expand and grow.

Of course, I also commend my colleagues on this side of the House. All of us, without exception, who have been involved or have wine growers within our electorate have spoken on this Bill. That is in sharp contrast, I might add, to those on the other side. Whilst I do take the point that they have generally shown more interest in the wine industry than their Federal colleagues, it is interesting to note that only two members opposite are present—the member for Giles and the member for Napier, who are both very interested in the wine industry. The fact is that wine industry people within my electorate have been working hard on creating export opportunities and jobs—

The Hon. FRANK BLEVINS: Mr Deputy Speaker, I draw your attention to the state of the House.

A quorum having been formed:

Mr BROKENSHIRE: In my electorate now we are looking at recycled water to expand the wine industry in the premier wine growing area of the McLaren Vale region. Of course, all this would be lost if phylloxera came in from over the border. As a farmer, I know full well just how devastating disease can be for an industry. In my own industry, the dairy industry, disease can be brought in in semen from overseas and, like phylloxera in the wine industry, that can have a drastic effect. Therefore, I commend all those involved in drafting the Bill.

When the Bill was tabled I had an opportunity to send a copy to the McLaren Vale Winemakers Association, and I discussed the matter with the McLaren Vale-Willunga Branch of the South Australian Farmers Federation. I thank them for their interest, their input and their suggestions. In fact, they also commended the Minister, who made time available to meet with them and make sure that there was total consultation and that wherever possible everyone's concerns and desires were put forward within the Bill. As we all know, not surprisingly there was unqualified industry support for the retention of the basic principles set by the 1936 Act. There was also strong support for the amendments put up in this Bill.

As to the results from this, I am pleased to say that under the Bill an industry based board will have a clear and firm say about the protection of the grape industry against disease. Protection itself will continue to be offered under the Fruit and Plant Protection Act 1992. As I said earlier, this reflects the 1992 legislation and the recent consultative process over the past few months. Two of the main concerns highlighted to me recently by the Chairman of the McLaren Vale Winemakers have now been covered, and I will highlight them. First, I refer to the constitution of the board as detailed in clause 5. When members see the representation put in place under the Bill, they will realise it satisfies all interest groups within the industry.

The functions and powers of the board are dealt with in clause 12. This matter was raised in my electorate because both grapegrowers and winemakers are concerned that unfortunately now and again a person might get into the industry who does not have the management skills or does not consider the interests of other growers or winemakers and may introduce diseases—not only the potential of phylloxera but other diseases—or they may not control mildew and so on. Whilst it can probably be argued that there are never enough teeth in any industry to deal with those who are unscrupulous or neglectful, at least this aspect is covered under the clause.

This is a good and balanced Bill which is important, because we all know how important the wine industry is to South Australia. I only wish the Federal Labor Party would realise that and not take heed of Mr Scales's minority recommendations because, if they are implemented, they would be devastating to the State. The Bill provides an opportunity to protect and enhance the industry. It will drive the wine and grape industry, because they will know full well that they have the backing and support of the Bill. I am delighted to see that clause 17 provides for a five year plan. That is fantastic. We have been involved in too many industries for too long where we have not had a basic plan, direction, vision or the opportunity to assess where we are up to or where we should be heading in the future. That is a positive clause, and I am delighted to support it.

Mr VENNING (Custance): As the member representing the Barossa Valley and the Clare Valley it would be natural for members to assume that I would have something to say about the Bill. I commend the Minister and thank him for introducing this Bill, which is new legislation. I commend and thank the Minister for entrusting the member for Chaffey and me with much of the footwork and research in respect of the Bill. The member for Chaffey and I saw it as a challenge. We have enjoyed that challenge, and I hope that the industry regards the Bill as a success.

Certainly, I want to pay tribute to the department's Mr Barry Windle, who is with us this afternoon. We do not have enough people like Barry Windle in the department or in viticulture, and I want to make sure that the Minister gets the message that we could do with more people with expertise similar to those of Barry Windle. I refer to Mr Reg Radford, whom I know well from his toiling away at Nuriootpa. He does a fantastic job. Yet, when we consider the importance of the industry to South Australia and realise how many true professional experts we have, it is of great concern that we have allowed the number of professional experts to reach this level.

I refer to the research and development needed to keep the industry world competitive and number one, as we are, because we need to increase our commitment and priorities at that level. I understand that the first phylloxera legislation was introduced in the late 1880s. This Bill replaces an Act that was passed in 1936, which is indeed a long time ago. The original Bill was put in place to set up a committee to halt the disastrous spread of phylloxera in the 1880s. We have been advised that in those years phylloxera completely wiped out the vines. A committee was set up to address the problem of phylloxera and, for several reasons, there was renewed pressure to revise the existing legislation.

