HOUSE OF ASSEMBLY

Wednesday 22 February 1989

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

PETITION: HOUSING INTEREST RATES

A petition signed by 190 residents of South Australia praying that the House take action to persuade the Federal Government to amend economic policy to reduce housing interest rates was presented by the Hon. H. Allison.

Petition received.

PETITION: MOUNT LOFTY SUMMIT

A petition signed by 1 884 residents of South Australia praying that the House urge the Government to reject the Touche Ross proposal for the Mount Lofty summit was presented by the Hon. D.C. Wotton.

Petition received.

MINISTERIAL STATEMENT: HOSPITALS AMALGAMATION

The Hon. F.T. BLEVINS (Minister of Health): I seek leave to make a statement.

Leave granted.

The Hon. F.T. BLEVINS: Yesterday in the Legislative Council the Hon. R.J. Ritson asked a question that implied that I had 'attempted to interfere in the selection of elected candidates for positions on the board of the Adelaide Medical Centre for Women and Children', the new organisation arising from the amalgamation of the Queen Victoria Hospital and the Adelaide Children's Hospital and that this was 'an appalling abuse' of my office and power. Strong stuff, Mr Speaker, which certainly warrants a reply!

A number of people have approached me in confidence regarding the propriety or otherwise of Mr Justice Olsson offering himself for election to a position as a contributor member on the new board. My first reaction to this was one of mild amusement. Having never met Mr Justice Olsson, I did not know of his interest in women and children. Had I known, I may have suggested to Cabinet that he be a—

Members interjecting:

The SPEAKER: Order! Leave has been granted for a ministerial statement. The honourable Minister.

The Hon. F.T. BLEVINS: I will start the paragraph again. My first reaction to this was one of mild amusement. Having never met Mr Justice Olsson, I did not know of his interest in women and children. Had I known, I may have suggested to Cabinet that he would be a suitable candidate for a ministerial appointment to the board. This may have been a more appropriate path to board membership than the one he chose. My limited experience in dealing with matters of hospital boards, and this proposed board in particular, persuades me that the elected path is a rocky road indeed. This ballot is to be one which is hotly contested. Tickets are being run, leaders are being appointed to head those tickets, and members are desperately being signed up to enable them to turn up and vote at the ballot.

This is a scenario with which all members of the House will be familiar and one with which we are all comfortable, but not one, I would have thought, in which a judge of the Supreme Court would wish to be involved. However, the decision to be in it was one entirely for Mr Justice Olsson. Some would argue that, for a Supreme Court judge to be 'soiling his hands' in the real world, is a positive development. Others would argue otherwise.

Members interjecting:

The SPEAKER: Order!

The Hon. F.T. BLEVINS: Wise in the ways of ballots, I stayed right out of it. However—

Members interjecting:

The SPEAKER: Order!

The Hon. F.T. BLEVINS: —the ferocity of the contest spilled over into the press on 9 February, when a senior visiting obstetrician and head of unit of the Queen Victoria Hospital (and a supporter of the faction that was apparently promoting the Justice Olsson led ticket) wrote a letter to the Editor. This prompted me to raise the question with the Attorney-General as to whether or not the issue might be getting a little out of hand—hardly action that could be described—

Members interjecting:

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

The Hon. F.T. BLEVINS: —to quote the Hon. Dr Ritson, as 'an appalling abuse of my office and power'. As a footnote, I was surprised when I read an article in this morning's *Advertiser* which stated that I had declined to comment. As all members of the House would know, I am always happy to say a few words on anything. On this occasion I was somewhat miffed that I was not even asked.

Members interjecting:

The SPEAKER: Order!

QUESTION TIME

SURPLUS COMMONWEALTH LAND

Mr OLSEN (Leader of the Opposition): Will the Minister of Housing and Construction say whether the South Australian Government is prepared to buy the 15 386 lots of land in the Adelaide metropolitan area identified by the Commonwealth as surplus to its needs and available to the State to help ease the housing crisis; what is the estimated cost of the land; does the State Government have surplus land of its own to provide for housing under this package and, if so, how much, and does the State intend to seek a relaxation of local government zoning restrictions which the Commonwealth is also insisting upon?

The Hon. T.H. HEMMINGS: I thank the Leader for his question. I would have thought, after my little training program yesterday, that he would have done a rapid turnabout and given the responsibility for housing back to the member for Hanson.

Mr Olsen: Get on with it, will you? Haven't you got an answer?

The Hon. T.H. HEMMINGS: I have got an answer. The Leader, in his usual arrogant fashion, looks at a newspaper headline and does not see the report put out by the Federal Government. He does not even know what will be put to the Premiers at the housing summit.

Mr Olsen: Do you?

The Hon. T.H. HEMMINGS: Yes, I know a little bit more than you. The Leader and his colleagues thrive on what they read in the newspapers or what they put to the newspapers and accept that 15 386 blocks of land are available for the Government to pick up. The Leader ought to

consult the member for Hanson, who, I understand, is party to the submission that the HIA put forward to the Federal Government in identifying certain blocks of land which we, as a State Government (and I am sure that I speak for my colleague the Minister for Environment and Planning) identify as relevant to housing. We will be putting that to the Federal Government. The Leader asks what will be done with the 15 386 blocks of land. I can immediately dispense with two areas (and I am sure I can speak for the Government), the first being the area of land at the weapons research centre at Salisbury, about which the Government would have grave reservations in that it represents an important factor in regard to employment in this State.

Concerning our initial reaction to the O'Halloran Hill site, we would have equally grave reservations. I should like to talk about three specific areas for the more intelligent members of this House, the people who are concerned about housing and about land supply. The first of these is the Pennington hostel. We approached the Federal Government 2½ years ago asking that that land be made available for a public-private housing mix and we still stand by that suggestion to the Federal Government.

The Warradale Army Barracks is another area that we could easily use for housing, again with a public-private housing mix. The Smithfield Magazine (at McDonnell Park, Smithfield) is partly in my electorate and partly in that of the member for Light. They are the major areas in which we would see this Government having an interest in negotiations with the Federal Government. The question of where we would find the money to buy that land would be negotiated by the Treasurer with the Federal Government as to the price, the terms, and the Federal Government's involvement in providing the infrastructure.

If the Leader of the Opposition is aware of the thrust of urban consolidation and the moves made by the State and Federal Governments towards a joint venture for more affordable housing, he will realise that they are areas on which we, in conjunction and in partnership with the private sector, can make land available. However, if the Leader thinks that we have to rush off with a bankroll to buy 15 380 blocks of land, even if it were possible to do that—

Members interjecting:

The Hon. T.H. HEMMINGS: This is your second lesson in urban planning. Listen carefully.

The SPEAKER: Order! The honourable Minister will direct his remarks through the Chair. The Chair is listening carefully.

The Hon. T.H. HEMMINGS: Sorry, Sir. If one were to put 15 380 blocks of land on to the market, one would create complete chaos and I should have thought that even the Leader of the Opposition would have realised that. This Government has a consistently good record of land release in respect of which the industry thinks that we are doing a pretty good job. I again suggest to the Leader that he reverse his original decision and give housing back to the member for Hanson. Then, we will get back to a normal and rational debate in this House.

SAVINGS TAX CONCESSION

Mr FERGUSON (Henley Beach): Will the Premier say what is the State Government's attitude to the proposition that a tax concession should be applied to interest accruing on general savings accounts? This proposition has been put forward in recent days as one way of tackling the country's balance of payments problem, and it has been put to me that this measure deserves support from the State and Federal Governments.

The Hon. J.C. BANNON: I thank the honourable member for his question. This matter was discussed at the EPAC meeting last Friday. In fact, I raised the issue myself in the light of concern that with the first whiff of prosperity consumption occurs apace and indeed has an adverse effect on our balance of payments for two reasons: first, we buy many imports; and, secondly, even where goods can be substituted for those imports, in certain key areas our economy at present simply has not the capacity to supply them. Therefore, we are in an environment where, despite the number of those who can clearly afford to save (and I am not talking about the many people who must spend every dollar they earn in difficult economic conditions), because of the rush of consumption, savings have been declining in the face of a vigorous promotion of credit.

In fact, EPAC received an important paper on credit provision in Australia and the way in which the competition to lend, as it were, was, in fact, probably getting a lot of people into bigger debt than they would have normally contemplated. So, a savings ethos is something well worth promoting. Subsequently, of course, this issue has been raised, as the member notes, publicly, and particularly by the Minister for Industry, Technology and Commerce (Senator Button). I think it is an idea well worthy of consideration. The fact is that by removing income tax on some or all of interest earnings on savings encouragement could be given to greater savings. The first benefit would, of course, be a reduction in consumption exemption. That would flow through into a demand for imports and, therefore, have a positive effect on the balance of payments.

Incidentally, I should not be taken as saying that, in looking at imports, we should not continue as we have been doing for the past 12 months or so, importing those capital goods that can actually improve the productive capacity of the economy. That has been the positive side of the balance of payments, if one might put it that way, in that a lot of the balance of payments has been bringing in capital investment products that will indeed improve that capacity. We are talking about the ordinary consumer-good type of import. In other words, in relation to the motor vehicle segment, for example, the import of commercial vehicles which are not produced in Australia is one thing for productive capacity, while the importation of luxury passenger saloons, which do have very adequate competitors here, is obviously not something that should be encouraged.

The other benefit, of course, is that there would be a significant pool of investible funds in Australia, to be invested in productive capacity, without calling on overseas investment. So, I think the proposition has a number of things going for it. On the other hand, there are issues of equity involved in offering such concessions, and I think they need to be investigated carefully.

What is forgotten in some of the debate, and particularly by members opposite, are the very considerable reforms that have taken place. For instance, dividend imputation, the 3 per cent occupational superannuation arrangements, and other superannuation changes to attract investment into equities, particularly in our manufacturing industry, have, I think, provided considerable benefits. Indeed, there is a strong argument that the encouragement of superannuation will, in turn, encourage a savings effect, with long-term advantages to those who are saving. So, in short, I think the proposal is something well worth investigation: we do need to do something about encouraging savings in this country.

FIRE HAZARDS

The Hon. E.R. GOLDSWORTHY (Deputy Leader of the Opposition): Will the Minister of Health say why the Government is allowing intellectually disabled people in its care to be housed in buildings which are potential fire traps, according to the Metropolitan Fire Service, and what, if anything, is being done to rectify this horrendous situation?

The Opposition has copies of reports by the MFS on two buildings licensed by the Government to provide accommodation for the intellectually disabled. Both reports were lodged in January this year. In one home at Kurralta Park, for 18 intellectually disabled people, there was no fire detection system, accessibility to exits was unsatisfactory, there were no exit signs, no emergency lighting, no fire hose reels and only two fire-extinguishers, both of which were in a discharged condition.

In the second home at Windsor Gardens, accommodating 19 people, yet again no detection system and no fire hoses were fitted, and fire service access was described as 'difficult'. In both homes, no staff training to deal with fires had been carried out and no evacuation procedures were in place. The condition of both homes meant that an offence under the Building Act had been committed.

The Hon. F.T. BLEVINS: As I understand it, the matter is before the courts at the moment, so I do not propose to deal with it. After talking to the Attorney-General I will bring back a report tomorrow for the honourable member if I am quite clear that it does not interfere with the matter that is before the courts. I would appreciate it if members opposite would appoint a lawyer to their ranks: then, hopefully, a question such as this would not be asked.

Members interjecting:

The SPEAKER: Order!

Members interjecting:

The SPEAKER: Order! It is highly disorderly for the honourable Minister to interject after, by inference, the Leader of the Opposition has just been called to order. The honourable member for Price.

DEPARTMENT OF MARINE AND HARBORS

Mr De LAINE (Price): Does the Minister of Marine agree with the Leader of the Opposition that the Department of Marine and Harbors should be abolished? In today's *Advertiser* the Leader of the Opposition listed a number of Government agencies which he believes should be abolished, one being the Department of Marine and Harbors. It has been put to me that the abolition of that department would result in a major economic catastrophe for this State.

Members interjecting:

The SPEAKER: Order!

The Hon. R.J. GREGORY: I thank the honourable member for his question, because it is a very serious one in respect of the operations of the sea ports, outlets and inlets for the produce, exports and manufactured products of South Australia. When he was in Mount Gambier a few weeks ago the Leader of the Opposition listed the Department of Marine and Harbors (with a loss of $1 million) as a department that was not needed. I wish to advise the House of comparisons of the operations of that department over a few years. In 1980-81 the department lost $3.6 million or, converting that into today's dollars, $5.5 million.

In 1987-88 the department lost $636 000, and that was after making extraordinary payments of $1.2 million relating to redundancy packages for the deepening branch. We anticipate that in this financial year we will have a surplus of approximately $400 000, in other words, a profit. I also make the point that, whilst the Opposition was in power, in respect of the Department of Marine and Harbors in 1980 there were increases in wharfage of 5 per cent, in tonnage rates of 5 per cent, in conservancy of 5 per cent and in pilotage of 30 per cent. The next year we had increases of 12 per cent for wharfage, 12 per cent for tonnage rates, 12 per cent for conservancy and 25 per cent for pilotage. In 1987-88, the average increase was 2.4 per cent, and the last increase was an average of 2.1 per cent.

The department has turned around from being a major loss leader under the leadership of these wizards of business on the other side who are constantly telling this House that they know how to run a business. Frankly, I think that some of them would not know one if they fell over it. The honourable member also made a point about quangos. The Department of Marine and Harbors has a number of these: the Fishing Havens Advisory Panel and the Recreational Boating Advisory Panel were initiatives of the then Minister of Marine, Alan Rodda—Liberal Party initiatives. The South Australian Ports Liaison Advisory Committee, the South Australian Seaports Development Committee and the State Manning Committee are the other committees which assist the Department of Marine and Harbors in providing the appropriate client services. The people who serve on those committees are not paid any fees and have not asked for fees. They deem it an honour to be invited to serve on those committees. If we were paying private enterprise for the advice those people give us, we would be paying out millions.

Also, as a department and as a Government we have encouraged the people who work in Port Adelaide to promote the services available at our ports to the shipping companies of the world to attract to Port Adelaide the traffic which does not now come into the Port but which comes through the Port of Melbourne and via a rail link to South Australia. We have been able to turn around a very low usage of the Port and the container traffic to the point where we anticipate that this year it will be running at more than 36 per cent. That is what we are aiming to do, and we are on target.

Recently officers of the department, in conjunction with the Chamber of Commerce and Industry, went to Europe to convince the Europeans to bring in a second service. Normally, we anticipate that it would take one, two or three visits (usually two or three) before the service is achieved. On this occasion departmental officers, accompanied by representatives of the Chamber of Commerce and Industry, gained such a good reputation in being able to provide facts and figures that they secured the service without having to go back for a second visit.

That might have cost the State a few thousand dollars, but the second service will bring $65 million worth of work and added value and an extra 200 jobs into South Australia. If the Liberal Party was proceeding with its policy of mismanaging the Department of Marine and Harbors, as during its disastrous three years in office, ships would not be calling at our ports—they would have ceased to call. Our people would be waiting for about 20 days for containers to arrive from Melbourne.

Members interjecting:

The Hon. R.J. GREGORY: I can see the Leader of the Opposition smiling. He thinks this is a joke. I suggest that the Leader get out into the business community and ask people about the department, because they will tell him that it is a much needed department. The department works efficiently because we have encouraged those people and, as I said earlier, the wizards of business opposite would not

know what to do if they fell over it: when they had the care and charge of it, they mismanaged it and ran up astronomical losses. We have been able to turn around that mismanagement.

Members interjecting:

The SPEAKER: Order! I ask the Minister to wind up his remarks.

The Hon. R.J. GREGORY: All I can say is that the Leader of the Opposition and the yelling mob opposite have it wrong again. All they do is knock South Australia and South Australians' efforts to make our State great. Members opposite will pull the flag up the flag pole but, when it comes to doing something, all they do is kick away at the foundations and knock, knock, knock.

COMPANY DIRECTORSHIPS

The Hon. J.L. CASHMORE (Coles): I direct a question to the Premier. Is it still the policy of the Government to permit employees of the State Bank to hold directorships in companies other than companies associated with the bank? Is the Premier aware that it is not the usual practice in the Australian banking industry for senior executives of any bank to hold directorships in companies not affiliated with their bank, and will he, therefore, advise the House why the Government, as the owner of the State Bank, has permitted this practice to occur contrary to general banking ethics throughout Australia?

The Hon. J.C. BANNON: That is an extraordinary question because, first, the practice is not contrary to banking ethics throughout Australia. In fact, members of many bank boards are involved in a whole range of boards, corporations and directorships. Let us get down—

Members interjecting:

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

The Hon. J.C. BANNON: Let me get down to tintacks. What this is about is another attack—veiled because members opposite are a little embarrassed by the way in which they used his name last week—on Mr Tim Marcus Clark. First, I would like to put on record that in Mr Marcus Clark we have one of the most active, efficient, aggressive and entrepreneurial bankers in this country—and it is to South Australia's benefit. We were lucky indeed to get Mr Clark, who came to South Australia fresh from his experience of the amalgamation of the CBA and the Bank of New South Wales to take over just that task here. One of the great attractions that Mr Clark brought to the executive directorship of the bank—and part of that carried with it a membership of the board of the State Bank, quite appropriately as CEO—was the business links and contacts that he had interstate as a leading businessman.

The honourable member suggests it is against normal banking ethics. In fact, the very directorship that was criticised by the Opposition—the one relating to associations with Mr Alan Hawkins— was held by Mr Clark well before he left the CBA. That was a bank—a commercial bank. Why was it apparently unethical then and not ethical for him to continue when he joined the State Bank?

One of the important things Mr Clark brought was those contacts. As I said to him at the time he was appointed, one of the reasons we were delighted with his appointment was that it would provide us with a profile and access to some of those corporations that had been overlooking South Australia. After that dreadful period of the Tonkin Government during which we had negative growth in this State for the only time in its history, except for the 1930s, we needed people like Mr Clark to help raise our profile—and indeed he did.

Let me conclude by saying this about Mr Clark: at all times he behaved totally properly. As in any situation—and they are multitudinous in business in this country—where any company with which he was associated—and we are talking about only one instance, as it happens—was involved in bank consideration, he was not involved. That has been said by him and reaffirmed by the Chairman of the bank. Is Mr Barrett's word on this to be doubted by the Opposition? It is smearing everybody else, so I suppose that he can cop it too. I feel sorry that those people who are working for South Australia have to cope with this, but nonetheless they are. He has made the situation clear, and so have all statements from the bank.

Secondly, when Mr Clark felt that the conflict of interest had reached a point—because of certain acquisitions by the State Bank—that he should resign, he did resign from that directorship. That was quite appropriate and proper and that is the course he took. Mr Clark has recently taken up another directorship outside normal banking practice. By invitation he has been appointed Chairman of the boards of General Motors and Toyota in Detroit and Tokyo respectively. They wanted somebody with his sort of drive, energy and respect.

The bonus for South Australia is that we are trying to increase our share of manufacturing in the motor vehicle industry; we are trying to develop our access to overseas markets. When Mr Clark came to see me and said that he had been invited to take this job, my response was to say, 'I am delighted; it is an honour to you and to South Australia, and it will be very useful to us as well,' yet the member for Coles implies that this is something quite improper. Oddly enough, as I understand it, my reaction was rather mirrored by somebody else, namely, a person sitting just two paces away from the member for Coles. When Mr Clark, with my full concurrence, briefed the Leader of the Opposition about this, the Leader also congratulated him in the same terms. Mr Clark saw the Leader half an hour after seeing me.

Members interjecting:

The SPEAKER: Order!

The Hon. J.C. BANNON: That is what I have been led to understand. If that is not the case the Leader owes an explanation to the public and to Mr Clark personally. If it is the case, he had better do something about the member for Coles, who seems to be as unguided a missile in her new economic portfolio as she was in environment.

CENTRE FOR MANUFACTURING

Mr HAMILTON (Albert Park): I ask the Minister of State Development and Technology what is his view of the fact that the Leader of the Opposition has included the Centre for Manufacturing on his hit list of Government quangos. The Leader's statement has created much concern among my constituents, who have asked that I seek the Minister's response to this supposed quango.

The Hon. L.M.F. ARNOLD: I thank the honourable member for his question on this matter. Certainly it shows up yet again that the Marx brothers opposite have been quite consistent in their inconsistency. The Opposition has come up with a new definition of 'consistency': being inconsistent all the time is being consistent! Just today we have had an example of that relating to the Centre for Manufacturing. We have it in Adelaide's two daily papers. The morning paper has the Centre for Manufacturing on the

Leader's hit list as one of the 400 or so bodies on which the Leader is casting doubt, putting some murky cloud over the top of it ready to see it abolished.

Then, barely hours later, in this afternoon's *News* the Leader of the Opposition is saying that his Party will support the Centre for Manufacturing and that it will help boost that organisation. That is a new definition of consistency; at least his inconsistency is consistent.

The Centre for Manufacturing was an initiative established and actively promoted by this Government. It is pleasing to note that, even if it is not the case in the *Advertiser* version, at least in the *News* version of Olsenspeak the centre is supported by the Opposition. That initiative has done much to help manufacturing industry in this State. By comparison with its associated organisations in other parts of the country, it is the most successful Centre for Manufacturing type of organisation in Australia. We have put our State budget dollars where our mouth is in providing that very real support for industry in this State.

The *News* reports the Leader as saying that his Party will support the Centre for Manufacturing and that it wants better industrial relations and excellence in our schooling system. Again—

The Hon. T.H. Hemmings: That's this afternoon.

The Hon. L.M.F. ARNOLD: Yes; I am not quite sure what tomorrow morning's Olsenspeak will bring—it may bring something entirely different. Nevertheless, for the moment I am answering what the Leader is saying this afternoon, and that is as close as we can get to something solid. On industrial relations, his consistency in being inconsistent is highlighted. I mention his inconsistency, because let me compare the industrial relations record of this Government with that of the previous Tonkin Liberal Government. In 1987, 91 working days per thousand employees were lost in this State compared with 223 nationally. In 1986, 95 working days were lost compared with 242 nationally.

Under the Tonkin Liberal Administration, 1981 was a key—a real vintage—year for that Government. Compared with 90 per thousand employees in South Australia under the Labor Government, in 1981 under the Tonkin Liberal Government 320 working days were lost. There has not been a single year under this Labor Government when the number of working days lost in industrial disputation has exceeded that figure reached under the former Liberal Government. That is the second of the great things which the Leader will do: in the area of industrial relations, he will revert to the Tonkin era and multiply by three the number of days lost!

The third matter is the Leader's excellence in education. It is amazing that memories on the Opposition benches are so short, because here again is another incredible example of inconsistency. This is the Opposition which will improve excellence in education yet, when in Government, members opposite stripped the education system of 1 000 employees and actually worsened the pupil/teacher ratios, and that has never happened under this Government.

It was this Government which established business studies as an accredited subject at year 12 and which worked so hard to establish excellence in education; and it was this Government which established the closer links between industry and education, an exciting policy initiative that is being developed in this State and leading the country. The three points laid down in this afternoon's Olsenspeak clearly stand as hypocritical and bankrupt statements against the very self-same statements or views expressed by the Opposition in different ways on these issues.

Mr TERRY CAMERON

Mr S.J. BAKER (Mitcham): My question is directed to the prevaricator—I am sorry—the Premier.

Members interjecting:

The SPEAKER: Order! The honourable member for Mitcham has the floor.

Mr S.J. BAKER: Thank you, Sir. I refer to the criticism of the Premier regarding his handling of the Terry Cameron investigation voiced on the Philip Satchell ABC radio program yesterday, when the Deputy Premier said of the Premier, 'He should have asked one or two questions along the line as to when he was going to get a response back to the question that had been asked.' That means that he should have asked the department what progress had been made.

Members interjecting:

The SPEAKER: Order! The member for Mitcham is asking a question and is not making a speech on the subject.

Mr S.J. BAKER: Given the circumstances, will the Premier explain precisely why he failed to take this action, given the Deputy Premier's statement, and advise what procedures the Government has put in place to ensure that there is no repetition of such a serious failure of ministerial responsibility?

The Hon. J.C. BANNON: The Deputy Premier was simply repeating what I said in the House yesterday in answer to a question. I was asked what degree of personal responsibility I took. I said that, to the extent that my office had not followed up adequately to find out why there was no report, I must take some responsibility. That is my position and I have always said so. That is a very different matter from what should have happened within the departmental arena where certain procedures and investigations were under way but were simply neglected.

ROAD TRAFFIC BOARD

The Hon. R.G. PAYNE (Mitchell): Will the Minister of Transport inform the House when the last meeting of the Road Traffic Board was held? In the *Advertiser* today—and this has been mentioned already by a number of members today—is a list of bodies that face the axe under the Leader of the Opposition. The Road Traffic Board appears immediately after the Road Safety Committee of Cabinet.

The Hon. G.F. KENEALLY: I thank the honourable member for his question. Many worthy South Australians who have given considerable service to their State would have been surprised to read in this morning's *Advertiser* that the Road Traffic Board is still in operation. They may be wondering why they have not been issued with a notice as to the date of the next meeting. I am happy to advise the House and the Leader of the Opposition—and to relieve these worthy people of the guilt they may have felt about not attending meetings—that the Road Traffic Board was abolished back in 1986. The last meeting was held in June 1986.

I can understand why the Leader of the Opposition might not remember the quite considerable furore that occurred over the abolition of the Vermin Control Advisory Committee. Those of us who have been here for some time would recall that controversy 13 or 14 years ago but, of course, at that time the Leader was more concerned about his used truck lot at Kadina than about parliamentary business. However, to forget something that happened a little over two years ago when a very important body like the Road Traffic Board was abolished is something that sur-

prises me no end. Surprise apart, it is quite clear that this is nothing more than a political stunt.

I suggest to the author of the document—the Leader of the Opposition—that many hundreds of South Australians have, over a number of years, given considerable service to this State by way of unpaid but very strenuous and genuine service. They would be distressed to see their organisation written up as one that is costing the State finance and as being on the hit list of the Leader of the Opposition. It is incumbent on the Leader of the Opposition to come clean about what departments, statutory authorities, committees and advisory boards are on his hit list. In that way people who are providing that service to South Australia can understand what it is that the Opposition has in store for them.

Therefore, for anyone to suggest that voluntary unpaid service to this State is something that should be highlighted in a half page article in the daily newspaper of South Australia, thus bringing some sort of condemnation, if not shame, on the work that these people have done for years with the full knowledge of their family and friends, is an absolute disgrace to the policy making of members opposite.

I know, from looking around the Chamber, that the overwhelming majority of members opposite would agree totally with me and would share the condemnation of the person who would like to project himself as the alternative Premier of South Australia but who holds in such contempt the people who willingly give voluntary service to this State. So that it may be recorded in *Hansard*, I draw to members' attention the sneering, sarcastic comments made by the member for Mitcham which support my view that many members opposite hold in contempt those people who wish to support their State.

Mr TERRY CAMERON

The Hon. T. CHAPMAN (Alexandra): Will the Premier say whether the report from the Commissioner for Public Employment, referred to yesterday by the Premier, suggests that external pressure was put on public servants to delay the investigation into allegations against Mr Terry Cameron? If such pressure was not brought to bear, what conclusions does the report arrive at concerning the failure to pursue a full and effective investigation of the allegations against that builder-developer?

The Hon. J.C. BANNON: I thank the honourable member, the sole occupant of the back bench, for his question. In reply to the first part of the question, no interference occurred and, in reply to the second part, there were obvious problems in the follow up and pursuit of the matter. Those issues have been referred to the Commissioner and it is that evidence of maladministration that the Chief Executive Officer of the Corporate Affairs Department has been asked to attend to.

Members interjecting:

The SPEAKER: Order! The honourable member for Gilles is out of order. The honourable member for Hayward.

EMPLOYMENT DISCRIMINATION

Mrs APPLEBY (Hayward): Will the Minister of Employment and Further Education consider formulating a code of practice to assist employers in selecting personnel on the skills and ability being offered for employment rather than using age as a criterion? I have received additional evidence about the attitudes of persons interviewing or assessing applicants for work related positions. These individuals have applied in the belief that they fulfil the criteria of the required skills and experience, only to be told on inquiring, when not successful, that they were too old to be considered. Twice recently, in checking the validity of the specific complaints made to me verbally, I have telephoned the firms involved. On the first occasion, I was told that the applicant was too old to be attractive enough even though she had the skills and experience to fill the position, if indeed that was the position being sought to be filled.

The second occurrence involved a person of 43 years of age who, on applying, was told by an older personnel officer that he should try somewhere where old people were employed. On this occasion, after a persuasive discussion, the manager agreed to an interview of the applicant based on skills and ability, and he employed the applicant. As I have previously given numerous similar examples in this House on behalf of persons trying to use their work skills in gainful employment, I now seek the Minister's urgent consideration of this request.

The Hon. L.M.F. ARNOLD: I thank the honourable member for her question and commend her for her continuing efforts in this area, as she has pursued this matter more than any other member of either House of Parliament on behalf of those who have age unfairly count against them in consideration of their abilities. Certainly, the proposition raised by the honourable member is interesting, and it is being considered by the task force which has been meeting to examine what should happen with respect to age discrimination.

The Hon. J.L. Cashmore: It is taking a long time.

The Hon. L.M.F. ARNOLD: The member for Coles says that it is taking a long time: indeed, it is, because it is not simply a matter of dragging a couple of cheap clichés off the shelf, packaging them together into a Bill, throwing it on the table of the House, and believing that that will answer all the problems. Indeed, the people working on that task force are well respected. They include Adam Graycar, Jo Tiddy, and Glen Edwards from the Office of Employment and Training.

They have spent considerable time going through all the ramifications of any move to tackle the issue of age discrimination. There are many areas where one must be very careful; we do not want the wrong result coming from hasty legislation.

For example, what would be suggested about what could be defined as the age discrimination provisions of the Children's Protection and Young Offenders Act? Age limits are specified in that legislation, and quite rightly so. Is it being suggested that they should be arbitrarily done away with? I do not believe that any member of this House would so suggest; I would hope not. To ensure that anything that is finally brought forward addresses the question of age and all other related issues, then we need to undertake the many hours of work that are being put into the matter by the task force.

This then raises the other point about the outcome. What is it that we finally have to do? The member for Hayward has raised the question of a code of ethics. I think that whatever happens it will certainly be essential that there be a code of ethics to provide an environment in which any legislative or regulatory changes, or any other changes moved by the Government, can operate, because, frankly, it is the way in which this matter is approached by potential employers that will ultimately determine the success of any actions taken by the Government. A code of ethics helps require an employer to re-ask all the time whether or not he or she is really giving people the benefit of their talents and their skills, rather than taking into account the arbitrary issue of

age, which is irrelevant to the expression of their talents or their skills.

STATE BUREAUCRACY

The Hon. H. ALLISON (Mount Gambier): My question is addressed to you, Mr Speaker. Will you, Sir, as an officer of this Parliament, ask the Ombudsman to investigate whether the 'Yes Minister' syndrome is a vermin which might be spreading through the State bureaucracy?

Members interjecting:

The SPEAKER: Order!

The Hon. H. ALLISON: Yesterday, the Premier listed nine Government authorities which he said had been abolished. These included the Vermin Control Advisory Committee—which the Premier said had not existed for 14 years. That committee is listed at page 71 of the latest report of the Ombudsman as an authority which still comes under his jurisdiction. I also noted, while listening to the Minister of Transport today, that reference to the Road Traffic Board can be found on page 70 of the current Ombudsman's Report. In fact, Mr Speaker, all nine authorities which the Premier said yesterday had been abolished still exist, according to the Ombudsman. I simply ask you, Mr Speaker—

Members interjecting:

The SPEAKER: Order! The Chair is having a great deal of difficulty in locating a question amongst all this. Can the honourable member get to his point?

The Hon. H. ALLISON: I ask you, Mr Speaker, simply to establish whom Parliament is to believe—the Premier, who claims that the Vermin Control Advisory Committee—

The SPEAKER: Order! The Chair cannot accept a question of that nature. Will the honourable member resume his seat. The honourable member for Briggs.

MAMMOGRAPHY UNIT

Mr RANN (Briggs): My question is to the Minister of Health—

Members interjecting:

Mr RANN: Would you buy a used car from that man!

Members interjecting:

The SPEAKER: Order!

Mr RANN: Will the South Australian Health Commission give consideration to funding the purchase of a mammography unit for the Lyell McEwin Health Service? A recent article in the Messenger Press claimed that the northern suburbs were being discriminated against in terms of facilities for the screening of breast cancer. It was claimed that mass screening programs were being undertaken at the Flinders Medical Centre, the Royal Adelaide Hospital and the Queen Elizabeth Hospital but that no program existed in the northern suburbs and no facilities existed at the Lyell McEwin Hospital.

The Hon. F.T. BLEVINS: The Lyell McEwin Hospital listed a mammography unit in its budget bid for this current financial year seeking funds amounting to $140 000. It was not in the hospital's top three priorities for hospital equipment so, unfortunately, it was not possible last year to fund this unit. I hope that the Lyell McEwin Hospital will give this unit its highest priority in this current financial year, and I believe that it will. If the Health Commission was to dictate the priorities to the Lyell McEwin Hospital, of course, there would quite properly be some resistance from that hospital. However, I hope and expect that it sees the priority of a mammography unit as very high, as does the Health Commission.

I think there is some misunderstanding in the community as to what a particular type of mammography unit does. The unit which the Lyell McEwin Hospital wants is not a suitable unit for a State-wide or a broad-based screening program. That requires very specialised training of people working with the unit to ensure that even the tiniest suggestion of cancer is picked up, followed up and, hopefully, caught early enough so that it does not have more serious consequences.

The type of mammography unit that the Lyell McEwin Hospital wants will be perfectly appropriate for women who present at the hospital with lumps in the breast that require further investigation, and when the Lyell McEwin Hospital has this unit it will be well equipped to do so. I was a bit disappointed in the article when it was drawn to my attention: someone was suggesting that the northern regions of the metropolitan area were in some way missing out. I would have thought that the new redevelopment at Modbury Hospital and the redevelopment of the Lyell McEwin Hospital at a cost of goodness knows how many millions of dollars would have been living witness, as it were, to this Government's commitment in the area.

The reason why the screening units are located at the Flinders Medical Centre, the Queen Elizabeth Hospital and the Royal Adelaide Hospital is pretty obvious: they are the major teaching hospitals. For a screening program, women need to present to the hospital only once every two years so, if there was a screening unit at every hospital, after the first flush of patients, as it were, people would be standing around with nothing to do. The procedure requires highly trained specialised people, so to have the highly specialised units located in these key hospitals where women can attend once every two years for a screening program is a very sensible practice.

I hope that the Lyell McEwin Hospital decides that this particular mammography unit is at the top of its priority list. If it is, I can assure members that the Government, through the Health Commission, will be only too pleased to finance the unit.

HOSPITALS AMALGAMATION

The Hon. B.C. EASTICK (Light): I direct a question to the Minister of Health. Why will the amalgamation of the Queen Victoria and Adelaide Children's Hospitals reduce the number of beds available for children and expectant mothers? Several groups have expressed serious concern about the Government's decision to amalgamate these institutions, with the gravest reservations being held about whether there will be enough beds for women and children. Bed numbers at the Queen Victoria and Adelaide Children's Hospitals have fallen from 456 in 1982-83 to a daily average availability last year of 327.