First, as my colleagues have stated, there have been outbreaks of phylloxera in Victoria. Secondly, a massive amount of new vine has been planted in South Australia, and never before in the history of wine making in South Australia have we seen so many new vineyards being planted in such a short period. Thirdly, there is a fear that some of the stock is coming from near phylloxera infected areas without people knowing, and therefore we are unable to prohibit the entry of stock that may be infected. Fourthly, we need to widen and strengthen the powers of the Phylloxera Board. This disease represents a serious problem because often phylloxera does not become visible until seven years after the initial infection, and by then it can be too late.

As other members have said, phylloxera is a native of North America. It spread around the world in the late 1880s, and Australia's first experience of the aphid was at Geelong in 1877. This small aphid lives on the roots and sometimes the leaves of grape vines. It is carried on soil and plant material, and precautions are certainly required to stop it spreading as humans move through infected vines. Phylloxera occurs when sap is sucked up from the vine roots. It causes galls on the roots, which eventually decay. The vine vigour is reduced to an uneconomic level over three to 10 years. It is a slow death, much like the cancer with which we are familiar in human beings.

This disease could wreak havoc in the South Australian wine industry, as it did in the early 1880s when complete plantings of vines were wiped out. Eradication of the aphid is not possible unless a whole area is cleared of vines. It is necessary to take vines out and completely rip up the vineyard and then plant phylloxera resistant vines or, as some of my growers are doing, plant on stocks that are resistant to phylloxera. Therefore, if vineyards are affected growers pull out the complete vineyard at a cost today of about $9 000 a hectare, and in the process they lose at least three years of production.

I must pay great credit to our scientists who are now looking at ways of putting new root stock onto existing mature vines. They do that by planting good stock alongside an ill vine and grafting them over. That is a smart method and I hope it is successful because, if we have an outbreak of phylloxera, it will give us a chance to assist growers who will then not have to suffer devastating losses. I wish our scientists and technicians all the best with that project. Control of phylloxera is achieved by planting vines grafted to phylloxera resistant root stock. As I said, it is important not to transfer grape vines from a phylloxera infested area to a phylloxera free area, and that is what the Bill is all about.

Under the present Act, it is difficult, as the Minister has told us time and again, to prohibit the movement of vine stocks from Victoria or anywhere else in Australia into South Australia. We have seen with the present plantings how disastrous this is, and we cannot allow it to continue. We must give ourselves power to protect our most important industry. There have been outbreaks in Victoria, particularly in the Whitlands area and central Victoria, the King Valley, and notably vineyards owned by Brown Brothers.

The first board was set up in the 1880s when the Act was first introduced. We read much about the work that the first board did, and it has been in existence ever since. The present Phylloxera Board is concerned about the stock that is coming into South Australia. At the moment we cannot do anything about it. However, this Bill goes some way towards addressing the problem.

The present board is comprised of Mr Bill Brand, who comes from the Coonawarra area; Peter Dry, from the Roseworthy Campus, Adelaide University; Mr Wally Bohen, from Southern Vales; Mr Anthony Koerner, from Penfolds vineyard; Mr Trevor Wilksch, from the central area, who has been of great assistance to me; Mr Graham Thompson, from Waikerie; Mr Bill Wilden, from BRL Hardy, Renmark; Mr John Western, who is retiring; Mr Richard Cirami, to whom I would pay tribute (he is on sick leave from the department at the moment) because he has been a great operator and worker within the industry; and Chris Ridley, the secretary. I greatly respect them for the work that they have done in the past and for the assistance that they have given in updating this legislation.

Victoria and New South Wales have declared vine protection areas; that is, no outside stock is allowed to enter those regions, and only vines which are within the vine protected areas are allowed to be used. There are apparently two in Victoria: one is Sunraysia and the other is the South-West. I know that the board will be looking at this, and I hope it will be able to set up such areas in South Australia as soon as possible.

The whole thing will be funded by a statutory levy of approximately $2 per hectare. I have not met any resistance to that by the growers. They have had good services from the board in the past, and I am sure that they are happy to go on funding it. The board has never wasted its money, and the growers are happy to have an increase in the levy. Grape vine decline is a similar problem area to phylloxera, but the term is usually used when the cause of the problem is not known. Grape vine decline can cover many sins. It has been around, especially with the chardonnay in the Riverland. We are not sure what causes it, but it may be frost, cold weather or deficiencies.

I should like to pay tribute to Mr David Botting, the instructor in viticulture courses, at Roseworthy College. He has certainly assisted with his observations on vine decline and also vine yellows, which is when the leaves turn yellow. It affects particularly rhine riesling and some chardonnay. I have every confidence in the new board just as I have in the present board. The members have not only proved their worth but they have proved their worth to their peers in their own industry. I have heard nothing but good remarks about them.

I want now to talk briefly about the Bill. I appreciate that the board will be selected by a selection panel. I think that is the best way. The board will be made up of eight persons, one from each of the five prescribed regions, and one with expertise in viticulture research. I think it is good that the Minister will have the power to oversee these selections. I also appreciate that the selection board will have the involvement of the South Australian Farmers Federation. I notice that Mr Cain is in the gallery today, and I pay tribute to him for the work that the South Australian Farmers Federation has done in this instance. It has also been very patient. I know that many organisations wanted to be directly involved in the board itself but, because we had so many committees involved, it stepped back. It was happy to be involved in the selection area, and no doubt it will be very involved in the regional committees that the board will set up. I appreciate the involvement of SAFF and also the Wine and Brandy Producers' Association and the other five bodies which have assisted with this Bill.

The functions of the board are obvious. They have been well and truly explained today. We have modified and will amend the primary function of the board to ensure that it is

narrowed to the degree that it is not all-encompassing of areas which other research groups may feel are their domain. With cooperation from other bodies, the Minister has allowed us to amend that part.

Also in relation to contributions, we chose to leave it with the grape growers, the wineries and the distillers contributing. That was an area where we could not satisfy all people in the industry because they wished to leave it with the grape growers. However, I am satisfied that, with the decision to leave it in this way, the Minister or the board can at any time do what they wish about that ratio. I think it is good that we should leave it there, particularly as the industry is now so mobile and we see our grapes moving all over Australia. It is great that we can enable the board to ensure that its funding level covers all those involved in the industry.

I am very pleased that the Bill has been introduced. I appreciate the input by grape growers, and I will name one in particular, Mr Leo Pech, who resides in my electorate. I would say that he is a benchmark state of the art modern vigneron. His vineyard is excellent. The member for Light visited it the other day, and I have visited it on several occasions. It is a delight to see such a vineyard producing what it does. Mr Pech, who is a professional vigneron, has also been very helpful to us and to the Minister with regard to this Bill. Mr Pech brought up many areas which were interesting and much of which we were able to incorporate in the Bill. Some areas we did not include, because the board, by regulation, will be able to bring these things into the industry.

I refer to things such as the removal of vines from neglected vineyards. That issue has been brought up by several people. I am sure that the board will have a much better handle on that than I would have, the Minister or Parliament. I am pleased that we were also able to assist Mr Pech and others with respect to the regional committees. The board can appoint a new regional committee or an existing regional committee. Where an existing committee is doing a good job, no doubt the board will consider appointing its members to the new regional board under the Phylloxera Board.

Another point made by several growers is the registration of mechanical harvesters and operators. As will be appreciated, the phylloxera aphid could be spread by harvesters operating in vineyards. By registering harvesters and operators and with the requirement of a log book, a grower would have an assurance when the machine rolled up, if he looked at the log book, that it had been nowhere near a phylloxera area. I am sure that it is little points like this that the Phylloxera Board will pick up and run with, because it has been a very interesting period.

As the member for Custance—and hopefully soon to be the member for Schubert—I am very pleased indeed to make this contribution. Max Schubert, who died only last year, was a very prominent person in the industry. I am particularly concerned about the Federal Government wishing to impose a tax, because our industry is enjoying fantastic success. Why should anybody, particularly the Federal Government, want to put an impost in the way? When Mr Schubert first came on the scene—he was born in Moculta in 1915—our wines were purely sherry and port types. They were called fourpenny blacks. That was strictly our type of wine. My first memory of the South Australian wine industry was of sherry, ports and fortified wines. It was the likes of Max Schubert who brought us into the new style of reds and whites.

I am very proud that Max Schubert has been recognised in this way and I will be very pleased if I am given the opportunity to stand in this place in a seat named after him. Once again, I congratulate the Minister and all those wine growers who assisted us with the drafting of this Bill. I note and appreciate the assistance of the Opposition, because it has not opposed this Bill, which is very relevant today. I congratulate the Minister and the Government for introducing it.