During the past four years the waiting list for elective surgery at the Adelaide Children's Hospital has virtually doubled, now standing at almost 900. However, once the hospitals are amalgamated there will be a further reduction in the number of beds, with no more than 271 being available at the new joint facility.

The Hon. F.T. BLEVINS: I thank the honourable member for his question. There is no doubt that a small number of people oppose the amalgamation of these two hospitals. Whilst the Liberal Party has not come out and said that, my strong impression is that it has the same view: there is no question about that. Let me say this.

Mr Lewis: Answer the question!

The Hon. F.T. BLEVINS: The member for Murray-Mallee appears to be unusually disturbed today.

Members interjecting:

The Hon. F.T. BLEVINS: We are used to his somewhat unusual behaviour on a daily basis and we make the appropriate allowances. But every now and again the member for Murray-Mallee has a particularly bad day, gets unusually excited and loses control. I would hope—

The SPEAKER: Order! The Minister can attribute qualities or otherwise to the member for Murray-Mallee by way of specific resolution. At this stage he should return to the main subject of the question that was directed to him.

The Hon. F.T. BLEVINS: I would appreciate being able to do that, and I would welcome doing that, but at times the antics of the member for Murray-Mallee are worthy of comment. The basis of the honourable member's question was false: it was not the Government's decision to amalgamate these hospitals; it was the hospital boards themselves, and the Government was only too delighted and pleased to agree, because the Government believes that the new facility will be an excellent one.

As to the number of beds, it appears that the member for Light has some concern about the booking lists of the Adelaide Children's Hospital, as I do. I have recently increased the number of beds at the Adelaide Children's Hospital in an attempt to deal with some of the problems that the booking lists are causing. Let me point out that any child in South Australia who requires treatment gets that treatment immediately. This is one of the few places in the world where that happens. For most procedures, most of the people on the booking list are dealt with within 30 days—that is for elective surgery. That is fairly reasonable.

There are some shortages and much longer booking lists in certain specialties—there is no doubt about that. There are not always the specialists available to do the procedure that the parent has requested when the parent wants it done. There is not a great deal that the Government can do about that without taking drastic action, which I assume no-one in this House on either side would agree with. I do not, because the way the medical profession is structured in this country is, in my view, restrictive in some areas in respect of who is admitted to particular specialties, and I make no bones about that. Some members of the medical profession are concerned about that also. If the result is that people wanting a specific procedure from a specific doctor have to wait, there is not a great deal that the Government can do about that. It is not always a question of money but a question of the availability of a particular surgeon in a particular place.

It does not matter how much money you have—some surgeons cannot perform more procedures; it is as simple as that. If you want that surgeon, you wait. The number of beds at the new hospital is that which the Health Commission and both hospital boards feel is appropriate at this stage. That varies. As I have said, I have increased already the number of beds available at the Children's Hospital.

I am quite sure that if it is necessary to increase the number of beds within the new amalgamated hospital we will find ways of doing that, because that is the kind of Government we are. However, we are not prepared to have a health system which gives immediate access to everybody who wants it—not needs, but wants—at the taxpayer's expense, because if we did that I would have to double my budget tomorrow. I would have to double it tomorrow in order to give everybody what they want out of the health system. As I already spend 25 per cent of the State's budget, massive tax increases would be needed to cope with that. So, there has to be some restraint regarding hospital bed numbers, and the member for Coles is fully aware of that.

If the Opposition does not support amalgamation of the two hospitals it should come out and say so and not have sniping, petty goes like this, because it is a very serious issue concerning the health and welfare of women and children in this State. I am sure that everybody who has been involved to date agrees that the amalgamation on the children's site is the way to go.

ENTERTAINMENT CENTRE MANAGER

Mr DUIGAN (Adelaide): Can the Minister of Housing and Construction advise whether a decision has yet been made on the appointment of a manager of the entertainment centre, and can the Minister assure the House that all efforts will be made to ensure that the management, construction and outfitting of the entertainment centre will be predominantly South Australian?

The Hon. T.H. HEMMINGS: I am pleased to reassure the member for Adelaide, the House and the community of South Australia that the construction authority will be a South Australian one. In fact, it will be the South Australian Department of Housing and Construction, otherwise known as Sacon. The House would be well aware that under the previous Liberal Administration a deliberate attempt was made to downgrade, undermine and reduce the morale of this department, which was then known as the Public Buildings Department. We got back into office and recognised problems existing in the department, and we have worked hard, not only at Government level but within all sections of the department, and have achieved, I would like to say, massive strides in that direction. It is recognition by Cabinet of its confidence in Sacon that it has been appointed as the construction authority, and it can be regarded as the icing on the cake as far as the department is concerned.

It is recognised—and I hope that the new spokesman for public works, who yesterday at 5 o'clock was the member for Murray-Mallee, will recognise—that Sacon is now a respected construction and maintenance organisation which serves the South Australian taxpayer well. The job of managing the entertainment centre project will be a demanding and sensitive task and one which the department will carry out well.

The Director of Professional Services, Mr Ray Power, will manage the project full time. Looking at the other projects in which Mr Power has been involved, the most recent being the Botanic Gardens conservatory, which I understand is going very well, I am sure that he will do this job equally as well. For the benefit of the House I will list the recent construction projects successfully managed by Sacon which include the Gepps Cross hockey-lacrosse stadium, the Botanic Gardens conservatory, the Roxby Downs township and the Institute of Technology School of Nursing. As members would be well aware, the department has recently been appointed project manager for the exhibition hall in the ASER convention centre.

As soon as the Opposition can get its act together and advise who is the sole person with whom to deal in these matters, I will be only too pleased to arrange a briefing with that person.

MINISTERIAL STATEMENT: ROAD TRAFFIC BOARD

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

Leave granted.

The Hon. G.F. KENEALLY: During my answer to a question asked by the member for Mitchell, on a number of occasions I stated that I had been advised that the Road Traffic Board was abolished in 1976, but in fact it was abolished in 1986 by action of this Parliament. I thank all those concerned for advising of that error.

PERSONAL EXPLANATION: Mr TIM MARCUS CLARK

Mr OLSEN (Leader of the Opposition): I seek leave to make a personal explanation.

Leave granted.

Mr OLSEN: I believe I have been misrepresented by the Premier when he answered a question today. I refer to a discussion which I had with Mr Tim Marcus Clark in relation to his recent appointment. As a matter of courtesy, 30 minutes prior to the public announcement on the Stock Exchange that he had accepted the new position, Mr Marcus Clark sought an appointment with me. That was done merely as a matter of courtesy in order to advise me of the appointment before it became public. He indicated to me that the board had supported that position, as had the Premier. I was not consulted; my views were not sought on the matter but, as a matter of courtesy, Mr Marcus Clark informed me of his intentions.

The Hon. J.L. Cashmore: It was a *fait accompli.*

Mr OLSEN: Exactly. That was not the impression that the Premier wanted to give today.

Members interjecting:

The SPEAKER: Order!

Mr OLSEN: Also at that meeting—

The SPEAKER: Order! I ask the Leader to be careful not to debate the matter. I also ask the member for Adelaide and the member for Briggs not to try to provoke debate. The honourable Leader.

Mr OLSEN: —I expressed concern to Mr Marcus Clark that I and the Opposition had not received a briefing on the Equiticorp matter in which the State Bank was involved.

Ms Gayler: You didn't turn up at the briefing.

Mr OLSEN: I have no idea what the member for Newland is talking about, but it has no relevance whatsoever to this subject.

The SPEAKER: Order! Interjections are out of order and the Leader should not respond to them.

Mr OLSEN: This is contrary to statements made by a member of the Premier's staff who last week attempted to suggest to some sections of the media—and most ignored it, although one picked it up—that I had received a full briefing on the Equiticorp matter. The fact is that I have not. Further, on Friday afternoon I contacted the Chief General Manager of the State Bank to confirm the veracity of the remarks reiterated in the Chamber this afternoon by me, and he did so.

NORTH HAVEN TRUST ACT AMENDMENT BILL

Returned from the Legislative Council without amendment.

ANIMAL AND PLANT CONTROL (AGRICULTURAL PROTECTION AND OTHER PURPOSES) ACT AMENDMENT BILL

The Hon. M.K. MAYES (Minister of Agriculture) obtained leave and introduced a Bill for an Act to amend the Animal and Plant Control (Agricultural Protection and Other Purposes) Act 1986. Read a first time.

The Hon. M.K. MAYES: I move:

That this Bill be now read a second time.

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

Leave granted.

Explanation of Bill

Its objects are to make several amendments which have been shown to be desirable since the Act was introduced to provide an integrated system for the control of proclaimed plants and animals under the guidance and direction of the single authority, the Animal and Plant Control Commission.

There are two major changes which have been found to be needed to safeguard a landholder or a board and its officers in the proper discharge of their responsibilities and two minor alterations which will improve the budget performance of boards and allow the commission to exempt a landholder from controlling a proclaimed plant.

Boards have been concerned that under the Act they are exposed to claims for professional negligence. Currently in the event of a significant claim a board would have insufficient resources and the Crown would be required to accept liability for the additional funding to allow the board to discharge its functions. Under the financing provisions of the Act extra annual costs of approximately $45 000 to be borne partly by Local Government but largely by the State would be incurred for professional indemnity insurance to cover all the boards. It is relevant to note that no claims have been made against any control board during the 12 years in which a similar provision to the proposed amendment operated under the Pest Plants Act and it is anticipated that a considerable saving will be effected.

The Bill also provides the opportunity to assist with more accurate budgeting by requiring boards to submit their estimates to the commission at the end of October rather than in June as is currently the case. This will allow negotiations between the commission and the member councils of a board before adopting the board's budget and provide greater relevance to its impending financial year which is concurrent with the calendar year. There are also occasions where a person may need an exemption from the duty to control a proclaimed plant and an amendment has been included to provide the commission with the power to grant this subject to appropriate conditions. The most common case in which an exemption will be granted will be to enable plants to be kept for the purposes of research.

There has been some concern expressed by some landholders and authorised officers that they could be prosecuted under provisions of the Criminal Law Consolidation Act 1935, or the Summary Offences Act 1953, for complying with provisions of the Animal and Plant Control Act 1986, for the control of feral goats. The Government considers that such lawful action should be clearly seen to be protected and the amendment has been drafted accordingly.

Clause 1 is formal. Clause 2 changes the date for submission of a board's budget to the commission. Clause 3 provides the commission with the power to exempt a person from the duty of controlling a proclaimed plant. Clause 4 makes an amendment consequential on the amendment

made by clause 5. Clause 5 inserts a new section which states that a landowner or any other person taking measures to destroy or control animals or plants pursuant to the Act is not subject to any civil or criminal liability. A landowner who destroys feral animals on his land is performing a public service and in view of the fact that the Act requires him to perform this service the Government believes that the Act should clearly state that he is not liable if he has acted pursuant to the Act and regulations under the Act. It is proposed to make regulations that will require a landowner who knows, or believes, that another person claims ownership of animals, to give that person an opportunity of removing the animals before the landowner proceeds to destroy them.

Clause 6 provides protection from civil liability for members of the commission or its staff or persons acting at the direction of the commission and also for local control boards, their members, staff or contractors. This clause attaches such liability to the Crown. The section has been repealed and re-enacted for convenience. The new section gives immunity to the control board itself as well as the members of the board and also gives immunity to a person who assists an authorised officer (see section 27 (4) of the Act). The other difference is that the Crown and not control boards pick up the liability of those exempted by the section.

Mr GUNN secured the adjournment of the debate.

PASTORAL LAND MANAGEMENT AND CONSERVATION BILL

Adjourned debate on second reading.
(Continued from 14 February. Page 1890.)

Mr GUNN (Eyre): This Bill, which fails in every respect, has been introduced after years of discussion and negotiation, but it is a clear victory for the Department of Environment and Planning and its officers. It does not display a proper understanding of the pastoral industry, and the clearest demonstrations of that fact is through reference to a statement made by the former Labor Party spokesman, the now Deputy Premier, who was referred to in a press report in September 1982, as follows:

> ALP 'would disband South Australian Pastoral Board'—A State Labor Government would disband the South Australian Pastoral Board because of its failure to prevent overstocking in the State's arid zone, the Opposition spokesman on environment and planning, Dr Hopgood, said yesterday. It would move responsibility for land-resource management to a new division of the Department of Environment and Planning. Dr Hopgood's statement follows a series of special Extra articles in the *Advertiser.*

If the Government is not prepared to accept reasonable, fair and sensible amendments, and if it is not prepared to consider the needs and aspirations of the pastoral industry of this State, the Opposition will oppose the third reading of this Bill. We make no apology for the stance which we intend to take.

As the Opposition's lead speaker on this matter, I want our position clearly defined. If this Government does not accept commonsense, in government we will, as a high priority (by way of administrative action, repeal of regulations, or amendments to the Act), rectify the matter and introduce amendments proposed by the member for Goyder. The pastoral industry is important and it is essential that its needs be recognised and that it be given encouragement and assistance.

This Bill fails to implement any of my propositions. It creates a situation where the Government of the day will plunder the pockets of the producers. This legislation is an attempt by the Department of Environment and Planning to attain its ultimate objective and that is to gain control of the Department of Lands, which it would then disband. The Department of Environment and Planning wants to bring the whole operation of land management control in this State under its umbrella. However, the department has failed to manage its own land. It cannot even implement adequate and proper bushfire control; it cannot even control noxious weeds or vermin. However, this department and its friends, as well as those affiliated with the extreme environmental movements, want control. Their views have been taken into account, while those of the pastoral industry have been completely ignored. People in the industry have been thrown a few lollies, but the logical, fair and reasonable arguments advanced have not been examined.

The second reading explanation contains a number of anomalies as well as inaccurate and misleading statements. Let us go back in history. The pastoral industry is the most important early industry to be established in South Australia. The people involved in that industry in the early days helped found the colony of South Australia—people such as Hawker, McLachlan, McBride, and so on. Governments have a responsibility to ensure that they encourage investment and continuity in industry, but the Bill fails to put into effect any of those aspects, which are paramount to sound and good management of the pastoral industry.

It has been learnt over time that if we want to destroy the agricultural sector we overtax it, over-regulate it and put in place unreasonable controls. The land will then be over-farmed. If we make the leases or holdings too small we will end up with peasant farming. The Liberal Party understands and appreciates the need for sound management in any sector of the economy. Those of us with a long history in agricultural management make those comments not to be unduly critical of this Minister or this Government but rather because we are concerned for the welfare of not only the pastoral industry but also South Australia as a whole.

In the time I have been in this Parliament I have represented all pastoral leases in this State. When they came to Eyre Peninsula, originally my family was involved in the Lairg Station—one of the early pastoral leases in this State. My family has been involved in agriculture ever since and will continue to be. We want to see commonsense applying. In the second reading explanation the Minister stated:

> This Bill introduces landmark provisions for the care . . .

I challenge that first line, because the Bill does nothing of the kind. It contains disincentives to effective management. The explanation further states:

> The Bill is the culmination of public debate, comment and extensive consultation.

Where has the consultation led? It has led nowhere, because the pastoral industry has been ignored. The explanation continues:

> While the process has been lengthy it has ensured consideration of the varying and sometimes conflicting interests in pastoral lease land.

Of course there has been a conflict of interest, because one group making representations has been given more credence and more emphasis has been placed on its viewpoint than on the viewpoint of people who have paid for the use of the land, namely, the pastoral industry, which wants to see the land maintained. The people in that industry would not have a living if they did not adequately manage the land. They would lose their investment. The Minister continues:

> Review of the management and administration of pastoral land in South Australia can be dated back to at least 1972. During this time the central questions have been the appropriate form of tenure, the area or type of land to be controlled and the controls

which should be applied. South Australia is not alone in considering appropriate forms of tenure for Crown lands. Over the eight years there have been inquiries into land tenure for pastoral land in most Australian States and the Northern Territory. A common report of the various inquiries has been that freehold is inappropriate . . .

We have not asked for freehold—that is the smokescreen in the Bill. It is a nonsense to prohibit freeholding, because everyone knows the Government of the day has the authority—and has had it since the introduction of legislation by the Hon. Mr Torrens—to prevent freeholding: the Minister knows it, the Deputy Premier knows it, and the member for Chaffey knows it. It is a sop to the conservation movement, and it is unnecessary.

I guarantee that, if one of the large overseas combines wanted to come to South Australia and spend tens of millions of dollars somewhere on pastoral land, the Government would grant a freehold title, but it will not allow some of its own citizens to carry on what has now become a traditional form of land tenure. Let us look at what has taken place around Australia. I refer to the Vickery report, which has been misquoted in the second reading explanation. The 1982-83 annual report of the Department of Local Government and Lands in New South Wales states:

Perpetual Lease Tenure

The breaking down of the large pastoral runs by the extensive soldier and general settlement program in the 1950s and the associated building up of smaller properties by allocating additional land from expiring leases has resulted in a marked improvement in the condition of the Western Division grazing lands. Important in this context is the perpetual lease tenure, with its ready transfer and structural improvement capabilities. The encouragement this has given to the development of fencing and watering points has meant that the great majority of properties now cater for an average of 400-500 sheep per watering point as compared with a figure of 5 000-20 000 sheep per watering point in the period prior to the 1950s.

It further states:

Rental Re-appraisements

As the Act requires the reappraisal of rentals on all leases at ten-yearly intervals . . .

This proposal puts it at the whim of the Auditor-General! I suggest to the Minister and those advising her that, if they give their attention to this report, I am sure they will benefit from it. I refer again to the Vickery report, which has been widely quoted. On page 82 it states:

On completion of such an assessment a three member majority of the group believe consideration can be given to selective conversion of pastoral and other arid land leases to a form of continuous lease which provides that such leases are subject to a covenant review at least every 14 years; when, at the review, evidence indicates that lease covenants have not been satisfied that lease statutorily reverts to a term lease; the review is subject to an appeal to protect lessees' interests. Such conversion to continuous lease is seen as an incentive and reward for good management . . .

The second reading explanation also refers to that point. So much for the Vickery report! I could say more, but I will go on further to outline what has happened in other parts of Australia, particularly in the Northern Territory and other areas. A great deal has been said on this issue. I refer to page 20 of the UF&S submission to the Minister. It states:

Only the Martin (Northern Territory) and Vickery (South Australia) reports contained recommendations on pastoral lease tenures. After a thorough examination the Martin report recommended that '. . . perpetual leasehold is the most appropriate form of tenures for developed pastoral land . . .'

I have quoted the Vickery report. The submission further states:

Former New South Wales Western Lands Commissioner, Mr R. W. Condon, has this to say (personal communication January 1988)—

. . . perpetual lease provides a security of tenure which encourages good management and development as an aid to good management. The covenants give the administration the power to enforce good management.

The second reading explanation states that no representations were received from financial institutions in relation to obtaining finance because of the limited nature of a lease. I will quote the managers of a major pastoral house in South Australia. The South Australian and Northern Territory Manager of Elders-GM, Mr Lindsay Wapper, 11 December 1987, writes:

A tenure term brought about by a lease in perpetuity is an important factor in determining financial facility for a pastoral lease.

I also wish to quote the Manager of Dalgety Bennetts Farmers. On 17 February he stated:

Special Provisions Relating to Sensitive Land

The provision of the Bill to provide an extendable lease, which will commence as a 42 year lease, of which the covenants are to be reviewed every 14 years, is of some concern. We as financiers to the pastoral industry could be reluctant to advance moneys to this type of security, if there is any doubt to the future term of the lease. We would bring to your attention that in New South Wales a large number of the pastoral tenures are now freehold. In 1983 legislation commenced which gave the right for pastoral leases in the Northern Territory to be held in perpetuity, and in June 1986 the Chief Minister of the Northern Territory announced that his Government was considering giving pastoralists the right to convert their leases to freehold, whilst we believe that Queensland is also considering improving the tenure of their pastoral leases. If changes are being planned, we submit that there should be an improvement of the proposed 42 year term of tenure.

That puts paid to the nonsense put forward about difficulties in raising finance. However, not wishing to be perturbed, I shall proceed because this debate will take an exceptionally long time as the Opposition has many amendments to move and believes that this is an important Bill that should be thoroughly examined and debated.

Indeed, we believe that it is absolutely essential that we be given assurances and answers to the many questions that must be asked about the Bill. I realise that the present Minister has come in and been involved in this debate only near its end and I know that she has tried to negotiate with, and has made herself available to, the pastoral industry. However, that has still not solved the problem. It is one thing to listen and even to discuss, but people will be judged on the contents of the Bill. Unless the Bill is amended substantially, dissatisfaction will result and a continued running debate will ensue between the pastoral industry, its representatives, the Government, and officers of the Lands Department, which will do nothing for the proper and effective administration and management of the pastoral industry.

Considerable concern has been expressed concerning the provisions of the Bill dealing with rentals and the ability of the Valuer-General to determine the most appropriate form of fee. We have had only a short time in which to debate this measure, because the previous draft legislation was only a proposal and Parliament could not consider the matter until this Bill was introduced. The Minister knows that legislation is subject to change. I made a fair and reasonable request to have this matter stood over, but the Government has decided that the debate must proceed because there is very little legislation on the Notice Paper to be considered. I do not believe that that is good legislative practice, but the community at large will be the judge of that.

Together with the Hon. Peter Dunn, I attended a large meeting at Marree on Saturday. We got to the meeting under considerable difficulties. That meeting totally rejected this proposal because of the provisions to which I have already referred, as well as other provisions in the Bill. Further, the meeting expressed concern about the future of people in the pastoral industry who do not know whether they will be granted a lease, what will happen to their

families, and how much they will be charged. Such uncertainty does not lead to good decision making or to confidence in people to invest. It is wrong. These people are not there to have their pockets plundered by this Government, which has a fine track record in raising rents. Indeed, it was in office for less than four months before it increased pastoral leases by 50 per cent. In this regard, I quote from an article in the *Stock Journal* of 24 February, at a time when the present Minister was only new and would not have been taking a great deal of interest in this matter. The article states:

Pastoralists are facing a 50 per cent rent increase. This bombshell was dropped yesterday by Dr Hopgood, the Minister of Lands, who, according to a spokesman, feels it is time they paid a fair rent.

We know that this is Dr Hopgood's Bill anyway, and the Bill of those who sit behind him—the Department of Environment and Planning and the assessment branch, and those other people who, as I have already explained, wish to get control. The article continues:

The Government intends to start charging the new rate soon after the statutory seven-year evaluation of the 42-year pastoral leases. The majority of the State's 358 pastoral leases come up for review this year. A 50 per cent rise on the $460 000 paid by the pastoralists will take this yearly income to nearly $700 000.

The industry is aware that the Government has a fine track record of increasing rates and taxes, and that is clearly demonstrated in the provision that would allow the Government to increase rents annually with no explanation of how the system will operate.

We also know that the Department of Lands has been working on proposals which, if put into effect, would increase rents annually on a cattle property to $7 a head, and on a sheep property to $3.50 a head. That is contrary to the clear undertaking given by Dr Hopgood in a letter that he wrote to one of my constituents on 14 June 1985. I understand that this was a general letter that went out to all pastoralists. The letter states:

I am very concerned at the misleading content and implications of recent reported statements on the above subject.

The previous Minister used the word 'misleading', and I believe that misleading things have certainly been said—but not by the pastoralists. Indeed, the pastoralists were misled. The letter continues:

I am acutely aware that many pastoral leases are remotely located.

That is a reason why we want a few more days to talk about this Bill. At page 3 of his letter, the Minister said:

All existing rights to full compensation for improvements and loss of enjoyment of unexpired lease terms . . .

That is fair enough. The letter continues:

Existing seven-year rental revaluation provision will be retained.

That letter is signed Don J. Hopgood, Minister of Lands. The Minister has now gone back on that undertaking and that is not good enough. We on this side will fight the provisions of the Bill line by line and, on coming into Government, we will deal effectively and quickly with those provisions that we consider to be unsatisfactory. The Deputy Premier gave his word and it is disgraceful that these people have been misled in this way. The letter continues:

Finance houses and banks have indicated their endorsement of the proposal and its enhanced security for lending collateral.

I have already dealt with that aspect. The letter continues:

Enhanced tenure of security of the proposed new tenure system has been acknowledged by financial banking houses.

That is nonsense. The letter further states:

. . . to ensure sustained productivity from outback land resources and consequential land user industry security and prosperity.

However, if people are not on the land, there will be no prosperity. Let us continue in relation to the matter of rent. I have a table of figures showing the rents charged for leases in New South Wales, Western Australia and South Australia. Currently, South Australian pastoralists pay a higher rent per head of stock than do pastoralists in New South Wales or Western Australia. I seek leave to have the table inserted in *Hansard* without my reading it.

Leave granted.

CURRENT PASTORAL RENTS

New South Wales:	
Tibooburra:	Lease with 6 993 sheep—Rent $700—10c a head
Broken Hill:	Lease with 1 345 sheep—Rent $201—15c a head
Wentworth:	Lease with 1 085 sheep—Rent $173—16c a head
Western Australia:	
Onslow:	Lease with 37 500 sheep—Rent $1 340—3.5c a head
Leonora:	Lease with 19 000 sheep—Rent $ 685—3.6c a head
Meekatharra:	Lease with 19 000 sheep—Rent $ 769—4c a head
South Australia:	
Marree:	Lease with 6 000 sheep—Rent $1 700—21c a head
Blinman:	Lease with 4 000 sheep—Rent $1 070—26c a head
Yunta:	Lease with 6 500 sheep—Rent $2 244—36c a head

(Note: Rent per head on each lease varies according to distance from markets etc.)

Mr GUNN: I thank the House for the opportunity to insert the table. Over the weekend I received a number of telephone calls from concerned people in the pastoral industry. I was telephoned by a person involved in running a pastoral property with between 6 000 and 7 000 sheep (and no one could say that that is a large holding).

Over the years that they have been there, these people have tried to do the right thing and they have invested heavily in improving their property, by doing such things as extending their water programs and by building new improvements and a new house. If the proposals in relation to rents are put into effect, they will be destroyed; they will be destroyed, because it will take their rent to $21 000. In relation to these people, often the wife has to teach the children herself; they do not have bitumen roads past the door, they do not have electricity connected, and until recently they had a very poor telephone system. Do we want people to remain and to occupy these areas and be productive for South Australia, or do we want to continue with the socialist philosophy and tax them out of existence? The difference between the attitude of members on this side of the House and of the Government is that, at the end of the day, the unfortunate thing is that the socialist philosophy comes through.

The other unfortunate thing is that there has been a failure to recognise that the decisions that have been made, maybe with the best will in the world, will not only be disruptive but will have a damaging effect on the industry for a long time. Anyone with any knowledge of the pastoral industry, or any agricultural industry throughout the world, knows that overtaxing and over-regulation will destroy the industry. We must encourage investment and sound management practices, and there must be a sound financial reward at the end of the day. That is the best encouragement that can be given.

Management controls should not be inflicted in relation to tenure provisions. That should be done through other Acts of Parliament. It is quite wrong that the soil conservation legislation is not being introduced in Parliament

before this Bill. There have been years of negotiations in relation to the soil conservation legislation. Every responsible member of this House and every responsible pastoralist or agriculturist in this State would agree with sound soil conservation principles. There is no problem, as long as it is reasonably based, is controlled by practical people and that the bureaucracy does not take charge of it. We are happy with that and we would facilitate that legislation coming before Parliament—and it should have been put in place before this legislation. The Government should not try to manage land through land tenure restrictions or otherwise.

Just by way of passing reference, I refer to the fact that this legislation does not apply to the Pitjantjatjara lands. There is pastoral activity up there, so why have those lands been exempted? I want to know. Does this legislation apply to the Maralinga lands? Of course it does not. I have asked repeatedly for inspectors to go through the Pitjantjatjara lands. I wonder how many have gone through. I believe that all South Australians should be treated equally.

An interesting point is why it is that there is no provision in the Bill to have the operation of the legislation reported to Parliament. That is a normal part of any Act of Parliament. In the time that I have been a member of Parliament I have examined legislation fairly closely—I suppose that I have been lucky that I have had some good teachers to advise me. This is one of the first things that one should look at, because, through Parliament, people are entitled to know how the Government has operated a department or an Act of Parliament, and if necessary Parliament can correct anomalies or abuses and check that legislation is operating as was originally intended. I want a response from the Minister fairly quickly in relation to those two matters. We will be in for a long night tonight and a long day tomorrow if we do not get some satisfactory responses to those matters to which I have drawn the Minister's attention.

In relation to the methods that the Valuer-General will use to determine these annual rentals, we are told that this will be based on productivity. Productivity is like beauty—it is in the eye of the beholder. How is productivity determined? Is it based on a general rule? Will we encourage people to maximise their productivity or will people be encouraged to reduce their—

Mr Lewis: The more you invest and the harder you work, the more you pay.

Mr GUNN: That's right—the more one will pay. That is a very bad practice as far as pastoral land is concerned. The taxation system should not be used as a control. The provision as set out in the Bill will have a detrimental effect on industry. Everyone knows that, if we start looking at productivity, we will create massive anomalies. People will be prevented from investing and reinvesting. People fail to understand that agriculture requires a tremendous reinvestment. No matter in what part of agriculture people are involved, unless they are prepared to plough back very large amounts of money that they make from their enterprises they will fail on a long-term basis. I speak as a person who has been involved in agriculture all my life, as has my family. I can tell the House that one of the problems facing people in agriculture where I come from—relating not just to the immediate problem but to a long-term problem—is that they have been denied access to ready capital. They will not have the money to reinvest in stock, plant or improvements.

If the Government is going to impose unreasonable rents—or even have the opportunity to impose unreasonable rents—it will drive the good, efficient and progressive pastoralists out of the industry because they will look for more secure leases and more secure returns. They will say, 'Why should we be hassled with this nonsense? We have had enough of outside bodies and groups trying to impose their will on us, when they have had no practical experience. They do not rely on it, and all they want to do is plunder us.' Of course, as soon as there is any attempt to realise the capital that they have invested the pastoralists will go elsewhere to more productive areas. This is a very bad thing, because many of these people are the most experienced and capable people that there are in the industry. I have said enough about that, and my colleagues will have more to say about the matter in a few moments.

The second reading explanation indicates that the concept of property planning is another innovation of pastoral lease management. I am really surprised. Will wonders never cease? Any reasonable manager has a plan, but he will not go and tell the bureaucracy. Why should he have to do that? If these property plans are submitted, who will have access to them? I want the Minister to provide the House with some advice on this. Will their neighbours have access to them? Will the Department of Environment and Planning have access to them? Who will have access to these property plans?

Mr Lewis: The Conservation Council.

Mr GUNN: Yes, the Conservation Council, or the Vegetation Clearance Authority—those scoundrels down there. Who else will have access? A person is entitled to his privacy. Is this just because some people in the Department of Environment and Planning or the Department of Lands have had a rush of blood to the head and think that there should be some planning? This could be cynical, but one could say that we should have a five-year plan. I believe that there are grave dangers in relation to this.

Mr Plunkett interjecting:

Mr GUNN: The honourable member is going to advise us, is he? Well done; we look forward to it. We look forward to the great pearls of wisdom which are going to flow from the member for Peake.

Mr Plunkett interjecting:

Mr GUNN: I am disappointed that the honourable member is not going to give us the benefit of his great knowledge in these areas, because I am sure that the House would be entertained. I was hoping that it would be his swansong.

Members interjecting:

The ACTING SPEAKER (Mr Duigan): Order!

Mr GUNN: However, let us proceed—I do not want to be sidetracked, because this is a serious matter. We are dealing with the welfare of not only these people in the pastoral industry but that of all South Australians who, I believe, appreciate the contribution that the pastoral industry has made to South Australia. Further in relation to the Minister's second reading explanation, I refer to the matter of access. It was interesting to note, when the legislation came before Parliament, that the first press statement issued related to access to persons of Aboriginal descent.

Everyone who has read a pastoral lease knows that, traditionally, Aboriginal people have the right to travel across every pastoral lease, but a number of questions must be asked about this provision. Who are we talking about? Are we talking about the traditional Aborigines who live in the area, or are we talking about Aboriginal people who live in the Riverland? Are they allowed to camp there? Or are we talking about people who claim to be Aborigines? Who will draw the line? The definition is so broad and so wide that it could include those people who are trying to get on the Aboriginal gravy train and who want to disrupt things, as is their station in life.

We want some clarification in relation to that matter, because some of these people with their legal aid advisers and other assistants will make life extremely difficult if they think there is a chance of extracting any publicity whatsoever for their own gain. We are pleased that there has been some improvement in relation to the protection of people camping close to sheds and people's houses. That suggestion has been put forward for years. That is one example of the few improvements in the legislation. Unfortunately, the few improvements and benefits of this legislation have been completely outweighed by the other provisions. In the short time that this legislation has been before Parliament, my colleagues and I have taken the opportunity to show it to as many people as possible, and a great deal of work has been done on it.

We have not come to these conclusions and become concerned about this legislation just because we want to be provocative, to disrupt the Government or oppose for the sake of opposition. That is not our role. That is not my role in this place, and the Minister knows that. I want to see commonsense prevail and see people given a fair go. That has not taken place in relation to this Bill because other competing interests have taken over. Once people who have a peculiar attitude to life or a political philosophy are allowed to override commonsense, governments get into trouble.

That is what has taken place here: that desire of the bureaucracy and others to take charge. No fair or reasonable person can deny that the administration of this legislation has been taken completely out of the hands of the pastoral industry, because the industry has been given token representation on the board. That representation consists of one person. What influence or control will one person have? That is unfair and unreasonable, and the body representing those particular people has not been given the opportunity to nominate whom it thinks best. We have this panel nonsense! We have all seen examples of what can take place there. The industry is really in two parts: the cattle industry and the sheep industry. It is basically divided between those who live outside the dog fence and those who live inside.

Why cannot there be a representative from each side of the dog fence? That is a fair, reasonable and just suggestion to put forward. It is not radical, not unusual—it is a bit of commonsense. But no, who do we have: the Conservation Council, the Department of Environment and Planning, and who else?

An honourable member: Trades Hall?

Mr GUNN: That could be, but I do not want to be too cynical. The sensible arrangement is to have a board consisting of six members. We should have the Director of Lands or his nominee as the Chairman; and he should have a deliberative as well as a casting vote, which would give the pastoral industry some fair say and influence over what takes place. One of the things about people with no experience in management is that they have fixed ideas and believe that they know best. Unfortunately, when they endeavour to impose those views on industry or commerce the results are generally disastrous.

In any management group such as the Pastoral Board, one must have people who have a practical understanding. With two such people on that board there would be a chance to make sure that commonsense prevailed. I believe that it is absolutely essential, and we intend to make sure to the best of our ability that that proposal is inserted in the Bill. I repeat: upon coming to Government we will rectify that situation as soon as possible.

An honourable member interjecting:

Mr GUNN: It is all right for the honourable member. I well recall sitting in this House when Peter Duncan and others were farewelling the member for Mount Gambier—and we know who was farewelled! It will happen again, as sure as we sit here, and quicker than some members think. This Government and its fellow travellers in Canberra want to screw the community and wring every cent they can out of it. They are creating a situation whereby not only do they wring every cent out of people but they want to control them, and this Bill is another mechanism for that. What they will do is kill the goose that laid the golden egg.