The Hon. D.S. BAKER (Minister for Primary Industries): I thank members for their contribution. I especially want to pay tribute to the members for Chaffey and Custance. This Bill was introduced just before Christmas and it had been put together after considerable consultation with industry. It was thought that we would introduce it and allow comment over two months and, because those two members represent considerable wine growing areas, we asked them to consult with wine growers and producers and come back with any amendments that they thought were necessary. This Bill has evolved from continuous consultation over about 18 months and two papers on the matter to ensure that we are doing what we intended, namely, protecting vineyards in South Australia. It is very unusual for the Minister to propose so many amendments to a Bill, but the views elicited from the consultation process in those areas were very pertinent. Some clarification was needed, so there is quite a list of amendments, which we are very happy to move after the consultation period.

I thank the people in the department for their work—Barry Windle has already been thanked for his efforts—and I refer also to SAFF and the Wine and Brandy Producers. The member for Custance thanked Leo Pech. When I first became Minister, I had a very long and detailed letter from Mr Pech about the problems phylloxera was causing. It seemed that, no matter how I answered him, he wanted to know something else. I asked him to come in, and his contribution over about three hours one evening really did put things in perspective and identified his fears regarding an industry which is very dear to his heart. I commend the Bill to the House. It is the result of a lot of consultation, and I will be happy to answer questions in Committee.

Bill read a second time.

In Committee.

Clauses 1 to 4 passed.

Clause 5—'Constitution of board.'

The Hon. D.S. BAKER: I move:

Page 3, lines 22 to 27—Leave out all words in these lines and insert the following:

(b) all members have proven experience, knowledge and commitment to the improvement of the State's grape growing and wine industries, and their protection from disease; and

Ms HURLEY: As I said earlier, the Opposition has consulted quite extensively with the industry on this matter, and we understand that the industry would prefer that existing paragraphs (b) and (c) remain so that at least one member be a member of the South Australian Farmers Federation and one member be a member of the Wine and Brandy Producers Association. I understand that many groups involved with the wine industry would be keen to be represented on this board. However, I also understand that the Farmers Federation and the Wine and Brandy Producers Association are umbrella groups which would cover most if not all these organisations. It would be appropriate for these two major organisations involved in the grape growing industry to have guaranteed

representation on the board. I understand the Minister's reasoning, but it would be quite usual that under the legislation peak bodies be guaranteed a nominee on this very important committee to oversee the continued health of the grape growing industry.

The Hon. D.S. BAKER: I think the member for Napier is a little wrong. There was considerable consultation with industry and they have now agreed on this. She may be confusing this with a later matter. It is very important that any divisions within the industry are not brought out at the board level, and that is why we want people with proven experience in the industry, and that is why in agri-political terms we have decided that it is much better that the selection process go on within the two bodies, that they put forward names and that we then put them on the board to make sure that it works very well. It was of concern to both, and there was extensive consultation over two or three meetings about that issue to make sure that we got the best people on the board working for the benefit of the industry in South Australia and that there were not any other conflicts.

Ms HURLEY: The Opposition is quite clear that the South Australian Farmers Federation and the Wine and Brandy Producers Association should have the ability to nominate their own representative from among themselves, and this would guarantee them their own independent voice on this board rather than putting up a series of names for the Minister to decide. I believe that this would be standard practice. As the Farmers Federation and the Wine and Brandy Producers almost by definition have experience within this industry and would have a good understanding of it, I believe that their own nominee for the board would automatically fit the Minister's criteria.

The Hon. D.S. BAKER: I think the honourable member is getting confused with clause 9, which deals with the appointment of the selection committee. It has been talked through with the industry and there is general agreement, so I stand by my amendment.

Mr VENNING: I support the amendment. I was initially doing all I could because I knew the work of SAFF. Five other organisations could duly ask for representation on this board, namely (apart from the South Australian Farmers Federation), the Wine and Brandy Producers Association, Consolidated Cooperative Wineries, SAVIC and SAGAC (the Grape Advisory Council). There are five bodies that would have a reasonable expectation of being allowed to be represented on the board. In the interests of keeping the board at a reasonably compact size, I had to agree reluctantly that SAFF representation would be better served in the selection process and at the regional committee level. I know that we discussed this with SAFF and others, but I thought they were either all in or all out. We decided, I think correctly at this stage, to keep the board itself free of the lobby groups.

Mr ANDREW: There is little I can add to the comments of the member for Custance other than to say we did receive a wide spectrum of opinion initially on that. As the Minister has indicated, as the consultation proceeded, I felt very comfortable—as I am sure my colleague did—that there was a clear and common consensus that we did not need to have that form of representation from specific nominated groups.

One of the most important things that came through to me in the consultation with both vignerons and a spectrum of industry representatives in this regard was that they were concerned about communication. They were concerned that communication would proceed and continue, and that an effective mechanism would be provided. As is foreshadowed in the amendment to clause 25, where there is an additional requirement for reporting, this will facilitate that communication process. Over and above that, the other concern was that there was grass roots representation of vignerons as such. I feel comfortable that the Minister's amendment to clause 5(2)(b) is sufficient for the selection panel to provide a good balance of experience and expertise which I have no doubt will include specific representation from the grape growers, the vignerons themselves.

Ms HURLEY: I take the Minister's point about the selection panel. Would not the other organisations, as mentioned by the member for Custance, come under the umbrella of either the South Australian Farmers Federation or the Wine and Brandy Producers Association?

The Hon. D.S. BAKER: That is taken care of in clause 9(4)(c), which provides:

> . . . any other organisations or bodies that, in the opinion of the Minister, have significant involvement in grape growing or winemaking.

Amendment carried; clause as amended passed.

Clauses 6 to 8 passed.

New clause 8A—'Conflict of interest.'

The Hon. D.S. BAKER: I move:

Page 4, after line 34—Insert new clause as follows:

Conflict of interest

8A. (1) A member of the board who has an interest in a matter before the board must disclose the existence of that interest to the board.

Penalty: Division 6 fine or division 6 imprisonment.

(2) A member of the board has an interest in a matter before the board if—

(a) the member or a person with whom the member is closely associated would, if the matter were decided in a particular manner, receive or have a reasonable expectation of receiving a direct or indirect pecuniary benefit or suffer or have a reasonable expectation of suffering a direct or indirect pecuniary detriment; or

(b) the member or a person with whom the member is closely associated would, if the matter were decided in a particular manner, obtain or have a reasonable expectation of obtaining a non-pecuniary benefit or suffer or have a reasonable expectation of suffering a non-pecuniary detriment,

not being a benefit or detriment that would be enjoyed or suffered by the member, or the person who is closely associated with a member, in common with a class of persons that forms part of or is substantially involved in the grape growing or wine industries.

(3) A person is closely associated with a member of the board if that person is—

(a) a body corporate of which the member is a director or a member of the governing body; or

(b) a proprietary company in which the member is a shareholder; or

(c) a beneficiary under a trust or an object of a discretionary trust of which the member is a trustee; or

(d) a party to a partnership or share-farming agreement to which the member is also a party; or

(e) an employer or an employee of the member; or

(f) the spouse, parent or child of the member.

(4) A disclosure under subsection (1) must be recorded in the minutes of the board.

(5) A member of the board who has an interest in a matter before the board—

(a) must not, except on the request of the board, take part in any discussion by the board relating to that matter; and

(b) must not vote in relation to that matter; and

(c) must, unless the board permits otherwise, be absent from the meeting room when any such discussion or voting is taking place.

Penalty: Division 6 fine or division 6 imprisonment.

(6) It is a defence to a charge of an offence against this section for the defendant to prove that, at the time of the alleged offence, the defendant was unaware of his or her interest in the matter.

(7) The fact that a member has failed to comply with this section in relation to a matter does not, of itself, invalidate a resolution or decision on that matter, but, where it appears that the non-compliance may have had a decisive influence on the passing of the resolution or the making of the decision, the Supreme Court may, on the application of the board, the Minister or any person affected by the resolution or decision, annul the resolution or decision and make such ancillary orders as it thinks fit.

It was an omission from the drafting of the initial Bill and has been added to cover board members' declaration of conflicts of interests.

New clause inserted.

Clauses 9 to 11 passed.

Clause 12—'Functions of board.'

The Hon. D.S. BAKER: I move:

Page 6, line 18—Leave out all words in this line and insert 'The board has the following functions (its 'primary functions'):'.

Amendment carried.

The Hon. D.S. BAKER: I move:

Page 6, lines 22 to 23—Leave out 'and vines' and insert ', vines and other vectors'.

Amendment carried.

The Hon. D.S. BAKER: I move:

Page 6, line 26—Leave out 'and vines' and insert ', vines and other vectors'.

Mr BROKENSHIRE: Does the Minister feel that there are enough powers in this clause to deal with clean-up requirements for disease control concerning a poorly managed vineyard?

The Hon. D.S. BAKER: One of the things we have done in this measure is give the board fairly clear functions, and the honourable member raised this matter earlier. If the board thinks that that is one of the things necessary, it will get the support of the Minister to do that. That is very important. The board will be out there controlling disease problems in this area, and it will get extra functions it needs if it deems that to be a problem. The important part is that there be district or committee ownership of it. If it says there is a problem, it will come to me and say it wants to be able to do that.