Governments and those who advise them cannot say that they have not been told or are not aware of the needs of the industry. The Government has received the most responsible representations in relation to capital gains tax, but we have had no assurance whatsoever that the industry will not be whacked over the head with respect to capital gains. If the capital gains tax is to apply, this Bill should be dropped until proper mechanisms can be brought into being. It is no good saying 'we have been advised'. We really want to know: it must be tested.

We must have some advice from the Taxation Commissioner himself, because the Taxation Commissioner will take no notice of the advice of a Minister in this place when he starts imposing these conditions. That is one of the reasons why we need a select committee: so that experts in the field can be called to give evidence. In my time in this Parliament I have not seen any problems that cannot be solved by a select committee if there is goodwill on both sides.

I have had the pleasure and privilege of sitting on many select committees. When legislation is out of the glare of the political arena and people sit down rationally behind closed doors and quietly and effectively go through it, commonsense normally prevails and improvements are made. It is part of the Westminster tradition that the public ought to be given the opportunity to comment, and the advice of experts should be sought to rectify problems. One could look at all sorts of legislation which has passed through the Parliament, which has been referred to select committees and has been improved. It will happen again, and it should happen in relation to this legislation.

The Government was warned that the pastoralists were worried. We have press statements dating back to 1984. In fact, a statement under the heading 'Pastoralists Still Worried' states:

> Pastoralists' fears for future control of their land have not abated simply because the issue of more bureaucratic controls . . .

That was put out in September 1984, so this debate has been raging for some time. In 1987 we saw more press comments. We have seen all sorts of newspaper headlines, such as 'Draft Law Tightens Protection of SA Outback,' which appeared as far back as 1986. We could go on talking about controls, but there is no point in having controls unless they are reasonable and fair and in the long-term interests of the industry.

A number of responsible groups have made comments, and I thought it was particularly unfortunate that the *Advertiser* misunderstood, I believe, the article of Mr Ron Hill. I grew up in the same town as Ron Hill and have known him for many years. I think it was unfortunate because, on my information, the *Advertiser* mixed up the figures. It mentioned 30 per cent, but it should have been 70 per cent; and where it said 70 per cent it should have been 30 per cent.

The *Advertiser* got the figures mixed up and people have seized on that. Taxing arrangements should not be designed to fill Treasury coffers. The Income Tax Assessment Act is

the way to resolve those matters. Clearly, the *Stock Journal* editorial of 16 February 1989 brings into proportion the views and fears of the pastoral industry and people associated with it, as it states:

The Lenehan legislation which attempts to reform pastoralism in SA has been very rightly rejected by the United Farmers and Stockowners Association. The long-awaited Bill to amend the Pastoral Leases Act can after months of negotiations and debate only be described as disappointing. Once again it appears the experience and advice of the experts has been ignored in favor of the desires of bureaucrats, conservationists and other pressure groups. Despite the claims of Ms Lenehan, the Bill does not offer pastoralists any immediate security and in fact, depending on the whims or views of people unrelated to the industry has put every leaseholder on a six-year termination list.

Not only does the Bill give the now five person board to be appointed to administer the Act very broad and somewhat ambiguous powers to vary individual lease conditions, it proposes a board composition which comprises only one pastoralist. The Bill in the present form does not give any details on how the leaseholders will be rated or at what levels. Not only is this a glaring omission, but it represents the type of contractual arrangement very few people would want to enter into. Once before in this State the Government of the day forced pastoralists into a ruinous situation by fiddling with lease changes and rates.

It forced them to increase stocking rates to remain viable, which led to some disastrous environmental results and finished up being the reason for the 1890 pastoral inquiry. History has repeatedly shown that the man on the land is the best master of his own destiny in the fields of production, marketing and caring for the environment in which he works. Those leaseholders have proven themselves as the best managers and custodians of all forms of land care, including soil conservation, vegetation retention, weed and pest animal control. Life in the pastoral zone with its problems of remoteness and variable rainfall patterns is difficult enough as it is without being saddled with incomplete and unworkable legislative controls.

In its present form, the legislation before the Parliament smacks in the face the advice presented to the Minister by the UFS. It appears to have been prepared in haste to satisfy the wants and whims of a few and because the Minister has refused any extension of time for industry consideration and recommendation, is now being rushed through Parliament with improper speed. In its present form the Bill is not only unacceptable, it is unworkable and must be withdrawn.

Again on 16 February we have the headline 'Uproar over Pastoral Bill' and in the *Advertiser* of 16 February the headline 'Pastoralists reject Bill as unworkable'. An adjacent heading refers to a push for a consumption tax. We will probably get that, too.

My final remarks on this Bill relate to how leases are to be assessed. I have examined the legislation carefully, and I believe that even the title of the Bill, 'Pastoral Land Management and Conservation Act', is wrong. It should be known as the 'Pastoral Act'. There is no need to include in the title the word 'conservation'. That is merely another sop to a vocal minority in the community who have made no practical input into the industry. I am particularly interested in the provision dealing with the assessment of land. Clause 18 provides:

The Minister cannot grant a pastoral lease over Crown land—
(a) if the Governor has determined that the land should be set aside or used for some other more appropriate purpose; provides that a pastoral lease cannot be granted unless an assessment has been made of the condition of the land.

I want to know from the Minister, clearly and precisely, how many leases the Government has earmarked not to be renewed? Who has drawn up the hit list? Who are the first sacrificial lambs in relation to this proposal? I am sure, knowing what has taken place, that there are people with devious intent who want to get rid of some of the pastoralists. Who are they? We are entitled to know from day one.

An honourable member: They have a majority on the board.

Mr GUNN: These people have a majority. The Minister can get stroppy with me—that is her right—but the Opposition has an obligation when legislation is put to Parliament to ensure that it is examined effectively, that it is criticised where criticism is right and just, and that the answers to the questions posed are put on the public record so that the community at large can clearly read them. That is the whole purpose of having a Parliament. If one goes back to the history of parliamentary democracy, one sees that that is what it is about.

Although it is annoying and time consuming for Ministers with busy workloads, that is not our consideration: our consideration is to ensure that this legislation leaves this Parliament in an acceptable and responsible form, and I will not resume my seat, and my colleagues will not resume their seats, until we have put on the public record all our concerns and asked all the questions that have to be asked. Certainly, the public and people's livelihoods, their lifestyles, their families and their investments must be protected. The Opposition is entitled to ask those questions. Paragraph *(a)* of clause 18 must be clarified. That clause further provides that the Minister cannot grant a pastoral lease over Crown land unless the board is satisfied that the land is suitable for pastoral purposes.

Surely after more than 100 years of pastoral activity in South Australia the Government will not start determining that large pieces of this land are not suitable for pastoral activity. Surely not! The clause further provides that a pastoral lease cannot be granted unless an assessment has been made of the condition of the land. Who will make that assessment? Will the Government draw people from the Department of Environment and Planning or the Department of Lands, or will the Government use people who have been involved in the industry?

I want an assurance from the Minister that, when there is any assessment, evaluation or consideration of any lease, at least two people who are personally and practically involved in the pastoral industry will take part in those discussions. Unless people with a practical understanding and knowledge are involved, it will be a fiasco—an absolute nonsense. Without this representation, the system will not be fair. It will lead to disputes and litigation and we will have debate in this place. Let us not make any mistake. I assure the House that, in regard to every pastoral lease which is unfairly dealt with or is criticised, those responsible will be named in this Chamber—and the Minister should make no mistake about that. Indeed, because of the way the Bill is drafted, that will be the only protection that those people will have, and that right on behalf of those people will certainly be exercised.

Clause 20 is the most obnoxious clause in the Bill, and there is no doubt about that. Clause 21 deals with leases; it is a slight improvement, but it is nowhere near enough. I ask the Minister why the clause prohibiting the freeholding of land has been included in the Bill. It was not necessary previously. Pastoral land has not been freeholded: there has been no attempt to do that. As to the alteration of boundaries, everyone is happy about that if commonsense prevails. Regarding resumption of land, clause 29 (3) provides:

The resumption takes effect on a day specified in the notice in the *Gazette*, which must be a day falling at least three months after the date on which that notice is given.

If a lease is to be resumed, three months is not a long enough period. The price of stock could be disastrously low at that time. If a lease is resumed, the pastoralist must get rid of his stock. Pastoralists should be given at least six months to do that. Many other provisions exist in the Bill, but as a matter of commonsense pastoralists should be given six months to organise their affairs and put them in order. Any reasonable person would agree with what I have to say on that point.

I have dealt with property plans at some length. I again make the point: if the board requires the provision of a property plan, I seek an assurance that the confidentiality will be guaranteed. That is a fair and reasonable request.

If there is a matter that attracts attention, often it is the procedures for verification of stocking levels. It has to be borne in mind that, if people are made to muster during a period of drought, more harm will be done to the land than by putting a few hundred extra sheep on the lease. That will cause more environmental damage.

Many other aspects of this legislation require close examination and must be rectified. The Opposition will raise these matters and debate them vigorously in the hope of achieving a responsible response from the Minister. I refer to clause 27, 'Offence of hindering or obstructing person exercising powers under this Act'. There are people who have read the Act very carefully but have had problems dealing with inspectors; those people believe that commonsense should prevail. An inspector may come onto a property driving a Government car whereas the farmer might have been using the same old vehicle for many years because he could not afford to replace it; if the inspector gives that person a set of instructions which appear to him to be unreasonable and unfair, of course the fellow will object—and he has every right to object. Is that to be construed as hindering someone in the course of their duties? Is that person guilty of an offence and liable to a Division 7 fine? Will this fellow be raced off to court? Under the Act inspectors have the power to arrest people and take them to a police station. That in itself is a course of action that should be exercised with the greatest care and caution.

Because these regulations will have such a significant effect on the pastoral industry, it is my judgment that we should alter the arrangement whereby the regulations are brought in. They should lie on the table of Parliament for 14 sitting days before having the force of law. That has been done in relation to other Acts of Parliament. Because people have not had 14 days to examine this proposed legislation and because the regulations will be so important, they should lie on the table of the Parliament for 14 days before having the force of law. I believe that that amendment should be considered. This matter was brought to my attention only recently.

I am concerned also about the transitional provisions but my colleague, the member for Goyder, will follow up that matter. In the time at my disposal I have attempted to outline some of the concerns and difficulties which I believe will arise from this legislation. I could go on at length and cite the history of the pastoral industry, and so on, but I will not do that as I wish to take only a few more minutes. I refer to a letter of 24 October 1988 from the Minister of Lands to me which reads, in part:

> As you would be aware legislation for pastoral areas of this State has been in the melting pot for some eight years. During this time there has been extensive negotiation and consultation with pastoralists and community groups on the appropriate form of tenure and lease management. Since being appointed Minister of Lands I have become concerned that delay in the introduction of legislation may militate against the accord which has already developed in respect to various aspects of the draft Bill. To promote that accord I have been active in meeting with pastoralists 'in the field'...

I must say that the Minister did create a good impression when she met the pastoralists, but unfortunately that has now evaporated because the sentiments expressed by the Minister in her letter have not materialised. The letter continues:

> I believe this draft Bill presents a reasonable approach to legislation for the pastoral leases. In many respects it reinforces the principles of maintenance and conservation of land which were paramount to the pastoralists I was fortunate to meet during my recent trip to the northern parts of this State.

Those sentiments, worthy as they may be, will do nothing to alleviate the fears of the pastoral industry. In the past few days people have said to me, 'We are jolly sorry that we have invested in the pastoral industry.' Other people have said to me, 'There is no way that I will ever go near the pastoral industry now because of this legislation—this sort of nonsense. What has gone wrong with the Government? What has taken place?' I refer to a letter from the United Farmers and Stockowners of 2 May 1988 which refers to the draft Bill as follows:

> Page 19a.—Take out the sentence beginning 'All lessees...' and substitute the following:
>
> All existing leases automatically converted on commencement of legislation to continuous tenure on the same terms as at present subject to modifications previously agreed to.

What should take place? Either these leases should all be converted to continuous leases or on the day that this legislation is assented to every pastoral lease in South Australia should automatically be converted to another 42-year lease as a bare minimum. That is the only fair, reasonable and proper course of action to take. If that action is not taken, we will be in for a protracted public debate on this issue—and the industry will be affected.

The Hon. R.G. Payne interjecting:

Mr GUNN: It is not an ambit claim. The member for Mitchell has been in this place for as long as I have; he has seen many things take place and he has seen people come and go from both sides of the House. He knows that, if a large development was to take place in this State and if a freehold or improved tenure was requested, that would be agreed to no matter where it was situated; whether it was Marineland, Wilpena Pound or Mount Lofty the people involved would get the title they wanted because the Government is desperate to increase investment in this State. But our own South Australian citizens, many of whom have worked on leases for generations, have been denied the same right. Everyone knows that the more secure the title we give people, the better they will run and manage it.

I am disappointed but not surprised, because I do not really blame this Minister; those who are pulling the strings behind the scenes have made these decisions. They are the ones led by the Deputy Premier and the group that controls the Department of Environment and Planning. I could name them: I know each one of them and I know what took place at the Adelaide University. These people have never in their lives had to stand on their own feet. They have never had to make a living from their own involvement, because they have always been in a salaried position—they have been fortunate. They have never had to stand or fall on their own activities, on their own ability to raise finance to carry on. They have not been the ones who have had to front up to the stock firms or the bank manager and say, 'I have to borrow more money to survive.' When people have been in that position, they know what it is like. Therefore, it is unfair to sit in judgment on those people and to inflict illogical aims and objectives on an industry which has done nothing but good for the people of this State.

In conclusion, I want to read briefly what the United Farmers and Stockowners had to say in relation to this matter. I also refer to what Mr Sawers had to say. I thought that it was terribly unfortunate that the *Advertiser* ran Mr Ron Hill's article without giving a proper explanation of the facts. I was pleased to see in today's *Advertiser* that Mr Sawers was able to comment. Under the heading 'The pastoralists: SA's conservation caretakers' the article states:

> South Australia's 40 million hectares of pastoral country is among the world's most fragile landscapes. The management of this land, covering almost 60 per cent of the State, requires a

delicate balance of skills to ensure the area is correctly conserved for future generations.

Understanding pastoral country, to ensure this high standard of care, has been in the hands of some of the most skilled land managers in the State. This dedicated group of individuals has a broadly based land-cure philosophy—they are prepared to live in comparative isolation, away from the services that most of the community takes for granted.

My grandfather, the original lessee of Uno station, and my father well remember walking off the land in the 1870s when the Government of the day increased rents so that the properties became unviable. He subsequently played a key role in the royal commission which followed.

It seems ironical to me that a century later these fragile lands are under threat again from a Government which seems unable to understand the economic dynamics of these farming families, and from an academic geographer who has applied some rather superficial arguments to support his claims ('The need to raise pastoral rents', by Ron Hill, the *Advertiser,* 17 February 1989).

There is absolutely no doubt in my mind that South Australia's vast pastoral industry, with its $180 million worth of livestock grazing outback leases, is being put at risk by these misunderstandings. Claims that South Australia's 250 pastoralists have 'arguably the best tenancy terms in the world' simply cannot be substantiated. On average, this State's 350 pastoral leases are levied about 40c per sheep area a year, compared with 7c in Western Australia and about 15c in the West Darling area of New South Wales.

More importantly, though, these 350 leases currently contribute about $600 000 to the State's economy each year—an average of $1 714 a lease. Across South Australia there are 24 000 other leases which pay an average $83 a year. These leases cover both rural and commercial land. The assertions, which Mr Hill claims are based on economics, must be addressed so that the wider community has the opportunity to make its own judgments.

Let me explain. The clear statement is made that pastoral leaseholders are unduly subsidised through the rental system under which their leases are held. To substantiate this claim, Mr Hill quotes a range of percentage charges which he compares with lease rents. Readers must wonder how much is 'enough' and how little is 'too little'. What else could the land be used for to raise revenue and ensure conservation practices are maintained?

I have always believed that the first rule for all comparisons is that one must compare like with like. Despite this, the critic mistakenly compares the rate of return on land (presumably as valued by the landlord, since the Valuer-General is an officer of the Crown), with the overdraft rate. He also implies that rents for Crown leases are below their market levels, but does not offer readers any figures which indicate comparable commercial rates of return on equivalent pastoral land. Furthermore, Mr Hill uses the changes in valuation of leases as a yardstick in his argument.

It is on grounds like this that the suggestion is made that pastoral leases are 'heavily subsidised'. However, there is no law of finance which states that the rate of growth in rent should mirror the rate of growth of land values or lease values, or the CPI, or even wool prices. Mr Hill cannot use any of these as evidence of subsidy unless he can show that his calculations demonstrate a 'true' value for pastoral lease rents which exceeds the current going rate. It's as simple as that.

I believe South Australia cannot afford to risk losing its skilled remote conservationists for several important reasons. These farming families are committed to the care of this fragile country—they have learnt these vital management techniques through generations of experience. The South Australian community cannot afford to lose these families—the State needs the millions of dollars they contribute to continue to finance urban and rural services. To do this appropriately, these families must have security of tenure.

At present, the Government's proposal is far from this. Currently, the northern graziers have 42-year terminating leases. Ms Lenehan (Minister of Lands) intends to replace this with a one-year 'desk' study of all leases to see whether they should stay in pastoralism, and then, for those who do, inspections during the next five years after which the Government will decide the conditions which should be attached to the leases.

Simply put, it could be six years from the time the new Act is proclaimed until a pastoralist, whose family has been on the lease for maybe 100 years, finds out whether the family is to get the lease back, under what conditions and at what cost. This is quite unacceptable. Moreover, it is not in the best interests of the family or the country to introduce six years of commercial uncertainty. Governments, which look simply at raising dollars through these sorts of processes, and well-intentioned academics must not be allowed to complicate the best management of the pastoral country in South Australia.

I cite that article because, over the past few years, the views of those people who have not been personally involved have been given far more credence than those of the rest of the community.

When the member for Chaffey was the Minister of Lands he was subjected to the most disgraceful vilification by certain academics. These people have continued with their behaviour until the present day. I believe that Parliament would be acting quite properly and in the best interests of the people of this State if it completely ignored those views until those academics presented rational, fair and reasonable points of view which would assist the management techniques of the pastoral industry and the pastoral industry itself rather than setting out to deny those people who have been involved in the industry the opportunity to continue in such an industry and therefore to help other South Australians.

I repeat: we will oppose the third reading of this Bill and, if it is passed, we will continue in our efforts to promote reasonable debate and to introduce reasonable legislation. I support the second reading but, as it now stands, I have grave reservations about this legislation.

Mr MEIER (Goyder): I congratulate the member for Eyre on his excellent second reading contribution. I have had the pleasure of observing some other overseas Parliaments, and in one country members' speeches are applauded. If such displays were permitted here, I believe that he would have received loud applause from all members listening. As members would know, the honourable member represents, or under previous electoral boundaries has represented, almost all those pastoralists who will be affected by this Bill. He knows the pastoralists' way of life, their problems and concerns better than any other member of Parliament. His credentials to speak on their behalf are second to none and he has proved that fact very clearly this afternoon.

Although I have recently been given the opportunity to handle legislation relating to lands on behalf of the Opposition, working with my parliamentary colleague the member for Victoria (the Opposition's primary industries spokesman), I felt it would be inappropriate if the member for Eyre, who previously was the Opposition spokesman on lands but is now involved in the areas of agriculture and the CFS, was not given unlimited time in this debate. Over many years he has done a great deal of work in the pastoral management area and I think that fact has been proven.

At one time all members who contributed to a second reading debate were granted unlimited time. However, unfortunately that situation no longer exists. Although at least three members of the Opposition would have liked unlimited time to speak on this Bill, that is not possible. As a result, many of the things that I would have liked to say as the Opposition member handling legislation relating to lands will have to wait. In most cases, those matters have been canvassed by the member for Eyre when he pointed to the fallacies in the Minister's second reading explanation and addressed many issues in the Bill. I hope that I will be able to complement what he said.

I also hope that the Minister will agree to set up a select committee to consider this Bill. It is imperative that a Bill of this magnitude be debated properly and all its implications made clear before this Chamber considers it. If we had proper and responsible government in this State, this Bill would not be before us now for the following reasons: first, the Minister knows that the long awaited soil conservation legislation should have been introduced, passed and proclaimed before we considered this Bill, because so many provisions in this Bill will hinge on the provisions in the

soil conservation legislation. Secondly, in her second reading explanation the Minister stated that this legislation is the culmination of public debate, comment and extensive consultation. I question the accuracy of that statement because, although some consultation has occurred and there has been comment, I do not believe that any real provision has been made for public debate.

As the member for Eyre stated in his contribution, only last weekend—four days after the Bill was introduced into this place—he, together with the Hon. Peter Dunn from another place, attended a large meeting in the pastoral lands and many, if not all, those people present did not know about many of the provisions contained in the Bill.

The Hon. T. Chapman: They probably didn't know who the Minister was.

Mr MEIER: That is probably right. Although the Minister said earlier that she had visited the pastoral lands, for which we compliment her, I do not believe those visits were lengthy. I think that they were a couple of half days, or something like that.

Mr D.S. Baker: A couple of half hours.

Mr MEIER: A couple of half hours, was it? I am not sure of the time. I am sure that she will tell us how long her visits were.

The Hon. T. Chapman: I bet many of them didn't know that the Minister was a little lady.

Mr MEIER: After reading *Hansard*, and her address, I am sure that that will come out. However, I wish to return to the important ingredients of the Bill. As the Minister well knows, white and green papers should have been released for public comment prior to this Bill coming before Parliament, but they were not. I believe that even the Minister's own department is unhappy with her on that oversight, and I know that the member for Victoria will elaborate on that point. Thirdly, many provisions in the Bill are totally unacceptable and are an affront to the pastoralists and detrimental to the rural economy of South Australia. More will be said on this point in due course.

Insufficient time has been given to consider such a monumental Bill. I acknowledge that the Minister gave notice last year of the intention to introduce the Bill. I acknowledge that there was more than one draft Bill, but many of the things that displeased the pastoralists in the first instance and were contained in early draft Bills are not in this Bill. If there had been that sort of consultation earlier, we would not have a Bill that acknowledges the major points of concern to various groups, in particular the pastoralists whose livelihood is affected by this Bill. It is a new revenue-gathering measure for the Government, whereby pastoralists paying rent of the order of 25c to 45c per head of sheep per annum will be liable to pay nearer $3.50 per sheep and $7 per head of cattle per annum under the new Bill. Again, my colleague the member for Victoria will have more to say on this later.

I also see the Bill as a further step forward for the Fabian socialist policy of the ultimate control by Government over all land, with rents being so high that no-one except the Government is able to accumulate too much wealth. Members opposite shake their heads, but it is the truth. They smile and try to pour ridicule on us, but they know what they are doing regarding leasehold land in the settled areas of this State. Only the other day I was speaking to a person who has leasehold land within the greater metropolitan area of Adelaide. He indicated that his leasehold rent has gone up from about $500 to almost $9 000. That is what is occurring. The Government is trying to cripple the people with rents and have control of the land at the same time—it is very clear; let us not be deceived.

To consider the specifics in the Bill, the board to oversee the new Act is totally unrepresentative of the pastoralists whose livelihood will be entirely dependent on this legislation. How many pastoralists should be on a five-member board to administer the pastoral lands? I suggest that three would be a good number and would give them a majority. However, we do not have three members. Do I hear that it will be two? No! In fact, we have only one pastoralist represented on a five-member board, which is totally inadequate—laughable if it were not true. That board has been given a lot of power: it advises the Minister on policy, can refuse the extension of a lease, can vary the conditions of a lease and can implement penalties and fine pastoralists. Yet, the pastoralists have only one representative. So, the board will certainly not look after the interests of pastoralists, unless I am grossly mistaken.

The member for Eyre highlighted other examples. What about the new leases? With a new Bill one would imagine that the terms and conditions for new leases would be clearly enunciated, but this is not so. We have no indication of what a lease will comprise. Surely the pastoralists who will be fortunate enough to get new leases should know precisely what they are getting, and what they get should be acceptable to them if they are to give up their rights under current leases. The Minister says that the terms will be fixed by regulation, but such an important item as a lease contract should be in this Bill.

Some pastoralists will not need to worry about the form of the new lease because they will not be getting a new lease anyway. Rather than the fair and humane option of automatically converting all leases under the existing Act on the proclamation of the new Act, on terms that could be set out in the schedule to the Bill, this Government says through the Bill that a lease under the new Act will not be issued until an assessment is completed on that lease and until the expiry of the present lease or thereafter. As the Minister says, within the first year of operation of the new Act she will review all existing leases. Those that are not suitable will be allowed to expire. Those that survive the initial review will remain in force for no longer than a further five years; within that five-year period the condition of the land will be assessed, and only then will the board determine the conditions that will be inserted into the new lease to be granted to the lessees. It will be years before the pastoralists lucky enough to be given the green light for a new lease will know what might be contained within the conditions of their lease. Does the Minister have no idea what this will do for the morale of the pastoralists? No wonder so many are hostile at this very moment.

The uncertainty of not knowing what will be in the lease or whether it will be renewed will have a marked effect on business confidence—as if it is not low enough already, with our record balance of payments deficit, with a Treasurer running around like a chook with its head cut off, not knowing where to run and what to do, with things getting worse from day to day. This measure in one sweep will destroy faith in the credibility of South Australia. Pastoralists who want to sell their lease will not be able to do so. What about those who want to do likewise in the next year or two? If such a breaking of contract and tenure occurred to businesses with leases in the metropolitan area there would be a massive uprising, yet that is what the Government is doing to the State's hundreds of pastoralists.

Surely, at a time when the rural industry needs all the help it can get the Minister could at very least automatically convert existing leases to new leases under the Bill before commencing the assessments. This, in itself, would save money. How many extra people will have to be employed,

if this Bill passes, to carry out the assessments? I believe that about 20 extra people will be required in the first five or six years—a massive increase. Yet, this would not have to occur if leases were automatically transferred with assessments made over the next 10 to 20 years. Furthermore, I understand that pastoral representatives sought a continuous lease. Continuous tenure leases would still allow the Minister to resume the land if the pastoral leases were not being managed appropriately and periodic assessments likewise could occur. Some pastoralists argue that the new 42-year lease is in many ways worse than the old 42-year lease. A continuous lease would give renewed confidence to the pastoral industry. Under the Bill this has not occurred.

The member for Eyre made many comments on the subject of rent. The Bill states that the rent payable under a pastoral lease will be an amount determined by the Valuer-General. People should understand, first, that the situation in the pastoral areas is very different from the settled areas.

The Hon. S.M. Lenehan: The Valuer-General would surely know that.

Mr MEIER: I am not saying he will not, but one can have up to 10 years of poor conditions in those areas. If pastoralists cannot have rents set on an extended term, such as the case at present where a seven-year period has worked well and continues to give some incentive, as the member for Eyre said, under many of the new provisions pastoralists will not be interested in taking up this land. He mentioned the 1870s and 1880s, when the rents were too high and people simply walked off the land. Is that what the Government wants? Maybe it is its way of getting rid of people in that area. It is interesting to consider rents at present, and I refer to an article by Mr Hill in the *Advertiser* wherein he indicated that rents were far too low.

Let us consider the other States. New South Wales has a variety of pastoral leases varying in annual rent from 10c to 16c a head for sheep; in Western Australia the rents vary from 3.5c to 4c a head; and in South Australia it varies from 21c to 36c a head, even though earlier I quoted a figure of between 30c and 50c a head, depending on the pastoral property being considered. The rent per head on each lease varies according to the distance from markets and ports, as well as other similar conditions. At present, the rents are not too high, but it appears to me from the structure of the Bill that provision is there for the Government to increase the rents massively and to look on that as a real bonus in raising revenue.

The matter of the capital gains tax has been well covered by the member for Eyre and I shall not deal with it in detail other than to say that, despite an assurance from the Minister that that matter will be fixed up, it is a Federal aspect of the Bill and, if these leases are to all intents and purposes to be terminated for any reason, which will occur, the capital gains tax will apply. Members know how they have been affected personally by changes in the tax rules and regulations and they also know that, although protests may be lodged, the Federal Government has not been sympathetic. That aspect should have been fixed up before the Bill was introduced.

Property plans are already in place on many pastoral properties and, if there is damage to land, variations must be written into the pastoral leases so that at least the conditions can be changed in the lease in line with changes in the environment. However, that matter has not been dealt with in the Bill. Regarding stock levels, a statutory declaration will be required. Where will such a declaration be signed in the pastoral areas? Such provisions are not necessary. An ordinary declaration would be satisfactory, quite apart from the extra overtones in respect of muster provisions.

The member for Eyre has dealt with the matter of Aborigines, and more will be said on that in Committee. I will also take up in Committee the matters of the right to travel across the land, appeals (which are too limited), and the resumption of leases in respect of which the time limit of three months is too short and therefore must be extended.

I acknowledge the assistance that the Minister's office has given, even though the Minister got upset yesterday on the subject of who was the Opposition spokesperson on lands. It looks as though the new team approach adopted by the Opposition is working, because we certainly got the Minister upset when the member for Victoria asked his questions regarding the Green Paper.

The Hon. S.M. Lenehan interjecting:

Mr MEIER: The Minister should play back the tape to see how upset she really was. She was disturbed about the situation and would prefer the Opposition to adopt a one-to-one approach rather than face the team. At a stroke of the pen this Bill takes away people's current leases and substitutes a new contract over which they have no control. It is noteworthy that the draft Bill did not affect existing leases until they expired. There are too many unknowns in the Bill. The pastoralists' future must be given some certainty: it must not be left up in the air as it is by this Bill. As was indicated earlier, the Opposition will move to refer this Bill to a select committee so that fairness and justice can prevail. We certainly hope for the future of our pastoral lands that the Minister will agree to set up this select committee in the House of Assembly.

Although I should not consider the possibility of the Minister's refusing to accede to the Opposition's request to set up a select committee, if the Minister does not see commonsense and reason, the Opposition believes that the Bill is so fraught with errors that need correcting that it must be amended in Committee. It is hoped that the Opposition's amendments will be accepted by the Government. However, let us hope that the Bill goes to a select committee so that we do not have to oppose it outright at the third reading.

Mr D.S. BAKER (Victoria): Yesterday, during Question Time I asked what appeared to be an innocuous question in polite and simple terms so that the Minister would understand it. In seeking information from the Minister, I asked:

> In view of the Government's regulation review procedures which require the preparation of a green paper as part of the prior assessment process on proposed new Acts of Parliament, will the Minister table a copy of the green paper on the Pastoral Land Management and Conservation Bill so that the cost benefit of the legislation can be established? Will she reveal who was consulted—

I asked that question because the Government of which the Minister of Lands is a member put out in July 1987 a regulation review procedure. That document, which was issued by the Attorney-General under Cabinet authority, states clearly what should happen in these cases:

> In March 1987 Cabinet approved deregulation proposals aimed at providing a process of prior consultation before new or amending Acts and regulations are passed.

That clearly has not happened in respect of this Bill. Under the heading 'Prior assessment process', the document states:

> It should be demonstrated that, of all options, the proposal will achieve the objectives at the least cost to business and the community at large . . . In any event, the prior assessment process, taking into account the factors in section 4.1., will involve the preparation of 'green papers' (see section 5) and it may require the preparation of 'regulatory impact statements' (see section 6) . . . It is obviously desirable, however, in cases involving sig-

nificant regulation or deregulation that any issues of fact which may be in dispute on different approaches to policy should have been resolved, or at least identified, before matters reach Cabinet for final decision.

Concerning green and white papers, which was the subject of my question, the document states:

Cabinet has approved the use of 'green' and 'white' papers as the basis for discussion and promulgation of written Government policy matters . . . Where it becomes apparent that there are likely to be appreciable concerns about proposed regulation or deregulation from any sectors of the public as a result of circulation of a green paper, it may be necessary to move to more extensive consultation.

My question was a fairly simple one but, while I was asking it, the member for Newland took a point of order on the grounds that it was out of order. It seems to me that, from the bouncy, happy member for Newland that she was when she and I came into the House, she has become so sad looking since not making the Ministry, whereas the present Minister did. However, the honourable member and the Minister seem to have got together because, from her experience as assistant to a Minister, the honourable member knew that my question would embarrass the Minister and that the Minister would be stuck for an answer, so she tried to stop the question from being asked.

We heard such a tirade from the Minister in reply to my question. She knew nothing about what I had asked, so she started on personal abuse of the poor member for Victoria for asking the question and carried on at length with untruths about that member. She said that I had not even had the courtesy to contact her as regards briefing on the Bill, but that is a complete untruth. The minute the Bill was introduced, the members for Goyder and Eyre, as well as I, asked for a briefing, but that briefing could not be given on that day because the appropriate person in the department could not be found to brief us.

If that is not bad management, I do not know what is. That is a fact, and I certainly want that recorded in *Hansard.* The Minister went on to say:

I must inform the House that the shadow Minister of Lands did not seek and has not had a briefing . . .

I have dealt with that point. The Minister then went on to say:

I thank my colleagues for their support—

and that was because they had kept on interjecting, saying how well she was going—

but I do have an understanding of the history of the matter.

An honourable member then interjected, 'When are you going to demonstrate it?', to which the Minister said, 'You stay around and watch tomorrow and you will see a demonstration of it.' The press had already come to me and said, 'We've already been told by the Minister to gather round tomorrow because she's really going to stand up and make you people on that side of the House look silly. She has said she's going to put on the performance of a lifetime.' So, we will all be waiting for it tonight and tomorrow, and we will really be questioning her closely to see whether this performance of a lifetime is as good as she believes it can be. I can assure members that it will not be. The Minister continued as follows:

I find it amazing that this pretender to the shadow Ministry does not even have the decency to admit that he knows nothing—absolutely nothing—about the legislation.

Well, we will see, as the day unfolds, who knows what about the legislation. The Minister then went on with some personal abuse about my lack of financial structure—which was quite embarrassing. She did not go on to say at the end of it how poor I was. But, anyhow, a simple question on why the green paper was not issued and why the regulatory procedures were not adhered to was very embarrassing to the Minister, because none of that has happened. We have seen no evidence of it, and that is why we are asking that this Bill go to a select committee—so that proper consultation can take place, as opposed to the *ad hoc* nonsense that is occurring at present.

The Bill that was introduced into this House last week is entirely different from the draft proposal that was circulated for discussion: there are some 40 changes in it that add to the whole thrust of the Bill. I want to know from the Minister why those changes have been made and why, in relation to the new Bill, there has not been adequate consultation with the people concerned. There are some other things about the regulation review procedures that should be looked at.

Mr Rann interjecting:

Mr D.S. BAKER: It is all right for the 'fabricator' to interrupt, but as we know with him, to date, he has not put anything to this House that has been of a truthful nature. We know what goes on out there with the press—and I can assure the honourable member that his turn will come, with that 'fabricator' label, and that will stick with the honourable member as long as he is in this House—and he knows why.

In relation to the Bill, have the views of Treasury been considered? This Bill has major ramifications in relation to Treasury income, and I will deal with that matter in a moment. Why is a new bureaucracy to be set up under the Department of Lands, when this could quite easily be handled, in the assessment procedure, by the Department of Agriculture? We have been told that $15 million will be spent with a new bureaucracy. That is not allowable under the regulation review procedures quite clearly set down by this Government. However, the Minister has refused to follow them.

The Hon. H. Allison: That would help the people on Eyre Peninsula, too, wouldn't it?

Mr D.S. BAKER: Yes, that $15 million would help them. However, it would probably be used to build another entertainment centre; the Government would not worry about the people on Eyre Peninsula. Another most important thing that has to be discussed concerns a matter raised in the Vickery report. Pastoralists are most concerned that at present their pastoral leases are a contract with the Crown. I quote from the Vickery report, as follows:

A pastoral lease is a contract between the Crown and a lessee. The lease grants a lessee a right to occupy an area of land and utilise its vegetation to graze livestock until the expiry of the lease.

Under this Bill, the Minister is asking that contracts be broken in relation to 99 per cent of those people who hold a contract with the Crown. Not only is that legally wrong but it is morally unjust. There are three leases that expire in 1989, 1990, and 1995 which, in effect, would be allowed to expire under this legislation. All the other contracts of the 250 people who hold valid leases up to the year 2027 will be broken. I want to know from the Minister why those leases cannot be allowed to run on to termination before the provisions of this legislation come into force. We will be questioning the Minister very closely on this matter.

The member for Eyre has already referred to the capital gains issue. Those people who owned leases prior to September 1985, when the capital gains legislation became effective, will now, because their leases under this Bill are supposedly to be cancelled, be subject to capital gains if the property is ever sold. Surely, that is an abrogation of the duty of any Government. The Minister has said that it is a Federal matter and that the State Government does not want to have anything to do with it. As the member for Eyre said, those people will have to write to the Australian Taxation Office and sort out the matter on their own. That

is not good enough. That is another reason, as the member for Eyre said, why this Bill should go to a select committee.

Further, in relation to the second reading explanation that was presented to us, we come to the matter of land tenure. The second reading explanation states:

South Australia is not alone in considering appropriate forms of tenure for Crown lands. Over the past eight years there have been inquiries into land tenure for pastoral land in most Australian States and the Northern Territory. A common report of the various inquiries has been that freehold is inappropriate to the management of extensive pastoral areas.

However, what is not indicated is that in other States a perpetual form of lease is quite acceptable. However, that will not be countenanced by this Minister. It is completely wrong to say that land tenure and controls or conditions and covenants within a lease are one and the same thing. One has only to look at a perpetual lease in this State. I have brought one along here today. I will not refer to it at length, but I simply point out that on any perpetual lease in this State many conditions are specified, such as keeping areas of timber aside, allowing officers and servants to go onto land, entering into share farming agreements, looking after soil conservation, and so on. All those covenants and conditions can be written into a perpetual lease, and so make that lease, in perpetuity, something in relation to which security can be obtained from financiers.

I note that the second reading explanation states:

Perpetual tenure has been advocated . . . However, no evidence has been presented of pastoral tenure being a restriction on borrowing.

That is an absolute fabrication of the truth. The member for Eyre quoted from comments made by two pastoral houses in relation to exactly what has happened. In fact, I have a letter from the legal representatives of one of the pastoral houses, which states quite clearly, and at length, that unless a perpetual tenure is granted to pastoral lessees their ability to borrow on those leases is severely curtailed. Yet, in the second reading explanation we have this fabrication that there is no evidence to suggest that there has been a restriction on borrowing. Why does the Minister have to put these sorts of statements to the House, unless it is an attempt to try to hoodwink members on this side, as well as the people out there in the pastoral areas—who know far better than she does about these matters.

Let us look at the Pastoral Board. Surely this is a farce! What will happen under this legislation? There are 157 000 cattle and some two million sheep in the pastoral areas of South Australia. At present, the total amount of money raised under pastoral leases is some $630 000, which is an average per head (if we count cattle and sheep as one) of some 27c. What will happen under the new rent structure (which has been leaked very surreptitiously from within the Minister's department and not denied) if that is raised to the mooted $3.50 for sheep and $7 for cattle? It will mean that the total amount raised will go from $630 000 under the present Act to $8.71 million. Is there any reason why there was not a green paper on this when the pastoralists realise their potential liability to the Crown?

I think it is absolutely disgraceful that the Minister's department has leaked this information, and I think it is disgraceful that a rise of this magnitude is even contemplated. There are five people—only one of whom is a pastoralist—on the Pastoral Board. The other four members will come from Government departments and as such will have no real interest in the financial viability of the leaseholders. In fact, they will have no interest whatsoever in whether over a period of time pastoralists are forced into a situation whereby they must relinquish their lease, and will have no interest whatsoever in what those pastoralists can contribute to the well-being of this State in the form of income. I think it is an absolute disgrace that it was leaked that that amount of money could be raised under this legislation.

The Pastoral Act spells out very clearly how rents are calculated, as follows:

The rent under every lease shall be determined by the board, subject to the approval of the Minister, having regard to—

(a) the carrying capacity of the land for depasturing by stock [very sensible];

(b) the value of the land for agricultural or other purposes [very sensible];

(c) the proximity and facilities of approach to railway stations, ports, rivers, and markets . . .

In other words, those people who are totally isolated have a different rent structure from those people closer in. Some people have the advantage of a railway line running through their lease, and that should be reflected in their lease. However, none of that is in this new Bill. It is very bland and says simply that rents will be fixed by the Valuer-General. We have no qualms about the Valuer-General doing that, but we want to know in detail how the amount will be fixed—under what terms and conditions—and how that will affect the viability of pastoralists in this area. One must remember that the area in question covers some 80 per cent of this State.

When we look at rent and how it is calculated it is interesting to note that the second reading explanation states:

The annual rentals will be based on productivity, and this will allow rentals to fluctuate with the productivity of each individual lease.

That is a very naive statement. If one looks up the Oxford Dictionary, one will find that 'productivity' is defined as 'capacity to produce,' 'intensified production,' and (something that the member for Peake would be interested in) 'production per man hour'. I know that that was a great interest of the member for Peake when he was in the shearing industry. In fact, every time he came to my farm he would say that we had to increase the production per man hour. So, productivity is a measure of volume. It has nothing whatsoever to do with the financial viability or financial income of a lease. In fact, the more judicious farmers, who perhaps spend more money on good rams to lift their volume of wool or increase the fecundity of their flock—and I will explain to the Minister later what that means—and have a greater turnover in stock, will be penalised.

As productivity increases with good management, so will the rent, and that is absolutely unfair and unreasonable. We have already discussed the rents in other States, and the members for Eyre and Goyder have clearly stated that the rents in South Australia are as high as, and in many cases higher than, the rents in other States. In the areas of South Australia bordering on New South Wales—where, incidentally, under the Western Lands Board there are perpetual leases—and Western Australia, South Australian pastoralists will be at a severe disadvantage and the value of those properties will be severely downgraded compared to properties in other States.

There will be lengthy questioning of the clauses of this Bill, because I believe that this Bill represents one of the worst cases of oppression of a minority that I have seen since I have been in this House. At no stage has the minority—the pastoral leaseholders—had an adequate say with respect to the conduct of this Bill, and at no stage did they have an adequate say as to the membership of the board.

The Hon. T. CHAPMAN (Alexandra): I want to place on record my concern about the manner in which this Bill has been thrust upon the Parliament and the very short

period in which members of either side of the House have had to study it since its preparation. It is obvious from the second reading explanation that the Minister has had some consultation with the industry, and she cites the UF&S, in particular, as the State authority on behalf of the primary sector with whom she had that consultation. She also cites Aboriginal communities with whom she has had contact for the purpose of seeking their views. Undoubtedly she considered those views when preparing the Bill or having the latter stages of preparation carried out by Parliamentary Counsel.

I note also from the second reading explanation that some significance has been placed on the views of the conservation movement within South Australia. It is as clear as a neon sign that the Department of Environment and Planning, under the care and control of the Hon. Don Hopgood, has also had significant influence on the preparation of this Bill. It does not really concern me that the Conservation Council and other associated authorities have had some input on this issue. It would concern me if they showed no interest in the care and management of that land.

The pastoral land of South Australia is well known not only within this country but internationally as a very sensitive region of Australia—sensitive to wind, to water erosion on those few occasions when stormwater causes great difficulties, and sensitive to erosion of its native flora as a result of overstocking, whether by livestock (cattle and sheep), as is alleged to have occurred from time to time, or by feral animals or, indeed, native fauna, particularly kangaroos. So, the sensitive side of this subject is very real and one for which we, all should have some regard.

However, I want to place on record that the pastoralists and their families reside on their land, survive off their land, and live and feel for their land. As a community of this State, they are the very best caretakers for that great pastoral region. Those people who have been prepared to live on that land since white settlement of South Australia have proved to be very sensitive caretakers, not only of their land and their place of income but of the environment that surrounds it. Indeed, sketches made by the very early settlers, and possibly sketches by earlier explorers that are preserved in the archives, show that the natural bush in that pastoral region has changed little from those early days.

As to 'clearance', in the broadest sense of the term, the land has not been cleared—it has simply been grazed. From time to time, pastoral areas have been erased by drought or the odd flood. As for livestock, the sensitive caretakers of that land have stocked it as, and in accord with, the growth that has been around at the time, taking good care to observe the seasonal conditions as they have varied, sometimes for years and years of one pattern with then a break in that pattern to become a better or worse form, whatever the case.

The area of sensitivity is one that I and all members on this side of the House have due regard for. However, it does not lead me to suggest that management control and/or dictation of that sensitivity should emanate from a department of government, whatever its political persuasion—and especially not when that departmental dictation emanates from a metropolitan-based centre. In those matters I support the member for Eyre, who has not only lived adjacent to, if not in, the region in question but has represented the people of the region for about 20 years in this Parliament. He has represented them on the basis that he is respected in that area and understands what it is all about, and he appreciates the feel for the land which his constituents—the pastoralists cum caretakers—have had over the generations and the skill they have gained.

The subject of leasing is not frightening from the point of view of land tenure, and the people in the pastoral region do not require very much from the Government. The bottom line is that they do not want bouquets from well-wishers in the south or from people in regions of assured rainfall elsewhere—they want security of tenure over their land, with the opportunity to work it in the way that they know best and the opportunity to receive a reasonable reward for their efforts.

In other words, they want some incentive for the effort that they put into the caretaking and maintenance of that land, and whether it is in the form of sensitive attention to the flora cover, windmills, piping and other watering facilities or whether it is fencing or other similar structural improvements is irrelevant. Having decided to improve facilities on a property, pastoralists understandably need an assurance of long-term tenure, and there is nothing long term about the proposal to adjust rentals on an annual basis as incorporated in the Bill. Indeed, that is a frightening element of the legislation, if we are to wear it.

The member for Eyre made a very relevant point to this Parliament this afternoon in his opening address on the Bill when he committed the Liberal Party in Government to reverse the situation proposed by the present Government if it does not heed the list of amendments that the Opposition has on file. In other words, the Liberal Party through the member for Eyre's remarks this afternoon has made it quite clear that it will observe the tenure of pastoralists in South Australia and recognise their capacity to meet realistic rentals on lease property and it will recognise the need to enable a fair reward to be received for the effort given by those people.

In other words, the Liberal Party will not tolerate the content of disincentive as reflected in the Bill. There are just one or two other matters that I want to raise about the subject generally, and especially to pick up some remarks made by the member for Eyre. His feel for this subject was demonstrated clearly to us all this afternoon.

Mr Rann: He's trying to get back to the front bench.

The Hon. T. CHAPMAN: The member for Briggs makes some facetious remark about my colleague's position in the shadow Ministry. Obviously, the member for Briggs has not caught up with the real position: there is no shadow Ministry on this side of the House. We in the Liberal Party use people as and when the opportunity arises where they are best placed. Indeed, that was admirably demonstrated this afternoon when the member for Eyre stood in this place and led the debate on this Bill. It showed that the Liberal Party is conscious of where its qualities lie and is willing to allow those to be exposed freely and not be bound up by the Caucus-type decisions that the Labor Party has to suffer.

Whilst we do not boast that we have a hell of a lot of talent, when we have got it and when it is available to us we allow it to be freely used. On this occasion the member for Eyre did just that. I do not want to be diverted by all that garbage from the other side. In the few minutes remaining to me I want to recognise those people out there who for generations have taken care of a vast region of the State. I want to recognise their position and ensure that the position of their families is recognised in any legislation that is likely to be thrust upon them, let alone encumber them in the longer term.

It is in that context that I address this subject this afternoon. It is in that context that I support the member for Eyre (and indeed the Liberal Party) in his absolute undertaking that in Government we will preserve the tenure, the realistic rental fees for that lease country and the range of

incentives that are now required by pastoralists in order to survive and properly produce in that region which lends itself so admirably for that to occur. It is in that context that I again recognise the member for Eyre in his sensitivity to this subject *per se.*

It is all very fine for the Minister and the member for Briggs to be sarcastic and caustic, as they are when the debate does not suit them, but I am sure that, if the Minister—albeit a relatively new Minister in the Parliament—puts aside her political affiliations for a moment and recognises on a face-to-face basis what the member for Eyre has said this afternoon, she, too, will appreciate his incredible grasp of the subject in question. The Minister will appreciate that what he has said is not Party-political garbage, it is not synthetic in any way and it is not material that deserves caustic remark. In fact, the member for Eyre deserves commendation for his reference and representation on behalf of people in the pastoral region.

When discussing pastoral legislation it is important to realise that it applies not only to those lands covered by saltbush or bluebush—the pastoral grazing region, as it is generally known—but also to pastoral leases extending to some of the inner areas, to those areas represented largely by the member for Eyre.

So, from a sheer, wide, geographic point of view—and a significant area State-wise—it is appropriate that that member not only speak on the subject but lead the debate on the Bill. I look forward to his cooperation through the passage of this legislation and on any future occasion when the pastoral area or the facilities required in that region of the State come to our attention as a matter for consideration by Parliament.

I appreciate the opportunity given to speak, albeit briefly in this instance, and I have a number of points to raise when the amendments come before the House. I am absolutely delighted that the opportunity has been granted to us today—if not taken, certainly delivered—to say that as a Party we understand those people out there; we understand that section of the State, that very significant productive area of the State; and will look after it in government. More specifically, the present Labor Government is warned that, if the amendments standing in the names of a number of members on this side of the House are not upheld during the passage of the Bill tonight and tomorrow, when in government we (the Liberals) will fix that up.

The Hon. P.B. ARNOLD (Chaffey): I take this opportunity to make a brief contribution on this Bill because in 1982 I introduced into this House a Bill to amend the Pastoral Act the object of which was to provide people in the pastoral industry with a perpetual lease over the lands they occupied. It involved not a perpetual lease in the normal sense of a Crown perpetual lease but, as was described at the time, a continuous perpetual lease in that the Minister had the power to terminate the lease at any time if the lessee (the pastoralist) did not abide by the covenants in the lease. That gave the Government or the Minister all the safeguards that were required.

The lease came up for review every 14 years and the covenants could be altered. It was then up to the lessee to abide by the new covenants. This gave the Government and the Minister every protection, but it also gave the lessee security of tenure in that the lessee knew that, as long as he or she abided by the covenants, he or she could expect that lease to go on indefinitely. They could then invest their life savings back into the property knowing that their children would gain the benefit. That will not occur in this situation, and it is a great tragedy for South Australia.

The other States of Australia recognise the wisdom of that approach. As the member for Eyre said, the properties subject to a perpetual or continuous lease since the instigation of that type of tenure have been improved significantly. I do not know why the Labor Party is paranoid about granting a decent title over the pastoral lands of this State. It has always had this paranoia about doing anything in this direction. I do not know whether the Labor Party has an overwhelming desire to get rid of the pastoral industry in South Australia, but let us consider the situation in metropolitan Adelaide or anywhere else.

Does a person renting a house from a landlord invest any of his or her private capital into that property? How many people who rent a house are prepared to upgrade that property? That is left purely for the landlord, and nine times out of 10 the person renting the property tends to abuse it. But if people own a property, they tend to invest and pour back into the property everything they can afford, because they are generating an asset which will later flow on to members of their family. That philosophy does not change—human nature does not change—whether we are talking about pastoral land or the house in which we live. If there is a vested interest in a property, people will look after it far better than if they have insecure tenure over it. This Bill does nothing to improve the security of tenure of the pastoralists and, in many instances, it makes that tenure more uncertain than has been the case in the past.

As I said, I believe that this is a sad day for primary industry in this State, particularly for the pastoral industry. In excess of 20 per cent of pastoral properties in South Australia are perpetual leases. If the Minister is differentiating a pastoral lease from a perpetual lease pastoral property and saying that the perpetual lease property is degraded because of its title, I would venture to say that it is the other way around.

No mention has been made by the Government or the Minister of the number of pastoral properties in this State which, for one reason or another, were created as perpetual lease properties. So, any great fears that the Government may have about a perpetual lease do not stand up when the situation in the field is analysed.

Another issue of concern is that pastoralists have been given a raw deal in relation to membership of the board. It has been argued by members on this side that the board should have far greater representation from active or practising pastoralists in this State. One only has to look at other statutory boards which have been created by legislation in this State. The Medical Practitioners Board comprises three members nominated by the Minister, one nominated by the university and two nominated by the Medical Association. The Physiotherapists Board under the Physiotherapists Act comprises one member with legal training, one medico and three physiotherapists—three of the five members are practising physiotherapists.

The Nurses Registration Board comprises three members nominated by the Minister, four nominated by the Royal Australian Nurses Federation, one nominated by the AMA, one nominated by the Hospitals Association and two specialist qualified nurses. The Architects Board involves three members nominated by the Minister and six architects. All members of the Pharmacy Board are pharmacists, and the Act clearly states that this shall be so. It is quite ludicrous to suggest that the pastoralists will do well by having one nominee on the board. In fact, they have received a raw deal, and that must be rectified.

I referred earlier to a person who has some security of tenure being prepared to invest in the property. The Government is asking pastoralists to invest in properties, upgrade

them and increase their carrying capacity and saying, 'We will tax you accordingly.' That is exactly what the Bill purports. That would be one of the greatest disincentives to upgrading a property. If there is no security of tenure, the money will not be spent and the carrying capacity and the productivity of the property will never increase.

In fact, there is an incentive for a pastoralist not to put anything at all into the property and just to reap what he or she can from that property. As a result, the pastoral property concerned will be downgraded rather than improved. If the level of rent as suggested by departmental information is imposed, many pastoralists will be forced off their properties and that would be a disaster for this State. South Australia is still almost 50 per cent dependent for its income on its primary industries; it is still very much a primary producing State and any move in that direction will impact adversely not only on the country people but also on people in the metropolitan area.

If the rural industries are buoyant, jobs are plentiful in metropolitan Adelaide; however, if the reverse is the case, jobs are more difficult to obtain in the metropolitan area. Unfortunately, the metropolitan work force seldom recognises how important the viability of the country areas is to its own security. If the pastoralists, the agriculturalists and horticulturalists are not in a postion to upgrade their properties or to buy new equipment, there is a slump in the metropolitan area. Unfortunately, the vast majority of people who live in the metropolitan area and many people who propose this type of legislation which makes life difficult for the South Australian pastoralists do not recognise that fact.

The 1982 legislation, which provided for a perpetual lease with adequate covenants and which gave the Minister power to terminate that lease if the lessee did not abide by the covenants, gave the Government all the protection that it needed. Further, it gave the pastoralists and the banks the security which they needed. Perhaps the problem was that it was too simple an approach; it was not complicated enough, and therefore it was rejected.

There is no doubt that from day one that legislation was torpedoed by the Labor Party and the Democrats. The legislation was totally misrepresented in the community at large and it was a sorry day for South Australia when that Bill did not proceed through both Houses of Parliament. As the member for Alexandra said, if the people of South Australia and the pastoralists are forced to accept this Bill because of the numbers in both Houses, we will immediately rectify the situation when we come to office.

Mr LEWIS (Murray-Mallee): I wish to underline a few matters to which other members alluded. I believe that, if we ignore these matters, we would do a disservice to the people to whom we are responsible and, accordingly, we would do ourselves a disservice and discredit this Parliament.

As an analogy, I refer to legislation relating to occupancy and tenancy of business premises that was debated last year. Members will recall the outrage expressed, especially by members on the Government back bench, about the kinds of lease agreements which were drawn up by greedy landlords and which were imposed upon hard working small business people, whether they be men or women, families, or even partnerships and firms. Even though at the time they were considered to be lawful, these leases were said to be coercive, harsh and unconscionable.

It was most common for the landlord to reserve the right to charge the tenant whatever amount the landlord decided. In most instances, that charge included not only rent for the space to be occupied by the business whilst conducting its affairs but—and worse still—as I recall the outrage expressed by Government backbenchers (and we shared that outrage), was that component of the rent related to the productivity or income derived from the occupancy and conduct of the business on those premises.

We said that it was just not fair for hard working people to be literally bled dry by greedy landlords who provided nothing more than the premises and who reserved the right to change not only the amount charged per square metre but also that other Shylock rent, the pound of flesh, from the proceeds of the business. Those charges were quite unrelated to the profitability of the business; rather, they related to the gross income.

Let me now refer to the relevance of those comments to this Bill. This Bill provides exactly the same opportunity for the Government. The Government or the Crown is the landlord. The Crown is not merely taking a rent on a unit area from the leaseholder—the pastoralist—for the occupancy each year but also, and more importantly, it is imposing a charge related to the number of productive animals on the lease.

Mr S.G. Evans: Supposedly productive.

Mr LEWIS: Supposedly, yes. Who will count them and at what date? Who will decide whether or not they exist? Those problems are not even countenanced in the legislation and we are not told about that in the regulations, if there are to be any. We do not know how that will be decided, and that is wrong. It seems that at any time the landlord can suit himself as to when he will check the stock on the shelf or the cash in the till and say, 'Well, that is what we will slug you for the rest of the year or for the rest of such other period as we will determine, according to our whim.' That situation is not addressed in the legislation.

As abhorrent as I found that provision in relation to leases for small businesses and shops in the metropolitan area of Adelaide and other parts of South Australia, I find this Bill equally abhorrent. In addition, it is curious that the Government thinks that it is acceptable to attack someone in the private sector for being greedy, for being unprincipled, or for being harsh and unconscionable but, when Government members want to enact legislation which suits their inclinations as they relate to the pastoral industry, which is yet another form of business, members opposite do not believe that such views should be attacked.

Indeed, it is all right to incorporate it to suit their own whimsical inclinations. That is because all members of the Labor Party in this place are paranoid. They have a deep-seated hatred of what they call the squattocracy, and they identify the pastoralists in South Australia as belonging to the squattocracy. They have this hatred of people who, by their own efforts and on their own merit, have made their way in the world. It would be illuminating to many members of the Government to go and see how much money those families who occupy pastoral leases in South Australia had at the time they were born—parents of the children who are now there.

The Hon. M.K. Mayes: I have cousins who are farmers.

Mr LEWIS: Are they pastoralists?

The Hon. M.K. Mayes: Yes.

Mr LEWIS: It would be interesting for me to know from the Minister how much money his relatives had when they first went out as farmers and/or pastoralists. I am sure that they had very little, if any, and that they saved money and eventually got themselves a lease and husbanded the land and the livestock they grazed on it carefully and sensibly to accrue what they now have. They did not go to the pub and wet the wall of the urinal with the proceeds of their

efforts, nor did they waste it on two-up games or at the racetrack. They saved, and now we are going to penalise them in this nefarious fashion for so doing, just because members of the Labor Party think that, along with other elements from the conservation movement, they are the squattocracy—people born with silver spoons in their mouths (although that does not make them bad, anyway, in my view).

There is a paranoia abroad in the minds of my political opponents. It is a sorry day that they have allowed that to cloud their judgment in agreeing to introduce legislation of this kind. It is a real travesty of justice to the people it will affect in the very direct sense and a real stupidity in the way in which it will affect the people of South Australia at large in a secondary sense. If this legislation in its present form goes forward, it will destroy in no small measure the viability of the pastoral industry.

I can see the means by which stupid ignoramuses, the like of which I have met in recent times in some Government departments, will foolishly insist that what they believe to be so is so and in insisting on that they will send pastoralists to the wall. Alternatively, pastoralists who are wise enough will simply get out while the going is good and leave it to somebody else. Then we will not enjoy the millions of dollars of contributions that the pastoral industry has made and can otherwise make to the GDP—the overall productivity of South Australia—in terms of contribution not just to the domestic economy but also to the export income earnings. That is the thing Australia needs most of right now, as we have too many chardonnay socialists and others whose efforts are paid for in a way quite unrelated to their value on the world market but which in their opinion is stated to be what they are worth in terms of relativities. With that money, that spending power, these people are buying things that are made not in Australia but, rather, overseas. That is unfortunate, but another argument altogether.

It is a pity that more thought was not put into the type of legislation before us. We need therefore to think again about tenure and about the implications that has for the capacity of the leaseholder to raise the necessary capital to improve those leases in a way that enables maximum productivity to be derived from it with minimum—indeed, nil—detrimental consequences to the ecosystems that they are grazing. By that I mean that we need to spread the water points around in order to evenly graze the herbage available and not have water points so sparse that in extremely hot dry weather the livestock grazing—whether it be cattle outside the dog fence or sheep inside the fence—cannot go the distance away from the water points necessary to graze the available herbage and they graze out heavily around the watering points. We need to encourage pastoralists to put in more water points than are absolutely necessary and from time to time rotate the use of those water points so that while one is being used during a two or three year period it can be closed down, dried out and the livestock watered at the one midway between an existing pair to ensure that the herbage is grazed effectively and sensibly without reducing the carrying capacity of the lease.

If we want people to be able to borrow the money—because they do not get it from anywhere else these days—to make those improvements on their leases, they will need security of tenure. This legislation and the old legislation do not give them that. Indeed, in my judgment it has to be so secure that it is in perpetuity and they should be free to trade in the same way that a person who owns a house or hobby farm is free to trade out of it (sell it) with complete integrity of title. By that means they also have the incentive to ensure that vermin such as rabbits are kept to a minimum and, furthermore, the population of native animals and birds (and emus are birds) does not exceed what it would have been prior to the establishment of improvements in those lands. The kind of improvements about which I am talking are, in particular, watering points.

I wonder how many members opposite know that the population of red and grey kangaroos on this continent prior to European settlement in a series of drought years demonstrably fell to as low as 2 million to 3 million and never rose much above 14 million because there simply is not the dispersal of water points across the continent to enable their population to get much above such levels. Yet, right now we know that the population of those two species of macropods, the grey and red kangaroo, is around 19 million to 20 million. The explanation is simply that there are more watering points throughout the length and breadth of the pastoral land of this country which enables those animals to more effectively occupy the territory available to them.

Given that that is the case, as well as the reduction by their natural predators—the young joeys by dingos—inside the dog fence (their numbers have gone up to 19 million or 20 million), it is only fair and reasonable that we should not allow the natural animals to increase in population at the expense of the pastoralists who have put those improvements there. They have used money or capital from our economy for the benefit of providing us with an improved standard of living, and accordingly they enjoy in the process the profits that they can get from their management techniques. That is not a bad thing—it is the technique of a sophisticated civilised society and the management of its economy in generating the prosperity that gives us all the health, welfare and education that we now enjoy.

It is important that these people have the security of tenure necessary and that they are able to manage their properties without impediment. As it stands, the legislation will enable the introduction of a permit system to compel the existing leaseholders, if this legislation ever sees the light of day in its current form, to submit a management plan and obtain permission for any changes they may wish to make. That is the brainchild of a significant percentage of twits in the ALP and they would want to see that extended to people who are farmers on the inside country also, so that they have to submit in September—six months before they do anything about it—any plan they have to cultivate land, on what dates they propose to cultivate and any plan they have to sow a crop. They will get a bureaucrat to look at it and agree not only that it is appropriate for them to do the cultivation and sow the crop on that day but also the fertiliser rate and seeding rate and any other pesticides they propose to use in the process of growing a crop are approved also.

That is the kind of bureaucracy that I have heard some members in the ALP say they believe ought to be introduced, not just for pastoralists but for farmers generally. We must not overlook the influence which that sort of Kamikaze Left in the Labor Party—they want to self-destruct—who I think regard themselves as the 'greens' in the Party, really aim for. To propose in legislation that productivity be used to calculate payment of lease rent is a bad principle: that is, the more that one invests and the harder one works, then the more one pays to the landlord—in this case the Crown. I have made the point that that does not stand up when compared to the arguments put by members of the Government last year about this principle, where it relates to small traders in shopping centres.

Mr S.G. Evans: A penalty for good management.

Mr LEWIS: Yes, a penalty for good management, a disincentive to be efficient.

The Hon. H. Allison: Double indemnity.

Mr LEWIS: Not only double indemnity—it is worse than that: one can actually manage so well that one goes broke, because the cost of the rent, in the components which are envisaged in this legislation, could actually destroy the viability of the enterprise. So, it is counter-productive.

The Hon. H. Allison: This is called the Government helping you out!

Mr LEWIS: This is the Government helping you right out of business—the member for Mount Gambier is exactly right. I thank him for helping me, albeit out of order, to make that point plain to the House. I am disappointed that we have not heard from the member for Peake, because I suppose that if there is a member of the Labor Party who has spent some time in these areas of our State, it would have to be him.

The Hon. H. Allison: And the member for Briggs is their specialist in foot in mouth.

Mr LEWIS: Yes, the member for Briggs is their fabricator and specialist in foot in mouth, I know. I do not expect that he will make a contribution to this debate, because this is not about fabrication but about producing fabrics, textiles, from wool—which is a jolly good fibre. I do not understand why the Government is insisting on those two provisions referred to.

Other members have dealt with other aspects of the measure. I am particularly disturbed about the provision which refers to a person belonging to a certain race—and this relates to Aborigines—and the legislation is racist, because it says that those people can go where they like, when they like, how they like. It does not matter whether they come from Thursday Island or anywhere else; they may have no empathy or cultural involvement with the land whatever and no traditional relationship with the land or filial relationship with any of the people who have been on it. They may be racially different, but because they were on the continent or the islands associated with Australia—or said to be there—at the time of European occupation they will be treated as a class apart, and they will be able to go where they like, how they like, when they like, to do what they like. I reckon that is stupid. We call it apartheid in South Africa. I do not see any reason for that. However, if it related to people who were traditional owners, I would understand it, and I would advocate and support it.

Mr S.J. BAKER (Mitcham): I want to make a very brief contribution on this Bill, perhaps from an urban perspective. I congratulate the members who have spoken before me, particularly the members for Eyre, Goyder and Victoria, who have put a very strong and profound case that this legislation is unworkable, untenable and that it will indeed act quite negatively in terms of the producers of this country—and, traditionally, the strongest producers have been the rural element.

The main point I want to make concerns conservation. That term has been wielded around with gay abandon by members of the Labor Party. I can assure all members of the House that we all have an interest in conservation—particularly those of us on this side of politics. We do not wave the issue around like a magic wand; we actually say that there are some measures that could be put in place to ensure that the conservation of fragile lands occurs.

The conservation of fragile lands works only through the goodwill of the farming community. I want to strongly press home the point of how Government members can stand in this place and tell the people of South Australia that they intend to embark on conservation measures, when there are just so many examples out there where the Government has been totally negligent in the operation and management of lands that have been designated for national parks and reserves.

One of the great difficulties that the farming community faces in this State relates to the fact that these reserved areas have not been maintained. They are full of noxious weeds and contain many feral animals. In fact, those areas represent a very destructive force in terms of conservation. Let us be quite clear that if a farmer controls his property well the land will survive. However, he cannot control the areas that are outside his boundaries. Those areas quite often comprise very large areas of the State that have been annexed by the Government. Those areas are not controlled or maintained. They are allowed to run wild with vermin and noxious weeds. Yet, the Government has the gall to tell the House that it wants to conserve these areas. The areas are under threat.

If members opposite were fair dinkum about conservation, they would make an honest attempt to clean up the areas that are under Government control. I do not know how many millions of acres are involved, but it is a substantial amount of land. Members opposite would well know that weeds and animals from those areas spread into the lands held by the farming community. We know that erosion and the impact of animals occurs due to a lack of control of vermin and weeds.

The Government cannot have it both ways. It cannot simply stipulate an onerous set of rules and conditions that the farming community has to follow (and it is in its interest to follow them because it involves production), and maintain that it has done its bit. It cannot simply buy the land and then do whatever it likes. That is not tenable in this day and age, and it is about time that the Government took responsibility for its own actions. It is not sufficient to take large tracts of land in sensitive areas and let them run wild. I am sure that if we did have dedicated people actually examining some of these areas we would find that certain plant and animal species in those areas would have been destroyed, due to lack of action by the Government in those areas.

We cannot simply place more onerous conditions on those in the farming community who are responsible for keeping the land in good order. It is understood by all that they must do that in order to survive. We cannot tell those people that someone will now be making *ad hoc* decisions in relation to what might be considered as improvements in relation to the land. The Government cannot simply have someone making *ad hoc* decisions on the carrying capacity of land, for example, irrespective of the circumstances that pertain, while at the same time allowing other very significant areas of the State to run down.

I am concerned about conservation, as is everyone in this House. I suppose that, above all others, the people with the greatest concern about conservation are those in the farming community. They do not shout from the tree tops that we must plant more trees; they know that in certain areas more trees have to be planted, and they certainly know that soil erosion must be prevented. In practice, the farmer actually has to do something about these matters. It would be sufficient to put up a set of guidelines, rather than enact in legislation powers that the Government can use to come down on farmers who are exercising their rights under leasing arrangements. Those rights can be changed, simply by the dictates of a bureaucrat in a Government department. I believe that there must be balance. The Government must keep its end of the bargain and make some attempt, and

with a will, to preserve the fragile areas of the State that are under reserve or park area.

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

Mr S.G. EVANS (Davenport): I do not support this Bill in its present form. The question could be asked as to what interest I have in the pastoral areas of the State, and the response would be that I have probably visited the areas more than have most members of this House. That may be an incorrect judgment, but I have visited the areas and have a feeling for them. I suppose that in one's heart one would long to have spent much of one's life in that environment, which is open and free. It can be hard, but I think it can be rewarding in its quality of life. It also gives one the opportunity to be oneself. However, those are not my concerns with the Bill.

I expressed the view in this place many years ago that I had a concern for the pastoral and adjacent areas, Crown lands which are used for national parks and which are encompassed in land that is leased to pastoralists. I suppose the greatest curses of the environment in those areas are the goats, rabbits, donkeys and those feral species of animal life and the noxious weeds that were brought here from other lands when white man arrived. There is no doubt that kangaroos, wallabies, emus or some reptiles would not destroy large areas, because the land was so harsh in dry seasons that they would die. Nature would thin them out. In lush seasons they would grow in large numbers again, if the seasons lasted long enough.

With the advent of white man, bringing a guaranteed water supply to many more sites than previously had water, native species, in particular the kangaroo, were given the opportunity to increase and maintain an increasing number unless we had a program of culling. In the early days the cull might have been too severe, but some would argue that today it is not severe enough in some parts at some times and that, in fact, there is an oversupply of some of those species when we are trying to use the land for profitable pastoral purposes, for what we might call the normal farm animal (whether cattle or sheep).