Amendment carried.

The Hon. D.S. BAKER: I move:

Page 7, line 12—Leave out paragraph (j).

Amendment carried.

The Hon. D.S. BAKER: I move:

Page 7, after line 14—Insert subclause as follows:
(1a) The board has the additional function of assisting and supporting the grape industry in its initiatives.

Amendment carried; clause as amended passed.

Clause 13 passed.

Clause 14—'Regional and other committees.'

The Hon. D.S. BAKER: I move:

Page 7, lines 29 and 30—Leave out subclause (3).

Mr ANDREW: With respect to subclause (1), some concern has been expressed to me about the use of regional committees, or whatever is deemed appropriate by the Phylloxera Board. Could existing committees or parts thereof be used as distinct from the board establishing new committees? I seek clarification from the Minister on the specific wording in subclause (1). Does he believe that it will provide sufficient flexibility for the Phylloxera Board to allow existing committees or existing structures within regions to form those appropriate regional committees?

The Hon. D.S. BAKER: This did cause some confusion, but the word 'establish' also means 'recognising'. We did not want to establish committees in a region in which efficient and effective committees were already working, and that is part of district ownership of this whole matter. Committees will not be established in areas where there is an efficient committee already in place, and that is what this clause really means.

Amendment carried; clause as amended passed.

Clauses 15 to 17 passed.

Clause 18—'The register.'

The Hon. D.S. BAKER: I move:

Page 10, line 4—Leave out '0.4' and insert '0.5'

Amendment carried.

The Hon. D.S. BAKER: I move:

Page 10, line 14—Insert ', relevant to the board's functions under this Act, that' after 'information'.

Amendment carried; clause as amended passed.

Clause 19 passed.

Clause 20—'Returns.'

The Hon. D.S. BAKER: I move:

Page 10—
Line 23—Leave out '0.4' and insert '0.5'.
Line 25—Leave out '0.4' and insert '0.5'.
Line 27—Leave out '0.4' and insert '0.5'.
Line 30—Leave out '0.4' and insert '0.5'.

Amendments carried; clause as amended passed.

Clause 21 passed.

Heading.

The Hon. D.S. BAKER: I move:

Page 12, line 2—Insert 'AND REPORTING' after 'FINANCIAL'.

Amendment carried; heading as amended passed.

Clause 22—'Contributions.'

Mr BROKENSHIRE: Can the Minister confirm that where the wine maker is also a registered person he or she will not be expected to pay twice with respect to levies?

The Hon. D.S. BAKER: We are now talking about the current wording of subclause (1), which is exactly the same as was contained in the old Act. The board always had the power to include wine makers within that, but it will not be put into this Act. In other words, the *status quo* remains. There have been some problems: some people said that they wanted 'wine maker' or 'distiller' taken out. It has been left in. It has not been used in the past and, of course, it cannot be used without the Minister's consent. I now move:

Page 12, line 9—Insert 'primary' before 'functions'.

Amendment carried; clause as amended passed.

Clause 23—'Phylloxera and Grape Industry Fund.'

The Hon. D.S. BAKER: I move:

Page 12, line 29—Insert 'primary' before 'functions'.

Amendment carried; clause as amended passed.

Clause 24 passed.

Clause 25—'Report.'

The Hon. D.S. BAKER: I move:

Page 13, after line 11—Insert the following:
(4) After each meeting of the board, the board must provide a report on its activities undertaken since its previous meeting to—
(a) every regional committee; and
(b) every organisation invited to nominate persons to the panel from which appointments are made to the selection committee under Part 2.
(5) A report under subsection (4) may include the minutes of the most recent board meeting.

Ms HURLEY: I add a comment in support of the amendment that the board must report on its activities to every organisation invited to nominate persons to the panel from which appointments are made. Bearing in mind that we were particularly concerned that the legislation did not include the Farmers Federation and the wine and brandy producers on that committee, we are pleased to see that this amendment is in place to ensure that the reports go to such organisations so that they are fully informed about what is happening concerning the activities of the committee.

Amendment carried; clause as amended passed.

Clauses 26 to 29 passed.

Schedule.

The Hon. D.S. BAKER: I move:

Page 15, lines 12 and 13—Leave out all words in these lines and insert—

Districts to continue as prescribed regions

4. The Phylloxera Districts defined in schedule 2 of the repealed Act continue as prescribed regions under this Act until a regulation is made defining regions for the purposes of this Act.

Amendment carried; schedule as amended passed.

Long title.

The Hon. D.S. BAKER: I move:

Page 1, lines 6 to 7—Leave out 'foster the development of' and insert 'assist and support'.