However, there is no doubt that there is a risk that some of that country will go to desert and it will not be the result of the present day or immediate past human activity. It will be the result of the immediate past, present and future inactivity of human beings, unless we take up the challenge of destroying the feral pests that roam the area.

Any one of us with any logical thought at all would know that nearly every grazing species likes the lush young growth. If we have goats, donkeys, sheep or cattle which will wipe out all the young growth of the species that grow to any large size for that type of country, inevitably in the long term we will have none of those plant species left. That is understandable, and we know that that will be the case. We have failed to tackle the problem of getting rid of feral pests, in particular on land controlled by the Government and Government departments and not leased to pastoralists.

If we do not do it as a Government—I talk about the Government as taking in the whole of Parliament and the departments—if that responsibility is not accepted on land not leased to the pastoralists, what hope have the pastoralists of managing their areas properly? Their lands will always be infiltrated by vermin from adjoining land that is not managed correctly. I have no doubt that some of the pasture lands in the past have been managed badly by those who have leased it. No doubt some of it will be badly managed in the future. However, it may not be managed as badly as the Government controlled sections in those areas.

The Government argues that it has not enough money to eradicate pests, nor does it take up the challenge in any serious way at all. Further, many people who are seen as pastoralists have been successful in the good and bad times through which they have battled. There is an attitude held by some within the community, in particular in the Labor Party, that they should hate that type of person. They are seen by some people as the sort of squires who were condemned in the United Kingdom years ago. There is a chip on the shoulder feeling: 'I cannot be there myself, and I do not like anyone else who has been there, taken up the challenge and been successful.'

If some of those people had not been on that land, the native vegetation and soil would have been subject to greater devastation from the activities of feral animals than has occurred through the good management of pastoralists. Indeed, most pastoralists have been good managers. If they had not been good managers they would not have survived, as members know. I have a personal conviction on this matter and members might recall that I had spoken about it before: I would not charge a lease fee for this land. I would lease it, but the controls would be fairly tough on how pastoralists managed the land, and the benefit to the country and future generations would be that the area would not be abused and the feral animals would be as far as possible eradicated.

Some members may have taken note in recent times of the millions of rabbits that have plagued the countryside. Fortunately, the drought took a lot of them out. Just imagine how much of that delicate area they ravaged. Although I do not agree with a leasing fee, I would not be opposed to asking pastoralists to set aside a tenth of their property for 10 years so that every 100 years all the property had at least a 10 year spell. It would mean very expensive fencing, which may require Government assistance, of the sort to keep out kangaroos and emus. Those blighters do not just jump over the fences, they hit them at high speeds. The same applies to rabbits having to be fenced out, although in very dry years they are less likely to survive. With that sort of approach, we may be able to preserve the area.

When Governments suggest charging a fee per animal, with inspectors attempting to count the number of animals on a property at a particular time, and the fee is greater than it is in any other part of Australia, those Governments really do not want proper, good management of the land, nor do they do not want people to make a reasonable return and to stay on the land. They really want all the land to become national park. That is just not on for the economy of this State. The Premier says that we must look for exports, and we all know that the vast majority of goods from this area are exportable: they add income to the economy of our State and nation. Mr Keating and Mr Hawke are looking for export items that will create income for our land.

I do not know why some ALP members dislike pastoral areas, although I can understand the feelings of one honourable member of that Party who worked in the area and knows it better than most. He was involved in shearing in tough times, when the shearers had pretty poor quarters to sleep in, eat in and shear in. The same could be said of nearly every walk of life in the country in those tough times, and I mentioned that when speaking about the East End Market. If that honourable member speaks later in this debate—I hope he does—I will understand if he makes that point. Because of his background he has an understanding of how tough it was, not just for employees but also for employers. For every pastoralist who was successful, there were those who failed.

As a European, I suggest that the Government has leased part of one of our sacred sites—the golf course at the Belair Recreation Park—to Malaysian interests without telling the people of the length or terms of the lease or about conditions for the protection of the public interest. However, at the same time it has introduced a pastoral Bill which states that Aborigines, whether they be from Thursday Island or wherever, as the member for Murray-Mallee pointed out, may have free access to land which may not be their traditional tribal land, and may do anything to that land other than pollute the water supplies.

An honourable member: You've got only six minutes to go.

Mr S.G. EVANS: Well, I might use them, too. So, when a Government will do that with a recreation park—and it is really a national park; in fact, the second one named in Australia—I wonder how quick it will be to lease some of the pastoral leases to overseas interests which can avoid the marketplace as far as wool is concerned, if it is set up well enough for them, and ship it straight back to their own land where they can weave it and then bring it back to us as a finished commodity. Yet, the Government wonders why I say that we should not trust it. That is the truth of it. The Government will not tell us what is happening, because it knows that the community would be scared of what is happening in that field, and it does not care whether it is New Zealanders, Canadians or whoever.

I am not a supporter of the Bill in its present form because I believe it is more a conservation Bill than a pastoral Bill. I know that both words appear in the Bill's title and that the Government is concerned to achieve that goal, but it forgets that feral animals are most destructive. Also, it forgets to say that it does not have the money to take the necessary action to control these animals on land which it does not lease to pastoralists but over which it has control. The Government will not admit that and the conservationists will not come out and attack the Government because they do not have the answer, either. I admire the area.

An honourable member interjecting:

Mr S.G. EVANS: That might be true also, and I might have earned more money than I get here. I do not like the honourable member, who is my constituent, picking on me. I will not look after his sewerage connection in the future! I do not support the Bill in its present form because I believe that it is an attack on pastoralists, and that should not be its intent. So, I oppose it in its present form in the hope that the Government will accept some sensible amendments as the Bill passes through both Houses.

Mr ROBERTSON (Bright): I regard this Bill as a most seminal and significant piece of legislation. It has been some 16 years in the making, so I believe that it deserves better debate than we have heard today. I have been appalled by the standard of debate from the Opposition to date, although I must confess that early this afternoon I was called away from the House and returned midway through the member for Victoria's speech. However, since that time I have heard very little to suggest anything other than that members of the Opposition have their own political agendas on this Bill and are not too concerned about its substance. In fact, they may largely support the substance of the Bill but we do not know because they have not talked about it. No attention has been given to the content of the Bill; it seems that they have simply made a strategic decision to oppose it—and one could be forgiven for asking why.

I suggest that the answer may have something to do with the labyrinthine machinations of a certain South-East squatter who has designs on the leadership after his boss gets knocked off at the next election. There has been no substance to the debate—so called—put up by the Opposition. It is simply a matter of repaying political debts. There has been a great deal of scuffling, gouging and changing of places over there during the past month or so, and I suspect that tonight we are seeing a little bit of gentle payback. We have seen attempts by various members opposite—who have clearly not read the Bill and obviously know very little about it—to ingratiate themselves with the farming lobby and the South-East mafia which seems to run the Liberal Party. That is clearly what this debate has been about to date.

However, I want to take the matter away from that a little and perhaps, if time permits, look at the individual clauses of the Bill and also spend a bit of time examining the reasons for my support of it. Whilst I do not wish to pick on individual contributions by members opposite, they are like the swimmers off Bondi in recent days—simply going through the motions—and they do not know a great deal about this subject. The member for Mitcham, in particular, spent a great deal of time eulogising farmers as the salt of the earth.

An honourable member: He's never met one.

Mr ROBERTSON: To my knowledge the member for Mitcham has not been north of Melbourne Street.

The Hon. R.G. Payne: I think he meant the absentee farmers.

Mr ROBERTSON: That is exactly right—the Rundle Street Farmers. Of course, there are lousy farmers. The honourable member refers to them as farmers. The whole debate is about pastoralists, not farmers, but that is beside the point. The member for Mitcham does not really care about that. There are lousy farmers; there are lousy pastoralists; and there are lousy business people and lousy members of Parliament. We are talking about the protection of our heritage and the land we live on. That is more important than the member for Mitcham appears to think.

Again, without wishing to single out the contributions of individual members opposite, I was appalled by some of the racist rantings that have come from across the Chamber. There appears to be no understanding of Aborigines in society. There seems to be no understanding of the views of Europeans who have their ears to the ground and have looked around them. The same racist propaganda is trotted out. We have the member for the Hills referring to the Belair golf course as a sacred site. What could possibly be more disparaging to Aborigines than to have the Belair golf course referred to as a sacred site?

An honourable member interjecting:

Mr ROBERTSON: I have not mentioned your cousin yet, but I am about to. Just for the record, there are those of us who have relatives in the bush, and I am about to mention that.

The DEPUTY SPEAKER: Order! The member for Bright will address his remarks to the Chair and not to a member who has wandered into the Chamber.

Mr ROBERTSON: Thank you, Mr Deputy Speaker. We also have been subjected to the old chestnut: why should Aborigines get special rights? They should get special rights for a simple and obvious reason: it was their country and it was taken from them. Members opposite do not seem to have twigged to that notion. They are about 50 years off the pace.

I have pleasure in supporting this piece of legislation. By way of explanation, my major complaints about the way in which land is managed in South Australia are probably directed at the farming community rather than the pastor-

alist. Pastoralists in South Australia have been somewhat better managers of the land than have farmers. However, I come from a long line of land miners—people who have simply mined the land for pastoral purposes. That is bad management because it depletes the soil to a point where it is no longer capable of sustaining any useful fodder or, indeed, very much in the way of stock. My grandfather and my father spent a considerable number of years clearing a portion of the northern tablelands of New South Wales. They worked extremely hard at it. I guess the fact that they worked so hard and were able to mine the land so successfully is part of the reason why I am here today. It is also part of the reason why I was able to have a university education and why I understand the mentality of those who wish to mine the land rather than husband it.

There is no doubt whatsoever that many of the farms in the marginal lands are a mess but they are not the subject of the present Bill. I imagine that that they will be dealt with in later legislation. I take great exception to anybody who would suggest that there should not be any controls over land management and that people in the pastoral areas should not be forced by legislation to manage their land. If you happen to have a pastoral lease, you do not have *carte blanche* to do whatever you wish. The land is not yours; it remains the property of the State and the Crown and it is up to the Crown to put conditions on that lease and to enforce those conditions.

I missed the contribution to this debate by the member for Eyre. However, I have flown over his property and I understand that he is a good farmer. From what I have seen I have no complaint about the way in which he manages his property. I dare say the same is true of many other members in this place.

However, it is also true that the last time I flew over the property of the member for Eyre, within site on the northern horizon was a pall of dust, which was being raised from the northern end of the agricultural lands, the southern fringe of the mallee, and which obscured the ground all the way from the northern limit of clearance right through to the Great Australian Bight. I could not see the ground on that day and I suspect that that was probably one of a couple of days earlier this summer when such a situation arose. Quite clearly, land management practices in South Australia leave a great deal to be desired and, if this Bill goes some way towards redressing some of that imbalance and rectifying some of those wrongs, then it deserves our complete support.

I now wish to turn briefly to my philosophical reasons for supporting the Bill. Again, I return to that sort of arrogant anthropocentricity which seems to have been developed over the other side, and that is that we as a species have a particular right to manage the land and that we can somehow do better than nature. The member for Alexandra said that land needs to be managed. By that he means that land needs to be exploited in such a way that it can again be exploited next year. If the land is designated for that kind of exploitation, I do not have any problems with that concept. However, I do have a problem with the attitude which says that land is there for us to use, because I do not believe that that is the case.

The member for Mitcham referred to the management of national parks as if one could improve on nature in some way. I appreciate that feral animals in national parks need to be managed, but the whole concept of managing a park as some sort of drought reserve for adjacent farmers quite clearly is against the spirit of national parks and the tradition of the 100 years or so that they have been in existence in this country and overseas.

I refer also to the Minister's second reading explanation on this point of view and say that the view I hold is by no means a minority view. A report from Western Australia quoted in the Minister's second reading explanation (Cameron, 1986) states:

> . . . the Government should continue to be the owner and landlord of the arid and semi-arid range lands in that State.

That view was virtually backed up by the Pastoral Committee which was chaired by Jim Vickery in 1981 and the report of which states:

> . . . controls over land use are necessary and are best administered through a tenure system which enables lease-by-lease control.

Jim Vickery knew, as did Cameron, that the State has a role in the management of arid lands and it is quite out of place and inappropriate for anybody to have the gall to assume that farmers ought to be allowed to run rampant over the land.

I suppose I can understand why people in Third World countries exploit land to the point where it becomes degraded and useless. I suppose I can understand why the people in the Gir Forest in northern India hunt the last of the Asiatic lions and clear the forests. I suppose I can understand also why people in the Congo Basin and elsewhere hunt mountain gorillas and why people elsewhere in Africa hunt the black rhino for its horn. They do it simply because they want to feed their families. They are often on the point of starvation. They wreak horrible and irreversible environmental havoc, but at least there is an excuse or reason for it.

However, I fail to understand why generations of pastoralists and farmers in this country have been allowed to conduct the wholesale clearance of the mallee and the pilliga scrub in northern New South Wales and southern Queensland or the wholesale removal of brigalow in Queensland for cattle. Further, I cannot understand why the lowland rainforests of the northern New South Wales and central Queensland coasts have been cleared for sugar or why the only vestige of vegetation in the Tweed Valley is on an island in the middle of the Tweed River. This society is rich and well fed, and I believe that we should not allow ourselves to be pushed to those limits and that we ought not to push the land to and beyond its own limits. For those reasons I support the Bill.

I now wish to turn briefly to some of the clauses in the Bill, because I do not believe that this legislation is unfair to the people on the land. As I have tried to suggest to members, I have some considerable sympathy for people who make a living from the land. I believe they work hard. I believe in the main they work intelligently. They certainly work longer hours than do many people in the city, but in doing that they need help, advice and guidance from people who have a better understanding than do many of them of land management principles.

I turn now to some clauses in the Bill which should give some comfort to members in the rural community. Clause 10 establishes the Pastoral Board. Admittedly, as one honourable member opposite suggested, that board has only one member of the pastoral lobby but, to counterbalance that, there is only one member of the conservation lobby, and in the main the three other people are experts in their field, on the board to give expert advice to lessees. I suggest also that having a board as small as five in number is a particularly shrewd and good move, because it means that the board is small enough to be manageable, and anybody who opposes that clearly does not understand the way boards work.

Clause 18, which provides that pastoral leases cannot be granted unless the board is satisfied that the land is suitable

for pastoral use, picks up the fact that many areas on the fringes are not quite suitable for pastoral use, and should be reviewed. This legislation gives us the opportunity to conduct a review of those lands. Clause 24 provides exemption for the pastoralist from stamp duty on transactions. That ought to be of considerable assistance to people on the land who are finding the going hard, and that should be welcomed also by graziers and other members of the rural community.

Clause 36 gives the board power to require a lessee to submit a property plan which clearly is part of any good management strategy for land anywhere, much less in the arid and semi-arid regions, and part of that plan involves the consultation of soil conservation authorities. Again, I suggest that good managers have nothing to fear from this legislation. All the legislation will do is prove to them that they are managing their land correctly. It is the people who are bad managers—the landed equivalent of the member for Mitcham—who will feel the thrust of this clause and who have something to fear.

Clause 37 sets a statutory declaration on stocking levels and sets up a structure whereby those levels can be checked. In case lessees think they might be harassed by officers or that they might be somehow subjected to an abuse of power, this clause provides that, if a muster is ordered to check on stocking numbers and the numbers turn out to be basically what the lessee has suggested, then the Crown must bear the cost of that. In that I would suggest lies a pretty fair insurance policy against any abuse of power or harassment of people on the land.

Clause 38 provides for the lessee to de-stock land in the event of an emergency. I would have thought that was quite sensible, as well. This clause also gives the scope for any other specified action to be taken as directed by the board. Clause 39 is interesting, because it establishes reference areas by which all areas in the pastoral lands are to be measured. It is interesting to note that despite the existence of satellite technology which is reputed to be able to read the headlines on a newspaper from 180 km up in space—

The Hon. R.G. Payne: Only the *News*.

Mr ROBERTSON: Only the *News* and page 3, and the centre spread in the *Sydney Mirror*. Despite that kind of technology and despite the fact that those satellites used for military purposes are supposed to be able to ascertain the existence of a wire rope stretched between two tanks on a battlefield, we still apparently do not have the technology to enable us to monitor the land efficiently from space—by remote sensing. In the absence of that, the reference areas are necessary.

It is quite clear that, if reference areas are established, controlled areas with no stocking are needed and certain areas where average rates of stocking occur and certain areas to be fenced off where there are no feral pests are also required. If that is to work, it is clear there must be provision in the Act to prevent people from fiddling the results and depasturing their stock on the control areas. That is clearly set out in clause 39 and I would have thought that the scientific and other reasons for that are quite obvious. However, built into clause 39 is the fact that a rent reduction may be allowed to the lessee, and there is some compensation in the fact that some lessees will have control areas and reference areas set up in their properties.

Clause 40 provides for the establishment of public access routes and stock routes but, again, as a way of providing an incentive or some sort of compensation to the pastoralists, a rent reduction may then follow. Clause 42 allows Aborigines the right to travel across the land, to enter the land and, indeed, to stay on the land in their traditional pursuits. I have referred earlier to the somewhat racist attitudes of some members opposite to that clause. It seems to me to be quite fair. If you happen to be an Aboriginal person living in a traditional way, you cannot camp within one kilometre of a homestead; you cannot set up camp within 500 metres of a watering point—and that would seem to me to be a reasonable sort of concession.

Similarly, clause 43 provides for the right of certain people to travel across the lands and, again, there must be no camping within one kilometre of a homestead or 500 metres of a watering point. I would have thought that is a reasonable concession. With regard to expeditions by horse or camel, it is interesting that normally the consent of the lessee would be required, but the consent of the Minister may be sought.

That, of course, will enable people like Tom Bergin, who led a re-run of Burke's expedition across Australia, to run his camels across, if need be, and not to go around certain pastoral leases: again, I would have thought a necessary thing. Clauses 49 and 51 provide rights to lessees, which ought to please them, and clause 54, concerning statutory rights for people to take water, imposes compensation on miners who are taking water for personal and mining uses. Again, that would be regarded as fair by members of the rural community. In short, the legislation is not harsh or draconian: it is sensible and provides a management model for other States to follow.

Mr BLACKER (Flinders): My first reaction to the Bill was to totally oppose it. However, I understand that a number of amendments are being proposed and therefore it should be supported at the second reading stage. Depending on what happens in Committee, further support could be given. The member for Bright in his presentation started with some derogatory remarks about members of the Opposition, in particular their self interest in this Bill. I have only a few pastoral leases within my electorate. However, I believe that the criticisms of the member for Bright at that stage were unwarranted and unnecessary and did not contribute to the debate at all.

The honourable member went on to talk about his assessment of Upper Eyre Peninsula and the fact that he flew over the farming property of the member of Eyre and noted on the horizon a haze of dust which stretched right across to the Nullarbor. From that observation he made the claim that the land was not being properly managed. That indicates clearly that the member for Bright does not know what he is talking about because, if we were to use those criteria as the means of determining whether the land should or should not be farmed or whether it should or should not have stock or kangaroos on it, we would then effectively close down three-quarters of the cereal and arable country in this State. That is what the honourable member said. We have had dust and nobody wants it. Much of the dust is being generated in areas denuded by kangaroos and it is not all the farmers' fault.

The Hon. R.G. Payne interjecting:

Mr BLACKER: I will argue this point as the debate goes on because I find that the reference to vermin in the Bill is almost non-existent, yet farmers are allowed to harvest kangaroos. They are therefore stock and this Bill determines that the stock numbers should be controlled.

Elsewhere the Bill provides that you are not allowed to shoot. It is really a Catch 22 situation and some people need to have a good and careful look at it. The member for Mitchell is rather sensitive, or suggests that I am blaming the kangaroo again. I am not necessarily blaming anyone in this instance, but rabbits and kangaroos are a massive

problem to the northern areas of the State and their numbers are increasing in the closely settled areas. There is a problem. They represent a problem for which no one will take responsibility.

I am concerned that there is no reference in the Bill to management of kangaroos. Lease numbers—stock numbers which are proposed and which have traditionally been placed on leases—can be governed and manipulated by the vermin or kangaroos that are on the property. One could be given a lease and a permit to have 5 000 head of sheep, but we are not to know that there could be 10 000, 15 000 or 20 000 kangaroos on the property. Therefore, any form of stock management on a per head of grazing capacity can be completely misleading and untrue.

Let us take the extreme situation and suggest that we get rid of all kangaroos. I would not propose that. However, if we could do that, the stock grazing capacity of those properties could in many cases be increased twofold or threefold. There has to be a balance somewhere between the kangaroo population, the rabbit population—which we would all like to see wiped out—and the management by pastoralists of grazing and stock numbers. That is what I was hoping the Bill would bring about.

Another issue which does not appear to be taken into account in this Bill is any form of pasture management. By that I mean bush pastoralist-type management of the bush and scrub grazing areas. There are a number of bushes. One is old man saltbush, a fodder crop, plant or bush that can conceivably be propagated, nurtured and introduced into those areas. It would dramatically increase grazing capacity and hold the country down. Many of the areas to which the member for Bright referred in the marginal cropping areas could benefit from a controlled mix of that type of grazing as well as the other mixtures of farming and grazing to which reference has been made.

There is a need for someone with vision to consider that. I do not believe that has been covered in the Bill. We—the Government, members of Parliament and the industry generally—should be encouraging people to look at that type of grazing. It would certainly help to control soil movement or degradation, however one puts it, in a better way than in the past. I do not think that aspect has been addressed and I do not believe that there is scope in the Bill to allow it to be addressed in the near future without further amendments.

It has been suggested that the Bill should be referred to a select committee. The Government has given the impression that it is against that idea. The Bill came into my hands in its present form only a week ago. There is no way in the world that I could possibly distribute it to my pastoralists and get any response back from them. It is all very well to say that it has been talked about for 16 years, seven years, or what have you, and that it has been circulated to the industry. From press reports that have come out initially, it is obvious that the Bill does not have the industry's support. Therefore, I question which part of the industry has been seriously consulted and whether the Bill has been considered with any real sincerity in the practical field.

Clause 36 of the Bill refers to the property plan. Some good management practices might come from that—and that would be desirable—but, no doubt, just about every pastoralist who is doing the right thing has his own management plan, anyway; he would know full well what sort of stock he has in the various paddocks and he would know the history of those paddocks. For instance, he would know whether a paddock was better for lambing ewes or for use as a dry sheep paddock, or whether it was a winter paddock, able to cope with more rain, or a summer paddock. Also, there is the matter of watering points or whether they are 12 months a year watering points or winter watering points available only at that time. There is a whole series of things involved in a property plan. I fail to see what Government officers would be able to do with that.

On the other hand, if the Government could make suggestions on the management plan, put the boot on the other foot and take a suggestive role for the future, maybe some good would come out of that. However, to simply demand a management plan is, I believe, wrong—in exactly the same way as it would be wrong for a Government to demand from any individual a budget for the management of household requirements. I am perhaps going from one extreme to the other, but the principle remains.

Clause 39 refers to the reference area, and a further point is made about rent reduction. This begs the question of what is meant by the term 'reference area'. The Department of Agriculture uses an area of about one square metre for a reference area for the measurement of pasture growth or the effects of certain stocking rates. Obviously, the Bill is referring to an area much larger than that—because in the pastoral area one saltbush alone might cover an area of one square metre and therefore that area would have little or no significance in measurement terms. Therefore, this must relate to a much larger area. These pastoral leases run into thousands of square kilometres. Does 'reference area' relate to one square kilometre fenced off? The Government must have in mind that a reference area is a large area, because it has considered that it will allow a rent reduction. If the area was 100 square metres, say, that could hardly justify a rent reduction for a property covering 1 000 square kilometres. Does this relate to a reference area of just a fraction of one square kilometre?

The Government has not disclosed its full intention. If the Government is considering setting aside a reference area of one square kilometre and allowing a rent reduction, we need to know that, and the pastoralists need to know that. This is necessary, because a one square kilometre reference area might be placed on or near stock routes from pasture paddocks or grazing paddocks to the watering holes. All of these things come into it. In her response to the second reading debate, I hope the Minister will say just what the intention is.

Mr S.G. Evans interjecting:

Mr BLACKER: The member for Davenport has pointed out that more than one reference area is needed—and that is usually the case. For example, there is one where vermin is kept out, another where perhaps there are normal vermin but no sheep or cattle, or whatever, and then another that is grazed in the normal sense.

Members interjecting:

The ACTING SPEAKER (Mr Duigan): Order! I call the member for Davenport and the member for Mitchell to order. The member for Flinders has the call.

Mr BLACKER: One of the greatest concerns in relation to this legislation relates to tenure of the property. The concern at all times has been that the pastoral lease applicable has not been accepted as being a suitable security for the raising of finance.

That meant that only those persons who could avail themselves of large sums of money to go into pastoral leases were able to do so. Good station managers who did not have the financial backing by way of, say, inheritance or an arrangement with a financier were denied that opportunity. It is a fact that the persons who were able to become station owners were those who had a lot of capital and were able to buy their way in.

I am worried about the proposed level of rental because it is based on the amount of stock that the board will allow. That then becomes a resource tax—a tax on the resource that is produced off that land—and I believe that that principle is wrong. I know that the fishing industry has fishing licence fees based on tonnages caught. At the time that such fees were being discussed—and I forget which Government was in power—I warned the fishing industry against that proposal, because it effectively became a resource tax on our natural resources. At that time my concern was that it would allow the principle of resource tax to be brought into the farming industry.

If the Government gets away with this proposal—a tax per head of stock as pastoral rental—it will open up the floodgates for the Government to use tonnages of wheat or barley, heads of stock, numbers of lambs, and so on as a means to deciding rental on the land.

Mr S.G. Evans: Regardless of profitability.

Mr BLACKER: Regardless of profitability. I do not believe that anyone has so far addressed that principle in this debate, and it is something which needs to be taken very seriously. Maybe the Government is completely aware of what it is doing. Maybe it is completely aware of creating this resource tax as a means of getting a foot in the door to attack the rest of the primary industry.

The Hon. S.M. Lenehan interjecting:

Mr BLACKER: It is all very nice for the Minister to say, 'That's a load of rubbish'. It was a load of rubbish when it started in the fishing industry, but it has now gone to the pastoral industry. I feel sure that it will not be long before someone attempts to do something similar elsewhere because it is a simple way of collecting taxes. Statutory authorities—the Wheat Board, the Barley Board and the bulk handling company—could be used as tax raising bodies for the Government. This is a serious matter that needs to be sorted out.

This Bill refers to the Crown Lands Act, which as yet we have not seen, and someone has already asked what has happened to the soil conservation legislation. Maybe those Bills should be before us so that we know what we are talking about. Soil conservation is a major part of the retention of our agricultural areas and is something about which we are all concerned from time to time. Friday week ago on television the Manager of the Minnipa Research Station quite confidently claimed that the soils of Eyre Peninsula were better managed now than they had ever been. That has been brought about by experience and the massive input of the station and various departmental officers around Eyre Peninsula and other parts of the State. Those persons, with the Department of Agriculture, probably have the highest respect and esteem of any public servants in this State because they have a valuable input and are able to talk face to face with the people with the problems.

I express my concern about the Bill as it stands. There is no doubt that, unless substantial amendments are made, I will oppose the Bill, and I trust that the Government and the Minister will look most seriously at the points raised by me and by other members.

Mr PLUNKETT (Peake): I had not intended to speak tonight, but do so because of the ignorance of some members opposite who implied that I, having been a shearer for 23 years and a union official for a further 10 years with the Australian Workers Union, could possibly hold some sort of hatred for people who hold leases on land. Members opposite apparently do not know a great deal about my history. For 23 years, as a shearer, I had good relations with many property owners, whether lessees, freeholders or farmers. To correct the member for Davenport, who half mumbled about the hatred a member might hold because he is an ex-shearer, I suggest that he look at the facts a little more closely.

Another member opposite perhaps knows a little about Mallee farming but nothing at all about lease land. The only member opposite to whom I would give credit for knowing what he is talking about is the member for Eyre. He is a successful grazier and has a very large electorate containing leaseholders. I do not agree with everything that he said, but most of his colleagues (including the shadow Minister) picked up and virtually repeated what he said, saying what a great speech it was. I can understand that an ex-schoolteacher would not know a great deal about pastoral leases. I would add that Peter Blacker is another person who is experienced when it comes to pastoral leases.

I think this Bill is an extremely good idea, and some members opposite would remember that I spoke at the time when they were asking for full leases. I bitterly opposed the extension of the leases. One of the people who put up excuses was Graham Gunn—and I heard them again just a few minutes ago from Mr Blacker. Mr Blacker also said that people do not have the equity to be able to borrow money. What absolute rot! This is where I certainly disagree with members opposite, because I have been involved for many years with the hundred year lease which, in most cases, most of us understand would have run out in the 1950s. We can look at Queensland, where much of the country was owned by overseas interests, mainly Scottish and English companies. Mr McLachlan, Mr McBride and a few of those people would know a little about that, because some of their ancestors made sure that they got in, and they have large holdings in South Australia. They have done very well out of the leasing of land at a peppercorn rate, and are still doing very well under those leases.

I have heard mention of the increases in the cost, and that amazes me. Increased costs on leased land have been referred to. We are not talking about small farmers. The member for Victoria referred to small holdings involving 5 000 or 6 000 stock. Most leased land considered here runs much more stock than that. I agree with the Bill simply because it places some control on leases.

I have been on leased lands which members opposite claim are well managed by people who have held those leased lands for many years, but I can give many instances where the land has been overstocked completely, and where the salt bush and blue bush have been destroyed. I refer to the leasehold land held by one South Australian with whom members would be familiar—Barr-Smith—even though that land is over the border in New South Wales. This property, Lake Victoria or Nulla, was cut up into more than seven or eight blocks and the families who were lucky enough to draw a block were able to earn a good living by running up to 10 000 sheep and, in some cases, where permissible and where the West Darling board allowed, cattle were also run. Those graziers did well.

The Opposition might claim that that is not in South Australia, but we are debating leases. I support fully what the Minister and the Government are doing in this Bill. I have been amazed to hear some of the objections raised by the Opposition. I will not waste my time, as did the member for Victoria, because his fortune was handed down to him. The member for Davenport might know what is happening up in the Hills, but he knows nothing about lease land.

I do not see the Hon. Ted Chapman in the House tonight. He would be familiar with what is happening on Kangaroo Island and the lease land over there, which was mainly

available for soldier settlement. True, the member for Alexandra has lease land close to Adelaide, and he is fortunate to have it. I think he is doing well from it. However, those situations have nothing to do with this Bill. There should not be mismanagement of leasehold land, and I agree with the provisions of the Bill.

As I have said, I did not intend speaking to the Bill, but the situation is rather similar to that which applied when members started to speak on a tobacco Bill. Opposition members spoke on things about which they knew nothing. Like the member for Goyder, I knew something on that matter because I have suffered. I make the record clear. This is a good Bill. Certainly, I do not intend to keep the House long. However, the member for Eyre claimed that only one grazier would be appointed to the board of five members. However, I believe that that is very fair. I refer the Opposition to how the majority of boards are made up. That is an extremely fair board composition, and graziers themselves would accept that they have been treated fairly.

Although I did not intend to speak in the debate, I want my comments on record in view of the comments of members opposite who have spoken but who have said virtually nothing. Already one member is leaving the Chamber—he has had enough. Some members opposite know nothing about the person about whom they speak. They raise points thinking that they might embarrass the Government. Certainly, the member for Eyre knows that I have had experience in this matter. I have ridden on trucks through most of the lease land about which I have spoken. Many of the leases have been very poorly managed, although I am not saying that about all of them. Many graziers can manage their farms, and I have no complaint about that. However, many certainly need a board to look after them.

The Hon. S.M. LENEHAN (Minister of Lands): I thank those members who have taken part in this debate, which has been wide ranging. In particular, I thank the member for Eyre for his contribution because, since I have been Minister, I have worked with him in a very fair and open way on every issue relating to his electorate and, when he was the shadow Minister of Lands, my portfolio. I also thank the member for Peake for his contribution, because from his perspective comes an understanding of the issues covered by this Bill.

In my reply, I will address a number of issues. However, it is inappropriate to try to address every single issue which has been raised when the Bill will be thoroughly examined in Committee. I trust that members will see the commonsense in that approach. However, a number of things must be discussed by me to put the record straight.

First is the question of consultation. In the past couple of days in this place, claims and counterclaims have been made regarding such things as green and white papers, those with whom I am supposed to have consulted, for how long, how often, etc. I put on record for what I hope will be the last time that I have consulted more widely than any other Minister of Lands with respect to the care, management, productivity and control of pastoral lands. My departmental representatives have travelled throughout South Australia to attend meetings of the UF&S in various zones and regions and I have met with any person who wished to speak to me about any aspect of the Bill.

There has been reasoned discussion and debate, not the emotion that has been shown in Parliament, and I am surprised at the venom, anger and tirades that have been directed at the Bill and officers of my department. Discussions with the United Farmers and Stockowners representatives, with members of various conservation groups, with people involved in tourism who want to use four-wheel drive vehicles and camp on the lands and with any other interested party have been conducted with reason, logic, good manners and commonsense. Out of those discussions have come sensitive and appropriate amendments to the draft Bill.

I wrote twice to every pastoral lessee, personally signing the letters. I also sent them a copy of the draft Bill. My department has received some 40 replies and responses, I have received deputations and interested parties have made representations. I do not make any apology for the number of changes to the Bill, because they were made in response to the legitimate arguments that were put forward by the pastoralists. I intend to highlight a few of those changes and what the position has been.

First, the pastoralists asked for and wanted the security of a continuous lease, and I believe that is what has been done in the 42 year roll-over lease that I have been prepared to offer them. The only land managers who need to have any concern about the provisions of this legislation—and pastoralists themselves have said as much to me in a face-to-face situation—are those pastoralists who do not stock their land appropriately or who employ other poor land management practices. I am assured tonight by the Opposition that there are no such people. So, if the Opposition is correct, everybody will be offered a renewal of their lease.

I digress for the moment to say, in response to the member for Eyre's suggestion that there was some kind of a hit list drawn up, that I can assure him—and I think he knows me well enough to know that I am not in the business of using that kind of tactic or behaviour—that there is no hit list stating who the department wants removed from the land. That is not correct, and I think it is quite inappropriate.

The second thing which pastoralists told me when I visited them on their home territory was that they wanted an executive board. They did not want a large board of management, but a small board that would be able to manage and be sensitive to the needs of all interested parties. They have that executive board.

We talked about management plans. Members of the House will recall that the draft Bill that has been widely circulated throughout South Australia contained a requirement for mandatory management plans. When I visited pastoralists they highlighted to me a number of issues. They said that they believed they could not possibly have mandatory management plans. I am delighted that the member for Eyre says that he prepares a property plan as a matter of course—that is basic good management. However, I am afraid that I was unable to convince the pastoralists that it was quite that simple because many of them believe that they should not have management or property plans. So, I accommodated their concerns and we have moved to not have mandatory management plans, but the board will have the power, where it becomes apparent that such a plan is needed, to require that plan to be produced.

Members of the Opposition have raised the question of security for financing. I remind the House that at the moment pastoralists do not have security; they are on a winding down or terminating lease. I also remind the House that 20 of these leases will expire in 1996. What sort of financial security or security of tenure do these people currently have? In this Bill I am offering pastoralists at any one time a minimum 28-year lease. I do not know of any other areas where one can get a minimum 28-year lease. No lending authority ever requires anything more than a 28-year lease. It was first put to me when I was appointed Minister that people would be grossly disadvantaged and that they were

already disadvantaged. I and my department have continually asked pastoralists and the UF&S to provide us with financial examples of situations where pastoralists have been grossly disadvantaged in terms of securing finance because of the current arrangements.

I am offering pastoralists a roll-over lease of 42 years with nothing less at any one time than 28 years. Surely this must be considered as an enormous step forward on what they have at the moment. Under the composite Bill circulated by my predecessor, pastoralists expressed concerns about access; they wanted tightening of the access provisions. They now have that and have assured me they are delighted with the provisions of access and all other interested parties are also pleased. I have not had representations from any group in the community or from pastoralists that they have any concerns about access.

The pastoralists themselves, in discussions with the executives of my department, indicated that they wanted to move to fair market rents. To hear the discussion in this House one would think that somehow this was a machiavellian plot to impose fair market rents on a group of people in our community, namely pastoralists, which does not exist in any other group in the community and that it was some kind of diabolical plot to drive pastoralists from their lands. I give this House an assurance that that is the furthest thing from my mind. I want to see pastoralists remaining in the areas where they have remained for generations, and I acknowledge the fact that, in most cases, pastoralists have done an enormously valuable job for the productivity of this State.

I have never said anything else and I never will because I do not believe it. To suggest that I would be party to a rental proposal that would choose to drive pastoralists from their land or to economically disadvantage them to the point where they had to sell off their leases or had to leave the land is not only unfair, but it is a fear and scare tactic that I do not think is worthy of a credible Opposition. I hope that the member for Eyre will not be a party to that fear and scare campaign, because it will certainly not happen while I or any other Minister from this side of the Parliament is in power. Another point raised relates to watering points. Pastoralists wanted watering points protected and I think that all members would acknowledge that this Bill protects them and it protects them with respect to everyone.

I do not intend to get involved in this House in a racist debate about Aborigines. I had to get involved in that when I brought the Adoption Bill before this Parliament. I found some of the attitudes of a small number of Opposition members to be quite disgraceful and opposed to my personal philosophy, the philosophy of every member of this side of the Parliament and, may I say, of a large number of members of the Opposition. I am not going to get into a slanging match about the Opposition's derogatory remarks about Aborigines. I would be quite happy, if the Opposition chose to pursue this line, to argue very cogently in the Committee stage. Pastoralists asked—and I recognised their absolute legitimacy in doing so—for recognition of their efforts in relation to land conservation and the improvements that should be undertaken within financial constraints. Indeed, that is achieved in this Bill. The Government is not suggesting that it would impose conditions which would cause financial constraints for pastoralists that would be detrimental to their efficient and effective operation.

What did the pastoralists get without having to ask? They did not ask for it, but I insisted that we should provide pastoralists with an appeals process. There is currently no appeals process under the present legislation. We have offered the pastoralists an appeals process against some of the decisions of the Pastoral Board. I have given them a deputy at the board meetings to protect their interests and representation, so that there will be a representative of the pastoralists at every meeting. I have also provided in the legislation an independent review and appeal process on rentals. What could be fairer than that? I do not believe anything could be fairer than an independent appeals process.

The assessment process is another area that pastoralists have indicated they are happy with because we have developed that process in consultation with them, their representatives and the conservation movement. In fact, I do not see why this has been so scorned and denigrated when the pastoralists will have the opportunity to collect information and to assess objectively their own lands through the development of property plans and working with representatives of the various departments in terms of making an assessment of that particular lease.

I highlight the fact that the member for Alexandra talked about the fragility of these lands. Some members opposite have not even acknowledged that the lands are fragile, so I am delighted that at least one honourable member has recognised that fact.

This legislation gives pastoralists an opportunity to demonstrate to current and future generations of South Australians that they have been responsible and have responded to the trust placed in them to be effective caretakers. Indeed, I believe that this aspect of the legislation may prove to be the greatest boon to the pastoral industry that we have seen. The objective and independent assessment of their current and future land management activities is vital in the good and effective management of their pastoral leases.

I have talked about the green and white papers, but perhaps I should sum up by saying that I am very disappointed with the claims made by the member for Victoria, and I must place some comments on the record, because a remark was made about a staff member from the Department of Lands. The person who briefed three members of the Opposition was made available to them by me at any time they required. I am sure that the member for Eyre would agree that it was not a case of this person not being there or not being available; rather, there was a slight misunderstanding between the member for Eyre's personal assistant and my office about the timing of that briefing. I think it was most unfair for the member for Victoria to attack a public servant in this place; it was totally unfounded and in fact is quite untrue. It is really in the realm of fantasy to suggest that a green and a white paper are needed as some kind of basis for moving to a select committee.

Mr D.S. Baker: Where is the green paper?

The Hon. S.M. LENEHAN: A green paper was released before the last Bill was introduced. That was a composite Bill which was prepared by my predecessor, and it was released. I decided not to go through this long and tortuous process, because we are talking about some 17 years of debate and consultation; rather, I sent a draft copy of the proposed legislation to every lessee and every interested group and individual whom I could locate in this State and, as I said earlier, in response to sending that out every single—

Mr D.S. Baker interjecting:

The Hon. S.M. LENEHAN: If you had listened to what I said, you would have heard. I twice wrote personally to every lessee, so the member for Alexandra was grossly insulting when he suggested that those pastoralists would not know who their Minister was. Does he suggest that they are illiterate? Surely, if they were interested in their own future, they would have read the two separate lots of correspondence which were sent to them.

Members interjecting:

The SPEAKER: Order!

The Hon. S.M. LENEHAN: Secondly, at the end of last year, I also gave notice that on 14 February I would introduce a Pastoral Bill, so I do not know where the members of the Opposition, particularly the member for Victoria, have been when they suggest that nobody knew about this Bill. It has been 17 years coming and the Opposition does not know anything about it. I think that that is a gross insult to the constituents whom they purport to represent, and I am sorry that they have chosen to respond in such an irresponsible way to what is very responsible legislation. I commend the Bill to the House.

Bill read a second time.

The Hon. B.C. EASTICK: On a point of order, Joint Standing Order No. 2 is the reason why this Bill is not being sent to a select committee as a hybrid Bill. Erskine May quite clearly indicates that a measure, and I quote from Erskine May—

An honourable member interjecting:

The Hon. B.C. EASTICK: No, it is not two bob each way: it is the practice of the House. It is clearly indicated by Erskine May at page 588 that a public Bill which affects a particular private interest in a manner different from the private interests of other persons or bodies of the same category or class shall go to a select committee because of its being a hybrid Bill. If one looks at clause 17 of the Bill, without debating the issue, quite obviously people of the same class will be treated separately. I make the comment that, if a Bill will affect Crown lands—and if one examines the Bill there is the distinct possibility of Crown lands being passed into the possession of individuals by way of a lease by virtue of the action which this Bill undertakes—then quite clearly it is a hybrid Bill. I can cite a number of other references from the deliberations of this House and also from Erskine May, which is the last bastion that we have in the conduct of the business of this House.

The SPEAKER: I do not uphold the point of order.

Mr MEIER (Goyder): I move:

That this Bill be referred to a select committee.

I believe that the Minister knows full well that the Bill should be referred to a select committee, and that it should not be before us now. That point was made earlier during the second reading debate. Probably it could be argued, especially in light of the response from the Minister, that it was the previous Minister of Lands who wanted to see this Bill come before us as soon as possible, and notice was therefore given last year. However, it is quite clear that this Bill does not contain provisions that are appropriate to so many of the pastoralists and pastoral lands in general.

We are dealing here with the livelihood of many pastoralists. We are dealing with a huge section of the State of South Australia and it should not be treated lightly, as the Government seems to be doing, by having introduced this Bill now. The pastoral leases are to be terminated at the stroke of a pen and a new contract will be offered over which the pastoralists will have no control. Nowhere else in this State would we expect such a provision. In fact, nowhere else in business generally could we expect such a provision. It is disgraceful that this has occurred in South Australia and that the Minister of Lands should be behind it.

Whether it is her fault or the fault of the previous Minister no-one will know, but this House cannot accept it and neither can the State. Likewise, no form of lease is contained in the Bill, so we have no knowledge of what will be in the lease—every reason why the Bill should be referred to a select committee. We could go on to the rents as they are to be determined by the Valuer-General. It has been pointed out that there is every reason to believe that the pastoralists will be liable for a massive hike in rent. No provision exists in the Bill for any sort of compensation in this respect—a fact that will drive people off their land unless the Bill addresses that problem before we have to deal with it in this place again and just reason for it to be referred to a select committee.

Likewise, the Minister knows full well that soil conservation legislation should be introduced, passed and promulgated before we discuss the Bill before us. By referring the Bill to a select committee we will give the Minister of Agriculture more time to get his act together and prepare soil conservation legislation so that we have some appreciation of the Government's thinking in that area before we put the pastoralists in a situation where they might be bounded by more regulations than they currently know how to handle, let alone all the regulations and penalties contained in the current Bill.

Furthermore, the whole issue of capital gains tax having to be paid by the pastoralists whose leases are truncated is not addressed in the Bill. Certainly the Minister says that that issue will be fixed up with the Federal Government, but we have no guarantees from the Federal Government on whether or not it will agree to such a request. By referring this matter to a select committee the issue can be clearly addressed and cleared up so that everyone from the pastoralists through to everyone in this place and in South Australia will know whether or not those people will be liable for capital gains tax.

Other serious questions arise with the Bill, and we have heard them debated at the second reading stage. They relate to property plans, stock levels, appeals, powers of the board, and the list goes on. For these reasons I urge all members of this place to use their commonsense and vote in favour of the motion that the Bill be referred to a select committee. Surely even this Government wants to see legislation enacted for the betterment of the people that it will affect. The Bill before us will be to the detriment of so many of those people. Let us stop this before the damage is done by referring the Bill to a select committee.

Mr GUNN (Eyre): I have pleasure in seconding the motion. In my experience in this Chamber, over many years of having been involved in numerous parliamentary debates, I have found that every piece of legislation that has been referred to a select committee has come out of it in a far more acceptable and reasonable form. As an example, the recent controversy over firearms in this State was resolved in a sensible, reasonable and appropriate manner by a select committee.

An honourable member interjecting:

The SPEAKER: Order!

Mr GUNN: The honourable member had the opportunity to solve the problem and failed. He either did not understand it or did not apply himself, so it ill behoves him to interject in the twilight of his career. He had the opportunity over the years. Another example is the fire brigade select committee. Also, there were select committees on the Health Commission and the Meat Hygiene Authority—the list goes on. Every one of those pieces of legislation attracted considerable publicity and controversy in the community but were resolved by a sensible select committee.

If the Government wants to avoid these problems and save itself a great deal of controversy it will take the sensible, honourable and best way out and refer the Bill to a select committee. The Westminster system is quite clear:

measures of this nature ought to go to a select committee. The course of action that has taken place this afternoon has clearly laid the ground for a Supreme Court challenge to the legislation.

Those who read the provisions of this legislation will be aware that it is a hybrid Bill. Erskine May and Standing Orders clearly provide that measures of this nature should be referred to a select committee. When we granted title of land to the Pitjantjatjara people, that was referred to a select committee. When we granted land to the Maralinga people, that also went to a select committee. There are many others. If one examines the records of Parliament over many years, one will find many other measures of this nature.

An honourable member: Even the lease over Levi Park.

Mr GUNN: Yes, even the lease over Levi Park was referred to the most appropriate forum—a select committee—to resolve the difficulties. In a select committee people can sit down out of the glare of publicity, behind closed doors, work through and resolve problems, hear at first hand the concerns of people and allow them to put forward alternative proposals.

I have much pleasure in seconding this motion. The longer I am in this place, the more convinced I am of the value of parliamentary and select committees. It is unfortunate that from time to time governments take it upon themselves. They seem to believe that all wisdom flows from Ministers and from those who are involved in drafting Bills. As well meaning, hard working and sincere as they may be, they often do not appreciate the difficulties and the problems which will be created. The action adopted by the member for Goyder in putting forward this proposal is sensible. It is in the interests of the industry and of the State of South Australia and should be agreed to. I hope that the Government will take the honourable and appropriate action.

Mr D.S. BAKER (Victoria): In supporting my two colleagues and agreeing that this is a hybrid Bill which should go to a select committee, I should like to pull the Minister up on a couple of points. The regulatory review procedures, which came in in late 1987, came in after the Minister claims that the green paper that she has found today, but could not answer a question upon yesterday—

Mr Ferguson: On a point of order, Mr Speaker. The proposition before the House is whether this matter should or should not be referred to a select committee. It does not refer to the debate that we have just finished.

The SPEAKER: The honourable member for Victoria should address himself to the actual content of the resolution before the House. He cannot use this opportunity to rebut what, in his view, are incorrect, or otherwise, statements which may have been made by other honourable members in the preceding debate.

Mr GUNN: Thank you very much, Mr Speaker. It is clear, under the regulation review procedures, that a green and a white paper should be issued.

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

Members interjecting:

The SPEAKER: Order! The honourable members for Victoria and for Henley Beach will resume their seats. I ask the Leader to refrain from interjecting at a time when the Chair is trying to receive a point of order from the honourable member for Henley Beach.

Mr FERGUSON: I make the point once more, Mr Speaker, that we are debating whether this matter should or should not be referred to a select committee. It has nothing to do with a green paper, which relates to the debate that has just been concluded, and I ask you to rule that way.

Members interjecting:

The SPEAKER: Order! There is a grey area in this particular section of the remarks of the honourable member for Victoria, which are objected to by the honourable member for Henley Beach, in that the general process of consultation is a valid matter to introduce in a debate on whether or not a select committee may be required. However, I caution the honourable member for Victoria that he must stick closely to the actual motion.

Mr D.S. BAKER: Thank you, Mr Speaker. If the member for Henley Beach could just bear with me for one moment while I get the next sentence out, he would understand that one of the reasons for our saying that this Bill should go to a select committee is that the regulation review procedures have not been adhered to. There has been no green paper, and under those procedures there should be a white paper. The regulation review procedures, which were set up by the present Government under the auspices of the Attorney-General, have not been adhered to, and to this stage there has not been adequate consultation with the people in the community who will be affected.

It is very important that the pastoralists in the areas involved have adequate time to look at and digest the ramifications of the Bill. The ramifications are quite horrific, when one considers the amount of money that will be collected by Treasury—and we referred in debate to an amount of $8.7 million. This Bill is about the oppression of a minority group, and it should be referred to a select committee of this Parliament so that the matters can be properly and adequately looked at by the people concerned.

The Hon. E.R. GOLDSWORTHY (Deputy Leader of the Opposition): Regarding the referral of the Bill to a select committee, I refer to clause 17 (1) of the Bill, which states:

> Subject to this Act the Minister may grant pastoral leases over Crown land on such conditions . . . and with such reservations as the Board thinks appropriate.

The 'Joint Standing Orders of the Houses of Parliament Relating to Private Bills' provide—

The SPEAKER: Order! The Deputy Leader will resume his seat. In the course of discussion on the motion that is currently before the House, the honourable member cannot reflect on the ruling made by the Speaker that this is not a hybrid Bill.

The Hon. E.R. GOLDSWORTHY: Mr Speaker, that is unfortunate, because it is perfectly clear to me that a reason for arguing that the Bill ought to go to a select committee is that Standing Orders of the Parliament say that it must. It is a relevant Standing Order.

The SPEAKER: Order! The Chair cannot accept that. There is a difference between a Bill that is required by Standing Orders to go to a select committee because it is deemed to be a hybrid Bill and a Bill that may go to a select committee as a result of a decision of the House that, for other reasons, it is appropriate for it to be so referred. If, in the course of his remarks, the Deputy Leader reflects on the ruling of the Chair, he will have to be dealt with. The honourable the Deputy Leader.

The Hon. E.R. GOLDSWORTHY: Well, Mr Speaker, if a direct quote from the 'Joint Standing Orders of the Houses of Parliament Relating to Private Bills' is seen as a reflection on you, Sir, then that would be a most unfortunate circumstance. In the terms of what you are saying, I take it that I am not allowed to read directly from the 'Joint Standing Orders of the Parliament Relating to Private Bills'.

The SPEAKER: The honourable member is fully entitled to give reasons why the Bill should be referred to a select

committee, but to say that a reason is that it is deemed to be a hybrid Bill is in conflict with a clear ruling of the Chair in response to a point of order on that very matter.

The Hon. E.R. GOLDSWORTHY: Certainly, the last thing I want to do is to reflect on your ruling, Mr Speaker. For the edification of the House, if nothing else, I would just like to read what the 'Joint Standing Orders Relating to Private Bills' say. If you rule that out of order, Sir, because you believe that I will be reflecting on you, that will be a most unfortunate circumstance.

The SPEAKER: If the Deputy Leader can continue to proceed with his remarks, we will cross any bridges that we need to when we come to them.

The Hon. E.R. GOLDSWORTHY: All I wish to do is quote clause 2B, which provides that Bills introduced by the Government authorising the granting of Crown or wastelands to any individual person, a company, a corporation, or a local body are deemed to be Bills which must go to a select committee. Commonsense should dictate that this Bill ought to be referred to a select committee.

This Bill affects the interests of a large section of the community and certainly impacts very heavily on a small but highly productive section of it. I suggest to the new Minister that she would be well advised to follow the lead of some of the older hands in this place and send this Bill to a select committee.

If the Hon. Ron Payne had been handling this Bill, even if there was some doubt about it, it would have been sent to a select committee in a flash. The Hon. Bruce Eastick and I served on a thorny piece of legislation that was sent to a select committee—and 'thorny' could aptly be applied to this piece of legislation—when a Bill that was introduced towards the end of last year provided for a change to the rules under which ETSA was to operate. That Bill did not have to go to a select committee but, being an old hand and knowing the ropes (and knowing, too, that if he wanted to get this Bill through the Parliament in a much improved form and with the concurrence of the Opposition), the Minister realised that it would be a very wise move to send it to a select committee. That is the sort of wisdom that only comes from experience. So, the Hon. Bruce Eastick and I served on that committee with a great deal of pleasure, and I believe that all members of that committee contributed to a much improved piece of legislation. I suggest to the new Minister that she take a leaf out of the book of some of the old hands in her own Party—

Members interjecting:

The Hon. E.R. GOLDSWORTHY: We know what the contribution of the fabricator—the would-be Minister for propaganda—is to the working of this place. I had a lot of faith in the judgment of his colleagues when they knocked him back a couple of times when he had himself in a white car. I thought that that reflected great credit on his colleagues. The only time they slipped up was when they allowed a few phone calls to be made and kept a very worthy man out of the job. But, in the case of the honourable member, they were spot on. Let him stay in his corner and chirp away. We will watch his gyrations and fabrications with bemused interest—

The SPEAKER: Order!

The Hon. E.R. GOLDSWORTHY: I advise the junior Minister to take a leaf out of the book of some of the former Ministers in her Party who knew the great value of referring this sort of legislation to a select committee, and I hope that I have clearly enunciated these reasons to her.

The Hon. R.G. PAYNE (Mitchell): I hope that I do not shock the Deputy Leader too much with these remarks, but I point out that the gravamen of the argument from the other side of the Chamber has been that there is a need for further consultation in this matter. I remind the House, especially those on the other side who did not bother to come in during the second reading debate, that the Minister stated that in this instance she personally has communicated on two occasions with every lessee concerned. One would assume that that was a reasonable opportunity for consultation.

The Hon. B.C. EASTICK (Light): The Opposition believes, as does a large volume of the public beyond this place, that this matter should go to a select committee because it concerns the alienation of Crown lands. That is provided in both the Bill and the schedule thereto. It is very clear that it has been the practice of this Parliament ever since it commenced that matters which alienate or have the potential to alienate—and I make that distinction—Crown land should go a select committee.

That is the issue that the Opposition fights this evening—the practice of this House over a long period of time and the responsibility of this Parliament to the people in the community who will be affected by the loss of Crown land.

The House divided on the motion:

Ayes (17)—Messrs Allison, P.B. Arnold, D.S. Baker, S.J. Baker, Becker, and Blacker, Ms Cashmore, Messrs Chapman, Eastick, S.G. Evans, Goldsworthy, Gunn, Ingerson, Meier (teller), Olsen, Oswald, and Wotton.

Noes (25)—Mr Abbott, Ms Appleby, Messrs L.M.F. Arnold, Bannon, Blevins, De Laine, Duigan, M.J. Evans, Ferguson, Gregory, Groom, Hamilton, Hemmings, Keneally, and Klunder, Ms Lenehan (teller), Messrs McRae, Mayes, Payne, Peterson, Plunkett, Rann, Robertson, Slater, and Tyler.

Pair—Aye—Mr Lewis. No—Mr Crafter.

Majority of 8 for the Noes.

Motion thus negatived.

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

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

Motion carried.

In Committee.

Clause 1—'Short title.'

Mr MEIER: The short title of one of the draft Bills that the Minister circulated was the 'Pastoral Land Management Act'; the short title of this Bill is the 'Pastoral Land Management and Conservation Act'. Whilst all pastoralists, people generally in this State, and I appreciate the need for conservation, I would be interested to known why the word 'conservation' has been included. Will it be Government policy for the word 'conservation' to be included in all management Bills in future?

The Hon. S.M. LENEHAN: The word 'conservation' has been added because this change reinforces the conservation principles embodied in the legislation. I am pleased that we have included 'conservation' because it aptly sums up what the Bill seeks to do in terms of management and conservation principles.

Clause passed.

Clause 2—'Commencement.'

Mr D.S. BAKER: Subclause (2) provides:

Section 10 (3) will come into operation on the sixth anniversary of the commencement of this Act.

Subsequently the Bill provides that one member of the Pastoral Board must be a woman and one a man. Why will it take six years for that to be achieved?

The Hon. S.M. LENEHAN: That provision has been included as an embodiment of the Government's commitment to equal opportunity. The Government believes that all major administrative committees should comprise of men and women. The provision referred to reinforces this view and the requirement for gender representation has been deferred for six years to ensure that the appointments are made on the basis of experience and qualifications and not only on gender. However, I want to point out that this does not preclude the appointment of a female board member prior to that date. I am sure that that is the case to which the Opposition alludes. It will certainly provide for ancillary requirements for relative expertise and qualifications and ensure that these ancilliary requirements are met.

Mr D.S. BAKER: That being the case, can the Minister assure the Committee that, if there are no Government nominations, she will not force the pastoral organisations to be represented by a woman against their will?

The Hon. S.M. LENEHAN: The point raised by the member for Victoria highlights the fundamental difference between the Government and the Opposition. The honourable member is suggesting that no woman would ever be capable of representing the pastoral industry. I have met a woman who holds a pastoral lease and there may well be more, although I have not considered it appropriate to search through the records. What is required on the board is a representation of both sexes, and I will not give the member for Victoria any guarantees. We are talking about a period of six years, of commonsense prevailing and of principles of equal opportunity and equity. That is why the clause is embodied in the legislation.

Clause passed.

Clause 3—'Interpretation.'

Mr MEIER: I am concerned at the definition of 'rehabilitation' of degraded land. How does the Minister envisage that it will be possible to determine what stage the land was at before degradation? The definition seems to have some positive attributes but it might be misused if certain authorised officers, members of the board or others decided either individually or collectively to determine what was the level of the land before degradation.

The Hon. S.M. LENEHAN: Degraded land is clearly defined and the intention is to bring back the land to at least the condition it was before its degradation. Initially, land would be assessed as part of the process of issuing the new 42-year roll-over leases on land. We would be looking at land that has been assessed, and then looking at the degradation that takes place. A simple definition would be good vegetation cover which would allow stock to graze on that land. I am sure that the honourable member understands the definition. Once again, we must look at employing commonsense rather than nitpicking. The definition is quite clear.

Mr MEIER: I am not nitpicking. Reference was made in the second reading explanation to the deployment of scientific principles. Will any of those scientific principles be used in determining the state of land before degradation or will it simply be, as the Minister indicated, commonsense?

The Hon. S.M. LENEHAN: The department will not consider employing scientific principles.

Mr BLACKER: My question concerns the definition of 'stock'. In my second reading speech I referred to kangaroos in this regard because the control or harvesting of kangaroos is permitted. Therefore, they could be interpreted as being stock, which could lead to some confusion. I suggest to the Minister in an advisory way that it would be desirable to have a clearer definition with reference to sheep and cattle as opposed to kangaroos, wild goats or wild pigs.

The Hon. S.M. LENEHAN: The definition of 'stock' as embodied in the legislation allows for longer term change in the type of commercial activity permitted in pastoral areas. For example, under other legislation, such as national parks, etc., the Government may permit commercial farming of protected species, such as kangaroos, emus, and so on, and this will then be a permissible pastoral activity under this legislation. So, by keeping the definition fairly general we have not precluded future uses in terms of what could be quite legitimately defined as stock—as has been pointed out by the honourable member—rather than make it so specific that we would have to come back to Parliament to enact amendments to that definition.

Mr BLACKER: In any definition of lease capacity could the quantity of stock determined be noted as, for example, 5 000 head of sheep or cattle and not just stock in general terms?

The Hon. S.M. LENEHAN: Yes.

Mr D.S. BAKER: It is very important that this point is clarified because the nebulous rent clause provides that rent will be based on productivity. Can the Minister assure us that any income derived from harvesting of kangaroos, rabbits, goats or emus will not be included in the productivity of the lease which will be determined, as she has said, by the 'carrying capacity of sheep or cattle; and therefore will not count against the lessee by increasing his productivity because clearly, according to the second reading speech, that would increase the rent?

The Hon. S.M. LENEHAN: I am not sure that it is appropriate to talk about this matter under this part of the Bill because I think the honourable member is raising the whole question of how the rent on leases is to be determined. According to the Bill it is clearly determined by the Valuer-General, and obviously would have to be looked at by the Valuer-General. However, if we are going to seriously look at productivity of the land and if in the future—to extend the point made by the member for Flinders—it was considered appropriate by a pastoralist to have kangaroos or emus in some kind of properly controlled farming environment (and the assessment of the Valuer-General could be involved), at that point it would be appropriate to include a kangaroo or an emu farm in terms of the productivity of the land. I do not see any conflict or problem with that because we are talking about land which is producing some degree of productivity for the lessee. I am more than happy to pursue this point when we come to the provisions concerning rent.

Mr D.S. BAKER: The Bill talks about the degradation of the land, which will be controlled by the stocking rate. At present the stocking rate is expressed by the number of sheep or cattle that may be run on a lease. If the Minister wishes to include any harvesting of kangaroos, rabbits or goats, etc. in the definition of productivity she must therefore put a ceiling on the number of those animals which can be run on the lease, otherwise it is other than the stock which is causing the degradation and it will count doubly against the lessee in the form of rent. I think this is a very important point which I am sure has been overlooked by the Minister, and I think it is imperative that she should tell us what she will do. If she is going to tell us that the productivity of the lease will be raised because one harvests kangaroos, rabbits or goats, she must therefore impose a maximum permissible stocking rate because that will add to the degradation of the land.

The Hon. S.M. LENEHAN: The definition of 'degradation' does not mean that the Government is unaware of the effect of feral animals and climatic conditions on the quality of the land resource. The reference was intended to cover

those human activities relating to stocking and land management practice which can result in reducing vegetation cover and the amount and quality of top soil. The definition covers that. However, if the honourable member chooses to move such an amendment I will be happy to accept it.

Mr D.S. BAKER: Perhaps we can discuss that during the debate on rent. The other interpretation that worries me refers to 'Aboriginal people' and 'Aborigine'. I think that all of us are very happy that 'Aboriginal people' means the people who inhabited Australia before European colonisation. We would all acknowledge that, as outlined in the Bill, these Aboriginal people have the perfect right to roam over those areas.

However, when we address the definition of 'Aborigine' there are some quite grave fears because, under this interpretation, 'Aborigine' means 'a descendant of the Aboriginal people who is accepted as a member by a group in the community who claim descent from the Aboriginal people'. I do not think we would mind if 'Aborigine' meant people who were descendants of the Aborigines living in a tribal condition in that area. However, I believe that we, and the lessees, would get very upset if a group in the community, for example, from the outskirts of Adelaide or Light Square, wanted to roam over these leases without control, claiming that they were descendants of Aboriginal people. I believe that this clause will cause great concern to the lessees, and it should be very clearly enunciated by the Minister that the definition means that only descendants of Aboriginal people who live in the area at present will be allowed to roam that area.

The Hon. S.M. LENEHAN: First, the definitions are totally consistent with other pieces of State and Federal legislation. They are consistent throughout the legislation in both State and Federal areas in relation to the need to define the terms 'Aboriginal people' and 'Aborigine'. The honourable member either does not understand, or chooses not to understand, what is intended in this Bill. If one reads the Bill one will find out that 'access' refers to traditional pursuits. We are not talking about giving Aboriginal people unfettered access to do whatever they like on pastoral lands.

Rights of access for Aboriginal people have always been provided for in the covenants of leases. We should acknowledge that. I gather that the honourable member is concerned that a group of Aboriginal people from the city will somehow travel to the pastoral leases and wreak havoc upon them. I find that totally offensive. Given the honourable member's philosophical position and his lack of understanding of Aboriginal culture, if he wants me to address that issue, I will do so. The Bill clearly refers to traditional pursuits carried out by Aboriginal people. Therefore, I ask the honourable member why urbanised Aborigines who have no affinity with the land or who have no desire to go onto the land to pursue traditional Aboriginal pursuits would want to do so. They certainly could do nothing other than pursue those traditional Aboriginal cultural activities that prevailed for many centuries before white people came to the land.

The CHAIRMAN: I am afraid that the member for Victoria has spoken three times to the clause and, according to Standing Orders, that is his limit.

Mr ROBERTSON: It seemed to me that the definition of 'stock' might vary from holding to holding in that, if an enterprise were deliberately established as a kangaroo, rabbit or goat raising venture, clearly it would come under the definition of 'stock'. Otherwise, they would come under the definition of 'vertebrate pests' and would be controlled under the Vertebrate Pests Act. Is that an accurate interpretation?

Mr BLACKER: I will take up that point again, because normally, in any lease arrangement, the carrying capacity of the lease is either so many thousand head of sheep, or the dry sheep equivalent (DSE). I think that works out at about eight DSE per head of cattle. That then begs the question: what is the DSE of a kangaroo? Is it one for one, or is it half a kangaroo for a sheep, or *vice versa*? I do not know the answer, but it can be covered in that way. My question to the Minister was on the basis that there is a potential problem. People are now looking at establishing emu farms in this State and there are plenty of emus and kangaroos. The kangaroos are being farmed in a controlled way now and therefore, unless such factors are taken into consideration in this Bill, this assessment will be incorrect.

Clause passed.

Clause 4—'Objects of this Act.'

Mr MEIER: I move:

Page 2, line 32—Leave out 'the land in cases of damage' and insert 'degraded land to the extent that is practicable having regard, in particular, to financial resources'.

One of the objectives of this Act is to provide for the rehabilitation of the land in cases of damage. I believe that my amendment removes some of the ambiguity surrounding this clause. Under the proposed legislation, it would be necessary to determine what amounted to damage, whether that damage was accidental or whether it was deliberate, the extent of the damage, whether the pastoralist had caused it, or whether it was caused naturally by animals other than those that he grazed.

Reference to 'degraded land' rather than merely to 'land' immediately identifies that the land is not in a 100 per cent satisfactory state, but it also then adds the proviso that he must repair it 'to the extent that is practicable having regard, in particular, to financial resources'. I am sure that we all want to see the objects of the Act adhered to as much as possible, but it would be a great tragedy if certain instructions were given which were inequitable in relation to the damage caused and thus penalised the pastoralist. I hope that the Minister will agree to this amendment.

The Hon. S.M. LENEHAN: I think that the honourable member has misunderstood the actual objects of the Act. I wonder whether the honourable member realises that the reference to 'the rehabilitation of the land in cases of damage' does not refer only to a claim on the pastoralist; rather, it is a shared claim between the Crown and the pastoralist to ensure that the rehabilitation of the damaged land is carried out.

I do not believe that the honourable member's amendment picks up the next point. The objects of the Act must be viewed in total—they are not to be seen as separate individual objects. Clause 4 *(c)* states:

To provide a form of tenure of Crown land for pastoral purposes that is conducive to the economic viability of the pastoral industry.

That picks up the whole question of economic viability with respect to the objects of the Act.

Mr MEIER: I do not think that I have misread the objects. I acknowledge that clause 4 *(c)* is very appropriate and very good in that it provides a form of tenure of Crown land for pastoral purposes that is conducive to the economic viability of the pastoral industry. There is no question about that. However, clause 4 *(b)* (iii) provides for the rehabilitation of the land in cases of damage. That still leaves it open to excessive controls and excessive requirements to repair that damage at what could be enormous cost. The amendment will ensure that degraded land is rehabilitated, and surely that is the aim of this clause and the objects of the legislation. It will protect the pastoralist from any unscrupulous official who says, 'I will really take it out on this

person and it will cost him a huge amount of money to restore the damage—

The Hon. H. Allison: Done by the last plague of locusts.

Mr MEIER: —that was done by the last plague of locusts.' I believe it is a simple amendment that does not detract from the aim of the clause at all. I recognise what the Minister says about clause 4 *(c)*. I agree that that should be there and that it is a good clause. However, this clause needs some extension so that it protects the pastoralist while ensuring that any damaged (if you want to use that term) or degraded land is restored as is required.

The Hon. S.M. LENEHAN: I cannot accept the amendment because it is appropriate to clearly state for future generations that one of the aims of the Bill is the rehabilitation of the land in case of damage. I point out to the honourable member that it is not a matter of an overzealous individual, public servant or whoever else he alluded to coming on to someone's land and telling them, to their financial ruin, that they must rehabilitate a damaged area. This kind of decision will be taken by the Pastoral Board, so it is really clutching at straws to talk about an overzealous official telling people that they will have to rehabilitate damaged land at whatever financial cost. That will just not happen. On the other hand, it is important in a Bill of this significance to clearly state under the objects and duties that it will ensure the rehabilitation of damaged land. I am sorry, but I cannot accept the amendment from the honourable member.

Mr MEIER: I am very sorry that the Minister is not prepared to accept the amendment. I recognise that the official will report back to the board, and in that respect I allude to the fact that there will be only one pastoralist on the board (unless the Minister agrees to our amendment) and therefore the same decision could occur, that is, against the pastoralist. However, we will not continue that argument now—more discussion can occur later. As I have said, much of the damage may not have been the doing of the pastoralist. If the land has been degraded, my amendment would allow the pastoralist to restore it within his economic means. Take that out and it opens up a possible Pandora's box.

Amendment negatived.

Mr D.S. BAKER: I refer to clause 4 (*b*) (ii), which refers to 'the prevention of degradation of the land and its indigenous plant and animal life'. Will the Minister explain what that means?

The Hon. S.M. LENEHAN: It refers to the natural animal life on the land.