I move this amendment for a very good reason. It is most important that the board acts only on a request from the industry instead of trying to lead. We think that is a very important part of the board's function. It is there to assist and support the industry, and that should be quite plain in the long title.

Amendment carried; long title as amended passed.

Bill read a third time and passed.

ADJOURNMENT DEBATE

The Hon. D.S. BAKER (Minister for Mines and Energy): I move:

That the House do now adjourn.

Ms STEVENS (Elizabeth): I want to spend a few minutes tonight to talk about an outstanding program that is taking place in two schools in my electorate. The schools concerned are the Elizabeth South Primary School and the Elizabeth South Junior Primary School, which are located on a shared campus. The program is called Kids' Council. The schools have a combined enrolment of approximately 330 students, R to 7. A high percentage of those students are School Card holders, and the school qualifies as a disadvantaged school. The school development plan, which has been drawn up by both schools with input from the staff, the parents and the students, has a current emphasis on literacy and attainment; empowering students, with an emphasis on decision making, through class meetings and the R to 7 SRC; parent participation; and countering sexual harassment in the curriculum.

It is the empowering of students through a literacy development decision making program which I want to talk about and of which the Kids' Council is part. I first found out about this program last year just prior to my election to the House. As a candidate in the then forthcoming by-election, I was invited to the annual elections for the SRC, together with Lynn Arnold (the former Leader of the Opposition), Joe Scalzi, who represented the Premier; the Liberal candidate for the by-election; and the Mayor of Elizabeth. That was the first time I had heard of the program. On that day there was a celebration of the fact that the program was about to culminate with the voting. So, I will go backwards from that point and explain what happened.

The event was held at the Elizabeth South shops, and many parents and community members who were passing by joined in the celebrations. A speech was made by Lynn Arnold, and speeches were made also by students who were involved in the program. Students then returned to the school to place their votes, and that was done in the way in which the voting for State and Federal elections is done. Voting boxes from the State Electoral Commission were used; there was preferential voting, which the students had learnt about in order to understand the process; and the counting of votes was handled by parents. I was really impressed with the knowledge the students appeared to have about the voting process and also their sheer enthusiasm. All around the school were election placards, which expounded the virtues of potential candidates. Students approached the whole process very seriously. Obviously they had put a lot of work into it, and students who were voting and not standing for election obviously knew a lot about each of the candidates and had been very careful in casting their ballot.

After I was elected, I went back to the school and talked further with the staff and students, and it was then that the real power and advantages of that program came home to me. The representatives meet regularly. That is the case in most schools, but in this school the decision making is integrated throughout the whole school program. Class meetings are held regularly, and the representatives are encouraged to take up issues that are brought to class meetings, such as problems in the yard, problems with teachers, concerns relating to curricula and a whole variety of other issues. These are raised first in class meetings, and then the elected representatives take them to the whole group for resolution. The program is very successful, and there is a real feeling in the schools that this process of student participation in decision making on a whole range of levels really does work.

I have been back to the schools this year, and they are gearing up now to have their next set of elections, which will occur in about a month. In particular sessions, all classes throughout the school use the topic of decision making as a vehicle for literacy studies, for communication studies and for working together in groups. When I visited the schools a couple of weeks ago, all the classes from junior primary right up to year 7 had something to say to me as I looked at what they had been doing in relation to the program. Of course they are all at different levels because of their different ages and different stages of development, but all of them showed a real understanding and an enthusiasm for taking part in this. This is the best example I have ever seen of student participation and an SRC really working well in a school.

I would like to pay tribute to the staff, the students and the parents of the Elizabeth South Primary School and the Elizabeth South Junior Primary School because all of them have worked together to make this program a success. It has been interesting to note that all three of those groups have learnt greatly from the program. As I have mentioned, the students take part and feel that they make a difference in their school. The parents also have learnt a lot about the way participation works and about how the voting system works in our State and Federal systems, because it is the same voting system that is used in the Kids' Council elections. The School Council works better because of the effect of this

program and the fact that it washes over not only students in the school but also their parents.

Mr Brindal interjecting:

Ms STEVENS: Yes, it is funded and it is supported. The teachers have had to confront the issue of sharing power in the classroom. They have had to confront the need to communicate and negotiate with kids and parents about learning, about the way classrooms operate and about equal partnerships. Therefore, the teachers too have learnt. I suggest that, if members of this House find schools in their electorate that are interested in developing their SRCs, they take the opportunity to visit the Elizabeth South Primary School and the Elizabeth South Junior Primary School and talk with the teachers, the students and the parents, because if they do they will have the opportunity to learn from a very successful program and perhaps establish one themselves.