Mr D.S. BAKER: That is very unclear and raises some important points. If the Minister is telling us that she will prevent the degradation of animal life and that that will count against the lessee in the conditions of his lease—and we have already shown that it may under the productivity of the lease—I point out that much of the animal life on the leases has been allowed to proliferate only because the lessees have put water points all over the land and thereby allowed the wildlife and feral life to breed. Is the Minister saying that, if it gets to plague proportions, she will prevent the degradation of that animal life to the detriment of the lessee? The clause is very unclear, whichever way one reads it and it needs further explanation.

The Hon. S.M. LENEHAN: I need to explain this, obviously. Subclause (*a*), which is the object of the legislation in total, provides:

> to ensure that all pastoral land in the State is well managed and utilised prudently so that its renewable resources are maintained and its yield sustained.

Subclause (*b*) (iii) provides for: 'the prevention of degradation of the land and its indigenous plant and animal life'. We are talking about a natural ecosystem—the natural flora and fauna that exists on the pastoral land. Surely we are talking about commonsense. It seems that the honourable member is trying to find situations and then exaggerate them—examples that would never occur. As if any pastoral board would suggest that natural bird life, for example, should be preserved—

Mr D.S. Baker: It says it there.

The Hon. S.M. LENEHAN: Why don't you listen to what I am saying? Whilst I was explaining, you were talking to another member. If you cannot at least have good manners and listen to what I am saying, I will not bother to respond. It means the object of an Act, which clearly covers the preservation of the natural environment, and the people of South Australia would want to see that as one of the objects of legislation such as this.

Mr GUNN: This is one of the central clauses of the legislation. Unless some reasonable undertakings are given, we will have an unnecessarily protracted debate which will not serve a great deal of useful purpose. The manner in which this clause is interpreted and administered will have an effect on the entire Bill. Unless the Minister clearly understands that, we will have a problem. It is all very well to set standards in relation to the management, stocking rates and protection of the environment, but clearly one must also take into account the effects and damage that native species will cause.

I do not know whether the Minister has ever been fortunate enough to fly or travel from the pastoral areas to the land outside those areas. Some time ago the member for Bright and others had the opportunity of travelling right through the Unnamed Conservation Park down to Maralinga. During that day we did not see one kangaroo—of course, there are kangaroos there—because there was not an adequate supply of water. I suggest that, if one had gone through to Commonwealth Hill or Mulgathing, one would have seen large numbers, because permanent water supplies have been installed there.

The paramount point in this clause is that, under any Administration, the effects of those improvements which the pastoralists have put on those lands and which have caused native species to increase greatly should be taken into account. In taking them into account, the Pastoral Board or the Minister or those responsible may consider it necessary to de-stock. This legislation is deficient. It should contain powers to enable pastoral inspectors to order and issue permits for the destruction of native animals. That is important. On occasions, too numerous to count, I have seen excessive numbers of native animals on pastoral and farming properties. If a sensible system were put into operation to control them, they would still survive without any trouble. However, unless commonsense prevails and those circumstances are taken into consideration, there will be problems. I ask the Minister to take this matter seriously, because this part of the Bill is the linchpin of what we shall debate over the next few hours.

The Hon. S.M. LENEHAN: I shall explain once and, I hope, for all. We are talking about the objects, the overview, the long-term goals of an Act. Surely that is clear. We are talking not about the i-dotting and the t-crossing, but about a set of guidelines for a Pastoral Board. That board must consider these objects in the light of its decisions and provide a balanced view and decision. It seems reasonable that if we are setting aims, goals and objects in anything—and we are talking about a pastoral Act—they should be sufficiently general to encompass what we are aiming to achieve. I am unashamedly aiming to achieve the objects which are clearly set out in the legislation.

Talking about amending the Bill to cover every contingency is to not appreciate how it will be put into operation. It will be put into operation through a Pastoral Board, which will need to refer to the object of the measure in carrying out its responsibilities. I am not sure what the honourable member is getting at, and I really cannot explain any more than I have. I understand the meaning of 'objects'. If others do not understand, I do not know how I can better explain it.

Mr D.S. BAKER: I should like the Minister to explain clause 4 *(d),* which is to recognise the rights of Aborigines to follow their traditional pursuits on pastoral land. I notice that further on the Bill still does not explain what those traditional pursuits are. There is a fear among pastoralists that urban Aborigines, as against the Aboriginals, about whom they are very happy, may be the cause of the degradation of land—for example, by having protest meetings on their properties. Therefore, will the Minister tell us what are the traditional pursuits of Aborigines on pastoral land and what is meant by that?

The Hon. S.M. LENEHAN: I trust that this time the honourable member will listen to the answer that I give. I want to say that, while I have studied Aboriginal history and culture, I do not pretend to be an expert thereon. However, in my consultation with Aboriginal people I have found that the traditional pursuits can be defined as a number of things, including visiting sacred sites that are relevant to a particular person or group of people or participating in certain ceremonies which relate to a sacred site, a time of the year, a custom, or some other traditional Aboriginal and cultural activity.

Also, I understand that an Aborigine will be allowed to hunt an animal for survival. It has been explained to me by Aboriginal people that this does not involve people driving on to the lands in lots of four-wheel drive vehicles and indiscriminately shooting and killing animals, either native animals or sheep or cattle. Rather, it relates to Aboriginal people who have traditionally hunted animals for their own survival—and I presume that they will eat that animal that is hunted on the pastoral lands as some part of a ceremony or survival procedure. I do not accept that Aboriginal people will want to go on to the pastoral lands for purposes that are not appropriate. It has not been put to me by any group or any Aboriginal person that they would choose to do that.

Clause passed.

Clause 5—'Duty of the Minister and the Board.'

Mr D.S. BAKER: It concerns me indeed that clause 5 (2) *(d)* provides that:

> Assessment of the condition of the land pursuant to this Act—
> *(d)* must be carried out by persons who are qualified and experienced in land assessment techniques.

We understand that, under this legislation, 320 leases will have to be assessed within the next five years if the contract with the Crown is broken and those leases are not allowed to expire at the normal time. We have heard that $15 million will be spent on that. Can we have an assurance that there will be adequate people in the early stages to carry out these assessments? Can we have an assurance as to how they will be qualified and how experienced they will be in land assessment, in the first 12 months of the operation of this legislation?

The Hon. S.M. LENEHAN: There are a number of points in that. I want to clarify something in this regard, because quite obviously the member for Victoria does not understand one of the fundamental principles of the Bill. It is not retrospective. In fact, the member for Victoria is completely misrepresenting what is contained in the Bill. It does not provide that, if a new lease is not offered to a person within the first 12-month period they will be cut off. That person's current lease will be allowed to run its full course to its normal termination. The member for Victoria obviously has no understanding of the fundamental principle of this Bill.

Clause 5 (2) of the Bill details the principles of the assessment process, to meet the concerns not only of the conservation movement but also of the pastoralists that this approach should not be *ad hoc.* It would not be fair to either the conservationists or the pastoralists for us to take an *ad hoc* approach. The clause reinforces that the Government and the Pastoral Board also have responsibilities in relation to effective land management. This is exactly what clause 5 (2) addresses. I thought that the fact that this related to people who were qualified and experienced in land assessment techniques would be welcomed by members of the Opposition, because they have been talking about people somehow being over-zealous in their decision making. This provision is designed to ensure that the assessment procedures are fair and just to pastoralists, and at the same time to assure the community at large that the assessment procedures will protect the land, and be in keeping with the objects of the legislation.

Clause passed.

Clause 6—'General duty of pastoral lessees.'

Mr MEIER: I move:

> Page 3, line 23—Leave out 'the' and insert 'degraded'.

This is one of the most important clauses in the Bill and we must get it right. It covers the general duty of pastoral lessees but leaves conditions up in the air. It provides:

> It is the duty of a lessee throughout the term of a pastoral lease . . .
> *(c)* to endeavour, within the limits of financial resources, to improve the condition of the land.

The Minister must surely appreciate that, whilst it might be a good endeavour for all of us, whether or not we live on pastoral lands, to seek to improve the condition of our land, it can be almost impossible to do that.

The Hon. R.G. Payne interjecting:

Mr MEIER: If that was the case, the Government's intentions would be clear. If pastoralists were not improving the condition of the land, there would be every reason to put them off. I hope that the Minister accepts this amendment.

The Hon. S.M. LENEHAN: I will explain this in some detail, because I do not think that the honourable member understands what this clause provides. I am not prepared to accept the amendment for the simple reason that this clause refers not only to upgrading degraded land but to the long-term goal of upgrading all land in the pastoral areas. The logical question is why we would be suggesting this as a long-term goal. We are suggesting this as a benefit to the pastoralists; it will benefit them in that their land will be improved, the carrying capacity will be increased and, therefore, their productivity and income will be increased.

Mr D.S. Baker: And up goes their interest.

The Hon. S.M. LENEHAN: I wonder whether the honourable member who interjected is suggesting that it should not be an aim under this Bill to improve the overall quality of the land in the pastoral area rather than looking specifically at degraded land. That aim is sound farm management practice, and surely that principle could be applied to all farm management in this State. It is a good objective, one that I support totally.

Mr MEIER: This is a critical issue; as the Minister knows, so much of the substance of this Bill comes back to this clause. Whilst the first two paragraphs are quite acceptable, surely the third should read 'to improve the condition of degraded land'. The Minister is seeking to impose what could be an impossible condition. What will happen after

five, seven or 10 bad years when the land will certainly require improvement? The Minister is seeking the impossible.

What if people in other areas were asked to continually improve the condition of their land. That would mean that one would have to get the stock and the human beings off it, because it is highly likely that it would not otherwise improve to any great extent. If there has been a retrograde step and if the land has deteriorated, for whatever reason, it must be improved. I believe that the general duty of pastoral lessees would be satisfied if they were required to rehabilitate degraded land. I urge the Minister to reconsider and accept the amendment.

The Hon. S.M. LENEHAN: I will endeavour to explain again what the clause means. It provides that it is the duty of a lessee 'to endeavour, within the limits of financial resources, to improve the condition of the land'. The honourable member has chosen to ignore the phrase 'within the limits of financial resources'. I have already explained this phrase. It is, if you like, a long-term objective to ensure that the condition of pastoral lands is improved. It will have a direct benefit to pastoralists. It will not impose some kind of unreasonable condition on pastoralists; that is covered by the word 'endeavour' and the phrase 'within the limits of financial resources'. With respect, I do not believe that the honourable member understands what the clause is actually saying.

Amendment negatived.

Mr D.S. BAKER: Clause 6 *(b)* of the draft Bill that was circulated provided that it is the duty of a lessee to prevent undue degradation of the land. Many pastoralists were quite happy with the term 'undue degradation.' However, the word 'undue' has been omitted from the final draft. On whose advice was the word 'undue' omitted?

The Hon. S.M. LENEHAN: It was pointed out to me (and I accepted the logic of the argument) that it was very difficult to define 'undue', so it seemed like a commonsense approach to remove the word 'undue' and leave the words 'to prevent degradation of the land.' 'Degradation' of land is clearly defined.

Mr D.S. BAKER: There is no question that, whether land is used for pastoral pursuits or whether we let feral animals roam over it, encouraging their presence by providing water holes, there will be degradation in the long term. It is easy to prove that some degradation is occurring even in national parks. We see that, because of the presence of noxious weeds or the dying off of some species, degradation occurs. This catch-all clause is to the detriment of pastoralists. It means that we do not have to prove that degradation is the fault of pastoralists because it occurs naturally.

I do not accept that it is commonsense that the word 'undue' be taken out. I want to know whether there was adequate consultation with the pastoralists regarding the omission of 'undue'.

Clause passed.

Clause 7—'Pastoral land not to be freeholded.'

Mr MEIER: I move:

Page 3, lines 30 and 31—Leave out paragraph *(b)*.

This clause would prevent the freeholding of some perpetual lease land and the granting of a new perpetual lease for pastoral purposes, such as on surrender. I ask that the Minister withdraw the clause.

The Hon. S.M. LENEHAN: I am not willing to do that. This clause is to restrain the Crown from using administrative devices to circumvent the intention of the Act, which is to continue to use the land tenure system to deliver regulatory land care. I am not willing to accept the amendment of the member for Goyder.

Mr GUNN: We will have a box-on on this provision, it appears. It is about time we brought members back into the Chamber. This clause is disgraceful. The Minister is saying that people who have legitimately obtained perpetual leases on which they operate a pastoral enterprise—and I could name each of them—will be denied the opportunity to freehold the land, yet today they are legally allowed to do so. It is a nonsense. I make clear that an incoming Liberal Government will deal with this clause, as well as a number of others.

This clause is a reflection of the Government's putting philosophy before commonsense and reason. The Opposition will not accept this proposal, because there is no need for it and no logic in it. The first pastoral lease was issued in about 1841 when the Hawkers first went up to Bungaree and started the pastoral industry in this State. I could take the Committee through the history of the various pastoral leases at length.

The Hon. S.M. Lenehan interjecting:

Mr GUNN: I understand what the Minister is on about. I understand the reference to 'all citizens having the right to obtain the best form of tenure possible'. Interesting circumstances will arise when a large international Japanese group comes to South Australia and wants to get hold of pastoral land for its enterprise. The Government of the day or this Government would say, 'We are prohibited under statute from granting you tenure, because this land is currently held under pastoral lease.'

The Hon. S.M. Lenehan interjecting:

Mr GUNN: Let me finish. The Government would say, 'We are prevented under statute, because this is a pastoral lease, from giving you a more secure title.' The Government wants the millions but, if the Minister says that she could fix that, she would be admitting that the Government has two sets of rules—one for groups of entrepreneurs and one for local citizens who want to engage in pastoralism. This course of action in which the Government is engaging is quite disgraceful, unreasonable, unfair and cannot be justified.

The Hon. S.M. LENEHAN: I am sorry that the member for Eyre has become upset. We are not in disagreement. This clause does not and was never intended to cover perpetual leases whereby people use those leases for grazing or pastoral purposes. I acknowledge that perhaps the clause is not clear, and we may be able to move an amendment to clear it up. It is meant to provide that land which can be used only for pastoral purposes cannot be given any other form of tenure, except a pastoral lease. It is not meant to extend into areas where there is a perpetual lease and the person with the perpetual lease uses that lease for pastoral purposes. In that case, the lease could also be used for other purposes, such as cropping. That was not the intention of paragraph *(b)*. If the Opposition would like to amend it (I presume that this can be done) so that a pastoral lease is the only form of tenure that can be granted over Crown land that can be used only for pastoral purposes, I would be happy to accept that or to have the amendment moved in another place. That is what it means. It is not meant to open up a whole area of perpetual leases.

Mr GUNN: The Minister did not answer the question that I posed in relation to what would happen if a large group came to South Australia, purchased a pastoral lease for tourist activities but wanted a permanent lease because the pastoral lease did not provide enough security. What would the Minister say in that case? The Arkaroola tourist organisation is basically held under a pastoral lease. Thanks to the Tonkin Government, on my suggestion, the village is freehold. The majority of Arkaroola was run for years as

a pastoral lease. What would happen if an adjoining pastoralist decided to sell a lease to a large Japanese group for tourism development? Would the Minister say that, because it is currently held under a pastoral lease, none of the lease can be made over to freehold title so that the company can spend millions of dollars on it? If the Minister said that it could be made freehold, it would mean that there are two sets of rules.

The Hon. S.M. LENEHAN: The legislation states that the land cannot be made freehold if it is used for pastoral purposes. However, as with Arkaroola, it could be made freehold. Let us not get carried away with this because the land would still be covered under the planning constraints and conditions of the Planning Act. This legislation must be viewed in conjunction with other Acts of Parliament.

Mr GUNN: I bring to the attention of the Committee how ludicrous this provision is. If the Minister says that there will be adequate controls, why is it necessary to have this provision? We all know that those people in the Department of Environment and Planning who were opposed to Reg Sprigg getting freehold title around his homestead have insisted on this clause. You have only to read through the previous draft. The Minister has let the cat out of the bag. We know that the Labor Party is using the arguments put forward by the trendies at the university as an excuse to inflict this nonsense on the rest of the community, particularly the pastoral industry. It is grossly unfair and unnecessary and I look forward to voting against it and having it struck from the Statute books.

The Hon. S.M. LENEHAN: I have not received any representations on this matter from people in the Department of Environment and Planning and I certainly have not been influenced by any trendies from anywhere. If the honourable member chooses to believe that, that is his prerogative. I state again that, if the land is being used for pastoral purposes, it is to be kept under the management and control of this legislation. I cannot make it any clearer than that. That is what will happen. I thought that the honourable member had genuinely misunderstood this particular clause and the words 'is to be used'.

Mr MEIER: As the member for Eyre made very clear, there is no question that this clause is totally unnecessary. The Minister spoke about the Planning Act but it would be more appropriate for this clause or one similar to it to be contained in the Crown Lands Act. That would make some sense. However, it serves no useful purpose in this Bill. It simply ties up the land as the Government wants it to be tied up, and removes the options, as the Government wants. In response to the member for Flinders about the definition of 'stock', the Minister said that the Government was catering for the future with respect to new areas of animal husbandry. I hoped that, with respect to this measure, the Government would also cater for the future with respect to freehold land and perpetual leases.

But no, the Minister is cutting that off and insisting on the retention of this clause. It should not be here, and I am very disappointed that the Minister has not picked up the previous amendments which I felt were self-evident and would have at least started to shape the Bill into some semblance of acceptability. But that has not happened and, for the last time, I urge the Minister to accept this amendment.

The Hon. S.M. LENEHAN: Once again the member for Goyder does not understand what is contained in this clause. It does not preclude future use of the land and obvously he has not read clause 7 *(a)*: it does not do that at all. I think that his comment is a misrepresentation of what is actually set out in clause 7 *(a)* and *(b)*. I say once again that while the land is being used for pastoral purposes it will come under this Bill.

The Committee divided on the amendment:

Ayes (17)—Messrs Allison, P.B. Arnold, D.S. Baker, S.J. Baker, Becker, and Blacker, Ms Cashmore, Messrs Eastick, S.G. Evans, Goldsworthy, Gunn, Ingerson, Lewis, Meier (teller), Olsen, Oswald, and Wotton.

Noes (25)—Mr Abbott, Ms Appleby, Messrs L.M.F. Arnold, Bannon, Blevins, De Laine, Duigan, M.J. Evans, Gregory, Groom, Hamilton, Hemmings, Keneally, and Klunder, Ms Lenehan (teller), Messrs McRae, Mayes, Payne, Peterson, Plunkett, Rann, Robertson, Slater, Trainer, and Tyler.

Pair—(Aye)—Mr Chapman. No—Mr Crafter.

Majority of 8 for the Noes.

Amendment thus negatived; clause passed.

Clause 8—'Power of Minister to delegate.'

Mr MEIER: Can the Minister detail precisely what powers she envisages the Minister will need to delegate?

The Hon. S.M. LENEHAN: I would be looking at delegating some of the powers currently delegated: for example, administrative actions, lease plan actions, and so on. Of course, this is part of a streamlining process leading to a much more effective management of the Act. Most of the delegations would involve documents requiring signatures. Therefore, I envisage the delegation of a number of purely administrative actions.

Mr MEIER: Are there any particular powers which the Minister could not delegate?

The Hon. S.M. LENEHAN: Clause 9 (1) refers to 'the purposes of this Act as the Minister thinks fit', and so on. I would not envisage delegating the appointment of particular people. If I am appointing people to act on my behalf, I would not want to delegate that power. That is one example.

Clause passed.

Clause 9—'Appointment of authorised officers.'

Mr MEIER: This clause provides:

> The Minister may appoint such persons to be authorised officers for the purposes of this Act as the Minister thinks fit.

What number of authorised officers does the Minister have in mind for the first year of operation and for the first five or six years, assuming this Bill is passed?

The Hon. S.M. LENEHAN: Authorised persons would be departmental staff undertaking lease assessment, monitoring or inspection and departmental staff undertaking surveys or valuations in relation to this Bill. Scientific staff could also be given authorisation in relation to undertaking approved research into range land management and the condition of pastoral lands. In relation to the approximate number of people, I do not have the figure in front of me but I understand that approximately 20 people will be involved in assessment. I would not want to be held to that, because I have not investigated the actual numbers, although I have looked at the type of person to whom the delegations would be made.

Mr GUNN: Will these authorised officers have authority to carry out those tasks on the Pitjantjatjara and Maralinga lands? I understand that this legislation does not apply to those lands, even though considerable pastoral activity is carried out on the Pitjantjatjara lands. It would appear to be not only appropriate but also proper that the same laws that apply to the rest of the pastoral industry regarding controlling stocking rates and the administration of those lands should apply to those areas. Will these officers have authority to exercise their powers and discretion in the Pitjantjatjara lands?

The Hon. S.M. LENEHAN: This Bill relates specifically to land covered by pastoral leases. As he pointed out in his second reading contribution, the Pitjantjatjara lands are not covered under this Bill, so the short answer to his question is 'No'. However, before he gets excited, I will explain that, when my colleague the Minister of Agriculture introduces the soil conservation legislation to which other members have referred (and it is being prepared as quickly as possible in order that it may be introduced), that would pick up the honourable member's concerns about the need to ensure that the Pitjantjatjara lands are also covered by reasonable principles.

Mr GUNN: At the commencement of this debate the Minister stated that this legislation was to provide for the management and conservation of pastoral land. Pastoral land does not stop at a point where someone has drawn an arbitrary line on a map of South Australia.

The Hon. H. Allison: The best land is in the Pitjantjatjara land.

Mr GUNN: Some of the best pastoral land in South Australia is in the Pitjantjatjara land. Surely, if we are consistent in our policy of treating every South Australian equally, the Pastoral Board would be the appropriate authority to be involved in the management and supervision of proper pastoral practices. We should help and encourage those people to gain self-sufficiency and economic independence. I believe that we should encourage them to do that, but it is ludicrous to say that these controls will be imposed on one section of the pastoral industry but not on the rest. It is an insult to this Chamber and to the intelligence of the people of this State to have two sets of rules.

This is an absolutely disgraceful set of circumstances. During my second reading contribution I did not refer to this matter at any great length, because I assumed that the Minister would explain, as I have previously been assured, that pastoral inspectors would go into the Pitjantjatjara lands. It is quite wrong to impose controls and inspections on the pastoralists who adjoin the Pitjantjatjara lands but not to impose the same controls on the Pitjantjatjara lands where cattle are grazed purely because someone in their wisdom drew a line on a map.

The Hon. R.G. Payne: It was your Government.

Mr GUNN: You had quite a bit to do with it. I have a clear conscience. We all know that the nonsense went too far, but future generations of South Australians will have to live with some of these provisions. We are expected to accept the fact that two separate sets of rules should apply to pastoral activities outside the dog fence in South Australia. I believe that we should encourage proper and adequate development in those lands, but if it is good enough for the rest of the pastoral industry in South Australia to be subjected to these inspections by these authorised officers, it is essential that they also have access to the Pitjantjatjara lands. It is most unlikely that any pastoral activity will occur in the Maralinga lands, because they have no water.

However, if the Government agrees that the Pitjantjatjara lands should be controlled under the soil conservation legislation, why is that not good enough for the rest of the State? Why is it necessary to have a Pastoral Land Management and Conservation Bill? Why do we not have only one piece of legislation so that the statute book does not become cluttered?

The Hon. H. Allison: It's discrimination.

Mr GUNN: Without discriminating. I think that the Minister owes this Committee and the people of this State an explanation. I thought that we had created a set of circumstances in South Australia where we treated all citizens equally before the law and that there were not two sets of laws applying. I thought we had a Commissioner for Equal Opportunity. We have a Ms Tiddy or someone who races around half the time like a rooster with its head cut off chasing things. Here is something for her to look at. Here is something constructive for her to do. She does not do much that is constructive anyway. She is a blasted nuisance and causes trouble most of the time. She gets involved in things that she should never get involved in.

Mr Plunkett interjecting:

Mr GUNN: It is not a sore point at all. I thought the Labor Party stood for equality. However, members opposite want to whip the graziers and it does not matter what others do with the land. I have been to the Pitjantjatjara lands more than anyone in this Chamber. I know some of the things that are taking place.

Mr Plunkett interjecting:

The CHAIRMAN: Order! I will call any member of the Committee who wishes to contribute to this debate as soon as the member for Eyre resumes his seat.

Mr GUNN: It is essential that these provisions apply to all South Australians. For an honourable member to suggest that the Pitjantjatjara lands do not have water or are not good pastoral lands indicates that he really does not know what he is talking about. It is some of the best pastoral land in South Australia. However, that does not lessen the need to have adequate supervision. I do not know whether the Minister knows this but people in those lands are currently engaged in homeland activity and more and more people are going out in small groups and setting up semi-agricultural activities. In my judgment, that is an even greater reason why there should be supervision. Parliament would be failing in its obligation if it did not insist that everyone be treated on an equal basis.

The Hon. S.M. LENEHAN: If the member for Eyre is genuine about his concern to preserve all the arid lands—and I am suggesting that he does have that concern—I indicate that the soil conservation legislation will pick up the Pitjantjatjara lands. Let us be very clear that, under a previous Government, the Pitjantjatjara lands were handed over to the Aboriginal people—but not in the form of leases. We are talking here about pastoral lands governed by leases. We are talking about pastoralists who have expressed concern to me personally and to a number of my predecessors (as Minister of Lands) about the fact that they have terminating leases and that we need to introduce legislation into Parliament providing them with greater security of tenure.

I do not think that it is quite as simple as the member for Eyre is trying to paint it. The Pitjantjatjara lands will be covered in terms of the soil conservation board and the soil conservation legislation. We could have gone down the path, as the honourable member knows, of having a consolidated piece of legislation which included all the arid lands. It was expressed to me by a range of interests, including some pastoralists (and I am not saying that this is representative of all pastoralists because one can get into a bind about defining what are ecologically sensitive areas, etc.), that we are dealing with not only pastoral leases but land that has a totally different tenure and land that has been in the control, if you like, of Aboriginal people for centuries and was given back to the Aboriginal people.

It really is oversimplifying the situation to talk about treating everybody equally. As white Australians on both sides of politics, we have recognised that Aboriginal people do have a legitimate claim to some of their traditional land, and it was the honourable member's Government that gave that land back to them, recognising that it is too simple to

say 'We will treat everybody equally.' I do not know that it is appropriate for us to get into a long protracted debate about what has happened to the Aboriginal people in the past and about what returning their land means to them now. We can move forward in this and I do not see a contradiction in this clause.

Mr GUNN: We are not talking about whether the Pitjantjatjara should or should not have the land. The Parliament has already made that decision. It is a matter of talking not about the Aboriginals traditional lifestyle but about the management of their cattle enterprises. I refer to Kenmore Park, Mimili and Amata, which was established as a Government cattle station for Aborigines by the man who is, I understand, the present Chairman of the Pastoral Board. There are extensive cattle operations and tremendous opportunities for development.

The Pitjantjatjara parliamentary select committee was advised that the Pitjantjatjara lands had the ability to carry 50 000 head of cattle, yet we are told that it is not necessary to have these sort of stringent monitoring arrangements. It begs the question that, if we can solve the problems for the Pitjantjatjara lands with the Soil Conservation Act, whether that Act will apply to the pastoral lands of South Australia, because, if so, it means that the pastoralists will have to operate under two sets of restrictions and conditions whilst pastoral activity on similar land will operate under only one set of conditions. The honourable member can shake his head.

The Hon. R.G. Payne: It is a question of the tenure of the land, that is all. It is a different class of tenure.

Mr GUNN: In this Parliament we have passed equal opportunity legislation and anti-discrimination legislation. This evening we have created a situation where this legislation has been placed in a position where it could obviously be the subject of a Supreme Court challenge because of certain actions taken earlier. We will not go into that as it would be out of order. We are now creating a situation in my judgment where people can rightfully exploit the situation through the use of other Acts of Parliament.

The Minister has made a grave mistake and this debate should not proceed further until the matters are adequately dealt with. If there is any semblance of commonsense and justice or thought of doing the right thing by the people, the Pastoral Board should be involved. It was involved up until 10 years ago. We have pastoral inspectors at Kenmore Park and Everard Park. Anyone with a reasonable amount of commonsense would say that they should still be involved. I have been there dozens of times. I do not want to detail chapter and verse some of the things I have seen, but I could easily do so. I have seen things taking place that do not take place in other pastoral leases. If this Bill does not apply it is time that it did and the appropriate amendments ought to be inserted.

Mr MEIER: I support what the member for Eyre has been saying but come back to the first point, namely, how many authorised officers will be appointed. The Minister indicated that it would be about 20. Clause 9 states that the appointment will be for a period stated in the instrument of employment. It is my understanding that these persons will only be needed while the assessment or review goes on. What are the plans for these people when they have completed their work?

The Hon. S.M. LENEHAN: Under normal standard practice, people would be seconded from other departments if they had the appropriate skills and, at the end of that time, they would go back to their substantive positions, or they would be employed under contract. Therefore, they would be employed for a specific period under contract.

It is the intention of the Bill not to increase the staff of the Department of Lands, but to move as quickly as is humanly possible to make assessments and to offer, in agreement with the pastoralists, the type of leases about which we are talking in terms of the assessment and conditions that will prevail. It is a reasonable commonsense approach that they should go back to their substantive positions, or, if on contract, back to wherever they were before they took the contract.

Mr MEIER: I thank the Minister for that answer. Has she any figure available for the extra cost to the Department of Lands of employing these persons over that period: or does she simply see it as a shuffle of the budget from one department to another?

The Hon. S.M. LENEHAN: I do not have the figures, but I can assure the honourable member that, for, this proposal to have got as far as Parliament, it has been looked at by the Cabinet and the Treasury. The Department of Lands intends to look at funding the extra salaries that will be required to meet the wishes of pastoralists not to have the assessment period over 14 years, but to concertina it down to a more reasonable period which will be completed within five years of the desk-top study that is being undertaken.

Clause passed.

Clause 10—'Establishment of the Pastoral Board.'

Mr MEIER: I move:

Page 4, line 22—Leave out 'five members appointed by the Governor, of whom—' and insert 'six members, as follows:'.

In simple terms this amendment tries to bring to the board some greater representation for pastoralists. I shall not detail again my grave concern about the way in which the board is currently constituted in the Bill with only one pastoralist as the representative for a huge area where they are all pastoralists. I indicated earlier that three would probably be preferable, so that at least pastoralists could have a controlling interest. The member for Chaffey alluded to other boards, saying that if they were overseeing a particular section, the people from that section had a majority.

I think that the Opposition is being reasonable in putting to the Minister an increase of one person. The Opposition agrees basically with the persons that the Minister has on the board, except the provision that 'one will be appointed on the nomination of the Minister.' That is proposed to be amended to 'the Chief Executive Officer of the Department of Lands': in current thinking, that will be the Director of Lands—'or his or her nominee'. For the sake of drafting, 'Chief Executive Officer' will cover all cases in future. The Opposition is also agreeing with paragraphs *(b)*, *(c)* and *(e)* of clause 10 (2), which provide as follows:

(b) one will be appointed on the nomination of the Minister of Environment and Planning;

(c) one being a person who, in the opinion of the Minister of Agriculture has had wide experience in the field of land and soil conservation, will be appointed on the nomination of that Minister.

(e) one will be selected by the Minister from a panel of three made up of names submitted at the invitation of the Minister by an organisation or organisations formed to promote conservation and environmental issues.

However, my amendment seeks to substitute paragraph *(d)* of subclause (2) with a provision to appoint two people, one with wide experience in the sheep and wool industry and one with wide experience in the cattle industry. Surely, this concession is the very least that could be given to pastoralists, to at least acknowledge in a slightly positive way that it is the pastoralists who occupy the area and that they are the economic managers and conservation managers of the area. Their voice should be represented on the board,

at least with two members of the total of five—although I can see a strong argument for making it three.

I appreciate that the board cannot be too large and unwieldy. Perhaps we would have had more pastoralists on the board had it been a board of seven people. However, increasing the membership by one does not give the pastoralists any control. It will certainly lead to a much more informed debate. I think members here, and certainly the Minister, would acknowledge that the member for Eyre, who has represented the pastoralists since he has been in Parliament, and who has grown up with them and lived in the area, has provided knowledge and information about the area that the average member of Parliament would not be aware of. Even a person like me who represents a country electorate does not get into the pastoral area on a regular basis at all. I know that city members would be in a much worse position than people like me: the Minister would have to make a special trip, which usually has to be very limited.

By having two pastoral representatives on the board, we can be assured that at least the views of pastoralists will be put forward in a positive way. If the view of one of those representatives should be slightly off beam or distorted, it will probably be countered by the view of the other representative. I can well understand that that might happen in the case of a pastoralist from a particular area—although the pastoralists with whom I have dealt seem to have very similar views. I urge the Minister to accept the amendment to provide for a board of six representatives and the consequential amendments relating to the way the board is chaired.

Mr D.S. BAKER: One of the most important issues is representation on the board. We must realise that pastoralists come from two very distinct areas—as designated by the dog fence. Having regard to the controlled leak from the Minister's department, it must be recognised that the amount of financial contribution that pastoralists may be asked to make will rise from $630 per annum to something like $8.7 million per annum. It also must be remembered that the cattle station owners north of the dog fence, who run some 60 000 cattle, have completely different management and animal husbandry techniques from those pastoralists who operate south of the dog fence. I would have thought that, in the interests of this legislation, the views of people operating outside the dog fence should be paramount. It is just as important for the interests of those people who own property south of the dog fence to be adequately protected. They run some 2 million sheep and may be asked to contribute $7.5 million.

The way in which those people graze their land, although protected by a maximum stocking rate, represents a different method of animal husbandry and it is important that their views be shared with the Pastoral Board. There is no doubt that a person—and the Minister has not guaranteed that in six years she will not stipulate that that person must be, as she put it, a 'female'—who does not have many years experience will not have the knowledge to represent either area.

Leaseholds in the area have been handed down in families for many years. It is well known not only in the pastoral industry but also in the grazing industry that there are cattle specialists and sheep specialists who have different interests and management techniques. I believe that it is reasonable that both sections of the industry be represented. I cannot see a good reason why the Minister, if she is viewing this legislation with the commonsense she keeps telling us about, would not allow that. If she does not accede to this request, I would say that she does not know anything about the pastoral industry. It is fundamental to the grazing industry that two people be representitives on the Pastoral Board.

The Hon. S.M. LENEHAN: I will disappoint members because I will not accept the amendments. The present Pastoral Board, comprises four members, one being a pastoral representative. Are members suggesting that that representitive does not adequately represent the interests of both groups of pastoralists? I have been under considerable pressure to increase the size of this board and I resisted that pressure because it seemed to me that, if we were to have an efficient and effective board, it had to be small. I have moved to a board of five members which, I believe, adequately represents the interest of all groups.

I have received representations from the conservationists; four or five different groups have put to me that there should be more conservationist representatives. Also, it was put to me that there should be a representative of those who use pastoral lands for recreation purposes, such as the four-wheel drive vehicle group or other tourist and leisure activity groups. Again, I resisted the pressure that was brought to bear to increase the membership of the board by including representatives from these groups. Indeed, I have resisted the pressure from the pastoral industry to have two pastoralists representing the interests of the two major groups in that area for the reasons that I gave to others who have lobbied me—I believe that the board is well balanced and that it represents the interests of all groups.