Mr BROKENSHIRE (Mawson): It was good to hear the member for Elizabeth speaking about SRCs, and I concur with her. I have recently been to some of my schools and seen similar programs. If I am in the northern suburbs I will take up the member's offer because it can only auger well for the future when we see children being involved in these programs. As the member for Elizabeth clearly pointed out, they have a lot of input into their schools—they are clever kids and they are on the ball—and it is great for South Australia.

Mr Brindal interjecting:

Mr BROKENSHIRE: As the member for Unley says, it was good to hear the member for Elizabeth talking about something constructive. It would be nice if her Leader followed in her footsteps, although I think it will not be too long before the member for Elizabeth becomes the Leader, and I might even talk a little bit more about that very soon. In this grievance debate I wish to refer to the great community spirit that is being fostered down in our great southern region. Recently in the House we heard the hard working and dedicated member for Reynell talking about the great Knox Park event, whereby they had a successful business expo in the south.

She mentioned people such as Alan Amezdroz, Rod Prime and Andrew Worrall. It was an opportunity for local people who are very interested to see the growth that is now occurring in this State function properly and in the best interests of our southern area. That was a two-day event where local businesses from the south were able to expose their wares to the community of the south and make people realise what is already available in that area and, more importantly, if they buy and shop locally that they can generate a lot of jobs in their area.

I was fortunate enough last weekend to be invited to the Willunga High School. I am on the Willunga High School Council, and that school council, like the Wirreanda High School Council that I am also on, is a very energetic and community-minded school council. Together with the local community and the students, including the SRC, last weekend they put on their second annual trade fair. It was one of the greatest events that I have had the pleasure of seeing for some time. It ran for two days. Together with the member for Kaurna, I had the opportunity of judging the best trade exhibitor. There were 79 local businesses exhibiting their trade, their goods and their business focus in the southern district at that school, as well as the defence forces, which were quite prominent in encouraging young people to consider that as a career. I certainly endorse that as a career, because when people are in the defence forces they have the opportunity to travel, to understand about discipline and the fact that you have to work together, and all the things that are necessary if we are going to continue to see a good community spirit fostered in this State.

The Minister for Tourism, Graham Ingerson, opened the trade fair on Saturday, and he also launched the wine that has been produced by the high school. The high school realises that there is an opportunity to be a bit commercial in schools today and make some money that they can put back into better services and facilities for their school. They launched a magnificent shiraz cabernet sauvignon blended grape 1994 red which is known as Waverley Park. Very soon people will see Willunga High School in competition with other local wineries. They will have their sign up marketing Willunga High School's wine under the Waverley Park label. They are now promoting their school as 'Willunga High School on a wave of success'.

It is great to see how they have fostered that after battling for many years with a massive backlog of maintenance and capital works which, as I have already mentioned in the House, is now coming to fruition. In fact, $1.3 million has already been spent this year on a science and art facility. This is a classic case of students, parents, teachers and the business community getting together to make people more aware of what opportunities exist within an area for both job creation and product that can be available. Of course, we all know just how diverse the product is in the Willunga basin. Not only did we see some of the best premier wines but we saw some fantastic almond products and some great engineering companies marketing local product that they are exporting interstate as well as throughout this State and, in some circumstances, overseas.

One of the products I would like to comment on is olive oil. For many years we have been importing olive oil into Australia. One of the great benefits of South Australia becoming more and more a multicultural State is the fact that we have the opportunity to broaden our food bases and also see other opportunities for job creation and niche rural product. I am delighted to see a local market gardener, Mr Scarfo, who has farmed down the road from my farm for as long as I can remember, becoming involved in a product made and marketed locally that will not only offset imports into South Australia and Australia from overseas but, with the quality of his product, he will be able to export it in time, and that means lots of jobs for our area.

The other group that I congratulate and wish well for next Wednesday is the Mount Compass Cattle Breeders, which is a sub-branch of the Jersey Breeders in which I have a particular interest and passion. It will be their eighth annual field day. Over 3 000 people will participate in the field day this year, and there will be a record 125 exhibitors. That is clearly another great credit to the local southern community, and it shows that the southern community working with the Government can get on with the job of promoting the area, fostering the community spirit and creating real jobs for South Australia.

Motion carried.

MINING (NATIVE TITLE) AMENDMENT BILL

The Legislative Council intimated that it insisted on its amendments to which the House of Assembly had disagreed.

ADJOURNMENT

At 5.59 p.m. the House adjourned until Wednesday 15 March at 2 p.m.