I am concerned about the amendment that specifies that my nominee to the board should actually chair it. I have deliberately not designated that my representative chair meetings, because I believe that there would be greater flexibility to appoint someone who is capable of chairing the board, and that could well be the pastoralists representative. To insist, as this amendment does, that a designated member chair the board takes away any flexibility.

I pick up the point that seems to be of great concern to the member for Victoria—that we have enshrined in this legislation a fundamental principle of representation by both men and women. I ask whether he considers that the Public Service is not capable of providing a member to represent one of the three areas of appointment—through environment and planning, agriculture, or the Department of Lands.

I, certainly, reject such a notion. It could only be viewed as a sexist attempt to try to whip up the old arguments which have been around for generations and which, I would have thought, have been well and truly put to rest by other pieces of legislation, by modern thinking, and by the way in which people relate to one another in modern society. I am not prepared to accept the amendment.

Mr D.S. BAKER: The Minister brings up some quite interesting points. She says that the pastoralists had only one representative under the old Act. The pastoralists were quite happy with the old Act and do not particularly want it changed. The Minister is the one who is changing it. Under this new Bill the Minister has absolved herself of many of the responsibilities and passed those on to the board (and that will be subject to further amendments as we get into the Bill). By doing so, she has taken away from ministerial responsibility many of the powers under the old Act. The pastoralists were quite happy with the Minister's having the power.

Under this new Bill their destiny will be decided by the board and not by the Minister. Under this Bill, the Minister does not even cancel the lease. She absolves herself from the hard decisions, which will be taken by the board. Under the old Act the pastoralists were happy to have only one representative, as how the rents would be set and what the

ongoing costs of owning a pastoral lease would be was clearly enunciated. It is now an entirely different ball game.

The Minister is saying that, although the pastoralists are going to be paying all the money—he who pays the piper calls the tune—they will not have any of the say. Worst of all, the board will be all-powerful and the Minister will not have the control she had under the old Act. That is why it is not only fair and reasonable but just that these people, who are a minority interest but who are paying a considerable amount of money into the Treasury, have adequate representation when deciding their future and their destiny.

Mr MEIER: I am very disappointed that the Minister will not accept this amendment. It highlights the reason why the Bill should have gone to a select committee, but we had that debate earlier so I will not go into that now. I want to reinforce the view of the member for Victoria that this Bill is very different from the old Act. We are not looking at the old Act and saying, 'They had one representative there, so let them have one now.' Surely we should be looking forward and seeing that the pastoralists, who contribute in such a large way to the economy of this State, should be better represented.

The other matter to which the member for Victoria alluded and which I wish to highlight is that the board has been given a lot of power. It advises the Minister on policy. It can refuse the extension of the lease; it can vary the conditions of the lease; it can implement penalties; and it can fine pastoralists. Yet the pastoralists have only one representative. Surely, with those sorts of powers directed almost exclusively at the pastoralists, they should have maximum representation. The powers are powers not being directed at the conservationists, the tourists, or other people going through the area. With one exception, they are not being directed at the Aborigines. The powers of the board are being directed at the pastoralists, yet their representation on the board is minimal and counts for nothing.

This shows the way that this Government thinks, and the way it does not really care whether or not the pastoralists will be properly represented. The member for Victoria clearly made the point about the variations between the areas. This is an important amendment to the Bill. It helps to make or break the Bill and I would be disappointed if the Minister held to her position.

The Committee divided on the amendment:

Ayes (16)—Messrs Allison, P.B. Arnold, D.S. Baker, S.J. Baker, Becker, and Blacker, Ms Cashmore, Messrs Eastick, S.G. Evans, Goldsworthy, Gunn, Ingerson, Lewis, Meier (teller), Oswald, and Wotton.

Noes (23)—Mr Abbott, Mrs Appleby, Messrs L.M.F. Arnold, Blevins, De Laine, Duigan, M.J. Evans, Gregory, Groom, Hamilton, Hemmings, Keneally, and Klunder, Ms Lenehan (teller), Messrs McRae, Mayes, Payne, Peterson, Plunkett, Rann, Robertson, Trainer, and Tyler.

Pairs—Ayes—Messrs Chapman and Olsen. Noes—Messrs Crafter and Slater.

Majority of 7 for the Noes.

Amendment thus negatived; clause passed.

Clause 11—'Conditions of office.'

Mr MEIER: This clause provides that the Government may remove a member of the board from office for incompetence. Can the Minister give some examples of what would apply in that case?

The Hon. S.M. LENEHAN: I have not given this a great deal of thought. I am very happy to come up with some reasons and provide the honourable member with them but, quite frankly, at this hour of the night I am not carrying them around in my head. This is a standard clause which is contained in all pieces of legislation concerning the appointment of a board, committee or group that requires membership, and I think that most members understand that.

Clause passed.

Clause 12 passed.

Clause 13—'Procedure at meetings.'

Mr MEIER: The amendments to this clause are consequential on the amendments to clause 10 which were lost, so I will not proceed with them.

Clause passed.

Clause 14—'Conflict of interest.'

Mr MEIER: The Minister will probably tell me that this is a standard clause in all Bills and, while I do not deny that that may be so, because there will be only one pastoralist on the board this provision has greater relevance than it has in other cases. Much of the measure contained within subclause (1) *(a)* relates to a pastoralist who is a member of the board. Reference is also made to an employer or employee of the member. The Minister might choose not to explain this clause at this time of the night, but does she think that a pastoralist sitting on the board would be disadvantaged by this particular clause?

The Hon. S.M. LENEHAN: I do not believe that there will be many cases but it could occur where the board is looking at making a determination about a lease that was held by a close relative, such as a niece, of a board member. I think that this clause ensures that the pastoralist has some protection. That was the aim of this clause which was taken from the Local Government Act. I do not think that there will be a large number of cases where this provision will apply, but it is there if it should be needed and if there should be a situation where a pastoralist was asked to determine matters directly relating to his own or extended family.

Clause passed.

Clause 15 passed.

Clause 16—'Delegation by board.'

Mr MEIER: I have some great concerns about this clause and I ask the Minister in what areas would the board delegate its responsibilities and to which particular person. Also, to what extent would the responsibility lie with the board or does it stay with the person to whom that responsibility has been delegated?

The Hon. S.M. LENEHAN: This clause refers primarily to the delegation of the assessment and monitoring activities of the board. It delegates that assessment and monitoring activity to departmental staff. Control over capricious or extensive delegation will not happen by ensuring that the Minister must approve delegation by the board. There is the checks and balance situation where the delegation by the Board must be approved by the Minister. So, there could not be any kind of capricious delegation which I think is the point to which the honourable member may have been referring.

Clause passed.

Clause 17—'Grant of Leases.'

Mr MEIER: I move:

Page 7, Lines 19 and 20—Leave out all words in these lines and insert 'the conditions and subject to the reservations set out in the first schedule.'

This clause is one of the critical clauses of the Bill. Members will note that the amendment refers to 'the reservations set out in the first schedule'. Obviously, it is difficult to debate such an amendment when we do not have a schedule before us. We have a schedule in this Bill but it does not contain the provisions envisaged by the Opposition. As stated, this clause is totally unsatisfactory, because the Minister may grant leases on such conditions and with such reservations as the board thinks appropriate. Surely, any pastoral person

should be entitled to know what sorts of provisions will be contained any lease.

If we go ahead with the amendment—and I strongly urge that approach—the provisions of such a lease can easily be included in a schedule. A schedule would do certain obvious things: it would describe the parties to the lease, the pastoral land and leasing of it for what we would hope would be a continuous term. It would provide for the payment of rent and we will discuss the exact form of this in due course. It could reserve minerals, stone and sand to the Crown. In other words, it would provide real protection for the areas concerned, a provision which the Minister has so far indicated that she wants.

It could authorise the lessee to use stone and sand from the pastoral land for the construction of improvements so that, again, at least there could be conditions in the lease—that the Minister agrees with—and the pastoralist would know exactly what he is, and is not, able to do. By reserving the right to the Minister to remove timber, stone or sand, for example, from a particular lease, again gives something to the Minister that I believe she would seek. Also it reserves the right for the Commissioner of Highways to dedicate and make public roads and restricting the number of stock that may be carried on pastoral lands. Of course, it is appreciated that that is already contained in other areas of the Bill. However, such a schedule would at least reinforce that point of view.

In relation to prohibiting the use of land other than for pastoral purposes without the consent of the Minister, it is again recognised that that type of issue is already covered but the Minister might wish to reinforce it in the schedule. Requiring the lessee to comply with the obligations imposed by this legislation or any other Act in relation to land might affect the pastoralist. Also, it provides that all improvements made, purchased or paid for by the lessee belong to the lessee, the onus being on the Minister to establish that the improvement was not made, purchased or paid for. It is very important that the conditions of the lease are clear to the pastoralist.

I feel sure that the pastoralists consulted by the member for Eyre and others have grave reservations. They do not know what sort of lease they will be required to enter into. This amendment will certainly overcome that as the Bill is worded. It leaves the situation totally open and, understandably, would leave pastoralists in a situation where they did not know what they might be getting into in a future lease. Therefore, I hope that the Minister will agree to this amendment. Of course, the schedule will be provided during debate on that part of the Bill.

The Hon. S.M. LENEHAN: I do not accept the amendment for the simple reason that the Government considered including a standard lease document as part of the enclosed schedules. The Government decided that, because it is looking at deregulating whole numbers of documents and the whole deregulating process, it would serve no purpose to include a standard lease document. I remind honourable members that the lease will be determined between individual lessees and the Pastoral Board. Each lease will look at special conditions which relate to the individual land management practices that have been determined with the agreement of both parties. Therefore, I see no useful purpose in having a standard lease document as part of the Bill.

Mr MEIER: At least the Minister acknowledged that consideration was given to this issue. I recognise that many changes will need to be made to this Bill in another place. I certainly hope that that will occur, if there is to be any satisfaction at all. Again, it comes back to the fact that it would have been much simpler to have a select committee to sort out these problems. It is very fine for the Minister to say that each one will be an individual lease, but I am sure that she could well have envisaged a schedule which applied appropriate terms and conditions. The special conditions that might apply to different areas are, by and large, covered in the Bill in other provisions, for example, the policing powers of the board that can be applied to pastoralists. Whatever the case, surely the Minister should see the need for some indication to be given to pastoralists now, while the Bill is before this Parliament as to what they are or are not going to be able to sign and agree to. The way the Minister is approaching this seems to imply that the Bill should pass from parliamentary responsibility because, in due course these matters will be attended to by the board.

I believe that a lease is critical and that we should determine this matter when considering the Bill. Is the Minister saying that they could not suggest any wording that really appealed? She acknowledged that consideration had been given to the matter and, if that is the case, is there any guarantee that the wording will be appropriate and proper for the individual pastoralists when the time comes?

The Hon. S.M. LENEHAN: I will explain it again; patience has become my trademark tonight. We are talking about leases which are based on assessment of particular pastoral lands and each lessee will have an assessment of his or her particular lease. Unless we take the whole Parliament to each individual lease, examine the lease and make the assessment with every individual member of this Parliament trekking through the pastoral lands, it is not a commonsense approach to try to write every lease condition in advance of assessment of the land and agreement between the pastoralists and the Pastoral Board about the particular conditions which would relate to their lease.

If the honourable member is so determined to include a standardised lease, I am sure that he will convince the Democrats in another place, and I will look at it at that point. However, I would have thought that it was a matter of common sense. Rather than hiding anything, we recognise the provisions of the Bill which have been included as a result of sensible negotiation between the Pastoral Board and the individual lessee.

Mr MEIER: I and the Opposition believe that the lease conditions need to be outlined in the Bill rather than being left until a later stage. I did not follow what the Minister said about people trudging around and making individual assessments for the various lessees. I was under the impression that that is partly what she envisages in the future and that acknowledgment will be given to each individual lease. However, we believe that the proposals which I suggested when I first spoke on this matter should be set out in the Bill. The pastoralists should at least know the general conditions and terms under which their lease can be renewed. If this Bill is passed in its current form, they could ask what the terms and conditions of their lease will be and the answer will be, 'We don't know; there is no information about that.' Will the Minister detail what conditions the board proposes to include in the leases? Will property plans be made a part of the lease, even though the Bill might provide something different? What other things will be included in the lease? I believe that the Minister should provide much more detail about this matter rather than leaving it completely in limbo.

The Hon. S.M. LENEHAN: I would have thought that the honourable member understood what a lease was. We are talking about such provisions as reservations, covenants and conditions. Those conditions will relate to the management of the land. It is just unbelievable that he asks a question and then does not listen to the answer.

Mr S.J. Baker interjecting:

The Hon. S.M. LENEHAN: It is not the honourable member's style, is it? I do not have to remind other members of the Parliament what his style is. Never mind, he got his in the end. The Bill provides for assessment of each individual lease. This assessment will take place within the five year period which has been clearly spelt out so, while provisions cover reservations, covenants and other general conditions, specific conditions will relate to the care and management of the land in that lease area. It is not possible to write into a piece of legislation those special conditions that relate to the individual leases. We are saying that those conditions will have to be agreed to by the lessee in conjunction with the assessment team and the Pastoral Board. I do not know how I can make that any clearer.

Mr D.S. Baker interjecting:

The Hon. S.M. LENEHAN: Well, that is not the intention. The pastoralists to whom I have spoken clearly understand that.

Mr S.J. Baker: They trust you.

The Hon. S.M. LENEHAN: Yes; I do not see any reason why they would not. I am not doing anything to their detriment. I am responding—and perhaps I need to get this on the record for about the fourteenth time—to the fact that pastoralists want a new piece of legislation because they are in a terminating lease tenure situation. Any member of this Parliament who does not understand that does not understand the concern—

Mr S.J. Baker interjecting:

The Hon. S.M. LENEHAN: But they are all in a terminating lease situation.

The ACTING CHAIRMAN (Mr Duigan): Order! The Minister should not respond to interjections. If members wish to ask questions, there is a procedure that the Committee has for them to follow.

Mr S.J. Baker interjecting:

The ACTING CHAIRMAN: The member for Mitcham has just been called to order. If he wishes to ask a question, he can do so.

Mr D.S. BAKER: The granting of leases is fundamental to the whole Act. The Minister has been saying to me tonight that I do not know what I am talking about and that the Crown will not cancel the term of a lease and, therefore, it is not breaking a contract with the lessee. It is time that the Minister got clear in her own mind exactly what she will do.

As I see it, there will be three pastoral leases only that will expire during the six year period. All other pastoral leases that are not required by the Government for other purposes will then be given new leases under this Bill. We are contending that the Crown should not be breaking that contract and that those leases should be allowed, under the old lease, to carry on until they expire. If that is what is going to happen, this clause is not so draconian. However, if the Minister is going to break the contract with the Crown and cancel the rest of the leases that have expiry dates as far out as 2027, the granting of this lease and the placing on the record of the conditions of the lease are absolutely paramount.

The Minister is telling me that I do not understand it. I would like her to state very clearly now what she understands this Bill to mean and what she understands the Bill not to mean as per the Crown breaking the contract with the current lessee of the pastoral lease.

The Hon. S.M. LENEHAN: I will again reiterate. This Bill provides for a new Act of Parliament, the same as we have introduced other new Acts of Parialiament. When I introduced the Adoption Bill in this place, I said that any adoptions would involve a certain number of conditions. We have said to pastoralists (because the pastoralists themselves want a greater security of tenure, which this Bill offers them) that the Bill offers them a 42 year roll-over lease with the condition that assessment—

Mr D.S. Baker interjecting:

The Hon. S.M. LENEHAN: Well, the honourable member asked the question. Would he please have the manners to listen to the answer. I did not interrupt him when he asked his question. This offers a 42 year lease with a provision that within each 14 year period there will be an assessment of the conditions. I will put this on the record, and I will certainly not repeat it if the member is not prepared to listen to what I am saying. In the five year period after the desk top study has indicated which lessees will be offered a new lease under the Act, the department and the Pastoral Board must have the assessments done and have in place the new leases which will offer those pastoralists the security of tenure that they have been seeking.

If the Pastoral Board through the desk top study or lease assessment determines that a number of pastoralists will not be offered a new lease under this legislation, then the Government is not proposing that there be some retrospectivity in terms of cancelling an agreement with those people. They will be allowed to continue their terminating lease to the point of termination of that lease. So, there will be no breaking of an agreement. The only difference will be that, under the new legislation, those people will not be offered a new lease under the provisions of this Act. I do not know how I can make it any clearer. I have already said it three times. It is clear in the Bill. We have insisted on the five-year assessment program because it was in response to pastoralists' requests to ensure that all leases could be converted within the five-year period, and that is what we are doing.

Mr D.S. BAKER: The whole point is being missed. The pastoralists are not asking for these new so-called leases. They are asking whether the Government will allow those pastoral leases, which it will be determined will remain as pastoral leases, to expire before the new Act starts, or whether the Government will break a contract with the Crown and cancel their lease. To put it in simpler terms, if I am a pastoralist and you are going to allow me to continue in the pastoral industry, with my lease being due to expire in the year 2005, will the new Act come into operation at the expiry of the year 2005 or will you break the contract with the Crown? That is a very simple question.

The Hon. S.M. LENEHAN: Very simply, the answer is that the new Act will come into being when it is proclaimed and not in 2005, 2025 or 1996. It will come into being at the date of proclamation.

Mr D.S. BAKER: So, if I am a pastoralist and I have a legal document which says that I have a pastoral lease to the year 2005, you will revoke that legal contract and give me tenure under the new lease? That is the cornerstone of the whole Act.

The Hon. S.M. LENEHAN: We will be carrying out the requirements of the new legislation which will be to offer people a new lease rather than allowing leases to continue to the 2005 expiry date. It makes absolutely good sense to do what is proposed in the legislation.

Mr GUNN: It is a great pity that at 11.50 p.m. we have to engage in a protracted debate on this clause. It is the most significant clause that we have come up against so far. We are concerned not only in the way outlined by the member for Victoria but also about the problem of capital gains that will flow from it. It is beyond my understanding

that a Government would even attempt to introduce new leases until it was absolutely sure that it would not suddenly whack people over the head with a tax and charge on the leases which in many cases would bankrupt some lessees. I do not know whether people fully understand what happens when such new arrangements are entered into with the sort of tax liabilities that may accrue.

I am amazed that this legislation can get to this stage. A huge question mark will hang over the whole thing. If this legislation goes through it will be bad enough for the people who get hit with capital gains if they enter into the arrangement willingly, knowing that this will be imposed upon them. If one is in the pastoral industry, one has no alternative but to accept one of these new leases. If I want to remain a pastoralist, I have to accept one of these leases. Therefore, the moment that I sign the lease and say that I accept the terms and conditions, the Deputy Commissioner for Taxation will send someone along to carry out an assessment.

I suggest that progress be reported. This Committee can no longer proceed with these most significant doubts hanging over the legislation. Therefore, it is time that the Committee adjourned to give the Government an opportunity properly to consider these important issues and report back. I move:

That progress be reported.

A division on the question was called for.

While the division bells were ringing:

Mr GUNN: Mr Chairman, I seek leave to withdraw my call for a division on this matter—most grudgingly, of course.

Leave granted.

Progress reported.

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

That Standing Orders be so far suspended as to enable the House to sit beyond midnight.

Motion carried.

Debate in Committee resumed.

Mr MEIER: I understand that the first part of my amendment to clause 17 which we have just finished debating will be voted on before I put my next amendment to the clause.

Amendment negatived.

[*Midnight*]

Mr MEIER: I move:

Page 7, lines 23 and 24—Leave out subclause (3) and insert subclause as follows:

(3) Subsection (2) does not apply—

(a) if the Minister is satisfied that special circumstances exist justifying the addition of the land to the holding of an existing lease;

(b) if the land was subject to a pastoral lease that was surrendered upon condition that a further such lease be granted to the same lessee or a nominee of the lessee; or

(c) if the land was subject to a pastoral lease that has expired and a further such lease is to be granted to the same lessee.

This Bill does not clearly outline the exceptions that might apply when a lease comes up for renewal. We need to pay attention to the instance where a lease is to be subdivided between the sons of a family. It should be clear that the open competitive process should not have to apply in that case, and that is what my amendment seeks to do. I hope the Minister will agree to it.

The Hon. S.M. LENEHAN: I will not agree to it, but I feel that I owe the member for Eyre an explanation. I will respond to some of the points he raised because I think they are valid. I am concerned about the question of capital gains tax, and I remind him that this tax is not paid until an asset is disposed of. I have written to the Premier requesting that he take up immediately with the Federal Government this whole question.

I remind the honourable member that in Queensland the Queensland Government left the pastoralists to their own devices; they had to make representations on their own behalf. I have chosen not to do that because, in fairness to the pastoralists, I think we should be taking up this matter at a governmental level. I do not believe that the Federal Government will want to take the diabolical action that has been alluded to, that is, to somehow grossly disadvantage pastoralists because of the fact that a State Government introduces a new process for leasing.

Mr S.J. Baker: That's the law.

The CHAIRMAN: Order!

The Hon. S.M. LENEHAN: The point I am making is that that was not the intention of the Federal Government's taxation proposal. What the Premier is doing is making representations to the Federal Government to clarify the situation once and for all. I am happy to show the honourable member a copy of my memo to the Premier on this matter. I wish to ensure that the Opposition understands that I have taken the initiative on this and have not left it to the pastoralists to fight their own battle, as occurred in Queensland.

In relation to converting an existing lease within five years, let us say that the lease is not converted for the full period (and that will only be a small percentage of cases) until 1994. If, in 1994, we offer a person a 42 year lease the expiry would be in 2036. If one is talking about a lease that will terminate in 2005, surely it must be evident, that by offering a lease to that same person now and converting it within five years, that lease will not come up for renewal in relation to its 42 year roll-over period until 2036, a much better proposition than 2005. I cannot understand—

Mr D.S. Baker: You don't understand the Bill, that's why.

The Hon. S.M. LENEHAN: I do understand it.

Members interjecting:

The CHAIRMAN: Order!

The Hon. S.M. LENEHAN: I thoroughly understand the Bill. I suggest that the lack of understanding is not on this side but on the other. I have made very clear what the provisions will be. I wanted to make sure that the member for Eyre understood.

Mr D.S. BAKER: The first thing we will deal with is the capital gains tax. If this Bill comes into force the capital gains tax will become applicable under Federal legislation to those people who had leases prior to September 1985. It is the law of the land and nothing can be done about it.

The Hon. S.M. Lenehan interjecting:

Mr D.S. BAKER: Are you going to be Federal Minister, too?

The CHAIRMAN: Order! I ask the member for Victoria to address the Chair and not to refer to members as 'you', and I ask the Minister to be silent, as she will have the chance to answer in due course.

Mr D.S. BAKER: One of the reasons why we suggested quite strongly that this go to a select committee was so that it could be properly ascertained whether, under this new legislation, if it was enacted and people had their leases cancelled, that if people disposed of the lease at some future

time, they would be liable to capital gains tax. We believe that they are liable for that tax, but the Minister says that she does not know. She will tell us in a minute that she knows. Surely it is fair and reasonable that those people should not be caught in that capital gains net.

Of course, the other way to look at it which is fair and reasonable, but which the Minister cannot understand, is that if the pastoralists are allowed to let their leases run until they expire before they are issued these new leases, the issue will have been resolved. The Minister says that we do not know what we are talking about. That is her view. She says that the pastoralists would much prefer to have a lease under the new Bill than allow their pastoral leases to expire under the old Act. I can tell her categorically that they would not: they would much sooner allow their leases to expire as is the case with a contract with the Crown, and then for this new Bill to come into force.

By then they will know the terms and conditions of the new leases and they will know the ramifications. All we are asking the Minister to do is not break the contract with the Crown. Let the lessees' leases expire as set down in the schedule, and then bring in the new Bill. The Minister is telling us that the pastoralists do not want to do that: I am telling her that that is what they want to do.

The Hon. S.M. LENEHAN: I do not believe that the honourable member is honestly representing the arguments in this case, because what he has just put to us—

Mr D.S. Baker interjecting:

The CHAIRMAN: Order!

The Hon. S.M. LENEHAN:—has exactly the same consequences as the scenario which has been painted in terms of implementing the new leases within the five year period. I suggest that what the honourable member is doing by dragging this out over the period to 2005 or 2015 (whenever the last leases will expire), is attempting to make the whole piece of legislation quite unworkable. We would have these assessments and conversions going on for this long period of time. I wonder whether this whole suggestion has something to do with the move in the legislation to fair market rents—and I suspect that it has.

Mr BLACKER: The Minister has just told the Committee that by using the five or six year criteria she effectively brings every pastoral property in South Australia within the realm of the capital gains tax. Is that correct? Under the old Act sections 46 and 46a allowed for an extension, a continuation or roll-over of leases, particularly in respect of capital gains. I know that at least one pastoral company drew the problem of the capital gains tax to the Minister's attention as far back as November last year. I am concerned that a clear-cut answer has not been given to the Committee tonight. Clearly, people having the existing old lease terminated under the old Act and being brought under the new Act face commencement of a new tenure, with a new lease to which capital gains tax will apply. This brings the whole network of the pastoral industry under the realm of the capital gains tax, when previously it did not apply.

The Hon. S.M. LENEHAN: Simply, the answer is 'Yes'. I qualify that by saying that the Federal Government has amended the legislation to cover the Queensland situation. As I have told the Committee, the Government is making representations to the Federal Government to ensure that the same conditions apply here. We are talking about increasing the asset for lessees by offering them a 42 year lease, which is a roll-over—

Members interjecting:

The Hon. S.M. LENEHAN: Of course it is. They cannot extend the lease—it is a terminating lease. Members opposite have no understanding of the present legislation. They cannot understand it.

The CHAIRMAN: Order! I ask the Minister to address the Chair. Before I recognise anyone else, I wish the Committee to note that I would like whoever is speaking to address their remarks through the Chair so that we will stop this crossfire between the benches. Every one will get an opportunity to speak, and this Committee will be conducted in an orderly way. The honourable member for Flinders.

Mr BLACKER: I understood that provision existed under sections 46 and 46a of the old Act for the roll-over of leases to occur. The Minister has told the Committee that leases will all cut out with the termination of that Act and that they cannot continue, so the new Act is neccessary for that. I believe provisions exist under the present Act for the roll-over to occur.

Mr MEIER: The debate has drifted away from my amendment, on which the Minister made a brief comment. It adds to her existing clause and makes it clear in the case of paragraphs *(b)* and *(c)* when the conditions of the competitive process will not apply. The amendment adds to the Bill by making the position clear, and I hope the Minister can agree to it.

The CHAIRMAN: I apologise to the Committee for allowing this debate to drift away from the clause. We had a peculiar situation and I allowed the Minister to reply to previous remarks, but I ask the Committee to come back to the clause.

The Hon. S.M. LENEHAN: I need to clarify the misunderstanding of the member for Flinders. I refer to subsection 46 (1) and (2). Under the current legislation, until we pass this Bill, these provisions are the law and provide for a terminating lease. The lease winds down with each year until we get to the 42 years. When the thirty-fifth year is reached, the lessee has the right to apply to the Minister for a new lease of 42 years. There is no automatic roll-over provision so, in fact, one has to get to a point where there is only seven years left on the lease, which is not the kind of security of tenure that pastoralists indicated to me they wanted. Therefore, the Government has moved to an automatic roll-over and pastoralists will never fall below a 28 year minimum lease period. I am sure that all members would agree that that is a much more secure period of tenure than seven years. That is what I was referring to in respect of the member for Mitcham's interjection.

Mr MEIER: The Minister has not addressed my amendment but, because of the hour, I will not seek a division if the Minister insists on disagreeing with it. I also wish to continue with more important matters.

The Hon. S.M. LENEHAN: I will accept the honourable member's amendment to paragraphs (3) *(a)* and *(b)* but not his amendment to paragraph (3) *(c)*.

The CHAIRMAN: In order to follow that course of action, the Minister must amend the amendment.

The Hon. S.M. LENEHAN: I move:

That the amendment be amended by deleting paragraph (c).

The Hon. S.M. Lenehan's amendment carried; Mr Meier's amendment as amended carried; clause as amended passed.

Clause 18—'Assessment of land prior to grant of lease.'

Mr MEIER: I move:

Page 7—After line 33 insert new subclauses as follows:

(2) Subsection (1) applies only in relation to the grant of a lease pursuant to the offering of pastoral leases in an open competitive process.

(3) The board must cause an assessment of the condition of pastoral land to be carried out at reasonable intervals.

The first part of the amendment is for uniformity so that, where the board is satisfied that the land is suitable for pastoral purposes or an assessment has been made, the same

competitive process should apply. That should be straightforward. I also point out that proposed subclause (3) comes from clause 22. The Opposition will seek to delete most of clause 22. That measure, namely, the causing of an assessment of the condition of pastoral land to be carried out at reasonable intervals, therefore comes into clause 18.

The CHAIRMAN: The question before the Chair is that the amendment to clause 18 as proposed by the member for Goyder be agreed to.

Mr MEIER: I would have appreciated a response from the Minister as to whether or not she will agree to this amendment. Hopefully, my explanation was satisfactory because I do not want to waste the time of the Committee by repeating what I just said.

The Hon. S.M. LENEHAN: I am happy to respond but I point out to the Committee—and I am not being critical of the member for Goyder—that I only received these amendments as we came to debate the Bill in the Committee stage. I have not had a chance to read ahead and I seek the indulgence of the Committee to ensure that I have the opportunity to look at the amendments.

Mr MEIER: While the Minister is considering the amendment, I acknowledge what she has said. However, we began drafting the amendments within a day and a half of receiving the Bill. A lot of work has been done and the persons responsible have worked their hearts out. That is another reason why the Bill should have gone to a select committee—so that these things could have been sorted out and not decided at a moment's notice, which is the case right now.

I repeat that this clause merely seeks uniformity in relation to clause 18, as it was in clause 17. The second part of the amendment brings a part of clause 22 into this part of the Bill because we will seek to extensively amend clause 22 at a later stage.

The Hon. S.M. LENEHAN: I have had a chance to look at the amendment. This clause seeks to provide for an assessment of all leases. As I interpret the amendment, it applies only to new leases or leases under special circumstances; it does not apply to all leases. Therefore, I am not prepared to accept the amendment, but I would be happy to hear a further explanation from the honourable member. That is my understanding of the intent of this amendment. In fact, it cuts across the intention of the clause to look at assessing all leases rather than waiting for them to come up as new leases or leases that have been resold.

Mr MEIER: This is one more amendment which will need to be looked at further and the other place may be able to make the appropriate changes.

Amendment negatived; clause passed.

Clause 19—'Execution of leases.'

Mr D.S. BAKER: Clause 19 *(a)* provides:

a document intended to constitute a pastoral lease is sent to the prospective lessee for execution.

What is meant by the word 'execution'?

The Hon. S.M. LENEHAN: That is the legal term for the carrying out of the document.

Mr D.S. BAKER: Does that mean that it must be signed?

The Hon. S.M. LENEHAN: Yes, that is exactly what it means.

Mr D.S. BAKER: The wording of clause 19 seems to conflict with the wording of schedule 4 (8) which provides:

The lessee is not required to sign a pastoral lease granted under this clause and, upon due notice of the grant of the lease being given to the lessee, the lessee is bound by the lease as if he or she were a signatory to it.

It seems very confusing and contradictory to me.

The Hon. S.M. LENEHAN: I do not think it is contradictory. I do not think it is my role to explain every single word of this Bill if the honourable member does not understand it—that is his responsibility. He said he found it confusing—I think it is quite clear.

Clause passed.

Clause 20—'Rent.'

Mr MEIER: I move:

Leave out clause 20 and insert clause as follows:

20. (1) The board will determine the rent payable under pastoral leases.

(2) In determining rent for a pastoral lease, the board must have regard to—

(a) the capacity of the land to carry stock;

(b) the value of the land for agricultural or other purposes;

(c) the proximity and facilities of approach to railway stations, ports, rivers and markets;

and

(d) all other circumstances affecting the value of the land to a pastoral lessee,

but the board cannot have regard to any increase in value resulting from improvements that are not the property of the Crown.

(3) A pastoral lease will be revalued every seven years for the purposes of determining the rent to be payable under the lease for the next ensuing seven years.

(4) An increase in rent consequent upon a revaluation cannot exceed 50 per cent of the rent payable prior to the increase.

This is a major amendment to the rent clause, which is another big obstacle in this Bill. Members and the Minister would be aware that this amendment basically reflects provisions currently in the Pastoral Act which have worked very satisfactorily over a long period. By and large, the provisions contained in the amendment are those that the pastoralists feel would be an appropriate alternative and an appropriate way of determining rent under this Bill.

As I mentioned in my second reading speech the way the Bill currently phrases the determination of rent leaves scope for potentially massive increases. It is all very well to say 'Surely the Valuer-General will take into consideration this, that and the other.' That is as good as saying, 'Surely the Minister, if he or she gives his or her word on something, will keep that word.' It might occur and it might not occur—there is no guarantee. Those of us in this place who have to make these legislative changes know that, unless the process of determination is specified, it is left to the Valuer-General (in this case) to make the assessment. It is quite possible that the Valuer-General might use criteria other than those that have been used in the past. If there was no worry in relation to rent increases, I suppose the pastoralists would have nothing to fear. However, there is a real worry because word has come from the appropriate department or departments that the rent per head of sheep per year or per head of cattle per year could go up astronomically.

As the member for Victoria alluded to earlier in this debate, there is every likelihood that the Government will take a massive amount of extra revenue from the pastoralists. And, as I mentioned earlier, that would fit easily into the socialist philosophy. Therefore, this amendment is one that the Minister needs to consider very carefully and, hopefully, accept. As the hour is rather late, we will probably terminate the debate with this topic and, hopefully, during the intervening period the Minister will have an opportunity to reflect on this amendment.

The Hon. S.M. LENEHAN: I am very happy to respond immediately. I am not prepared to accept the amendment, because it provides that, instead of the Valuer-General, the Pastoral Board would set the rents. I do not want to embarrass the Opposition, but I might share with them the fact that the UF&S asked that an independent valuation and assessment be undertaken by the Valuer-General. In fact, the member for Goyder does not reflect the views of the representatives of the pastoralists.

In relation to the delineation of what factors should be taken into account, the Valuer-General takes those into

account and, because the Valuer-General looks at and sets the rental, that brings the pastoral rentals into line with almost everything else in South Australia relating to the setting of valuations and rental provisions.

The analogy in relation to taking people's word is really irrelevant, because we have actually included appeal provisions in the legislation so that, if the pastoralist does not believe that the Valuer-General has accurately assessed the rental valuation, then he or she can appeal, so that point is not valid. I believe that this legislation meets the pastoralists' requirements to move to fair market rentals. I think that every fair-minded person in South Australia would support the move to a fair market rental system. I just cannot believe that a Party, which purports to have the political philosophy as espoused by the Opposition, could talk about not moving to a fair market rental system.

I made it clear in my second reading explanation that the Pastoral Board would not move immediately to implement the fair market rental but, rather, that would be implemented over a period of three to five years, taking into account the circumstances of individual pastoralists as they are lessees. I do not believe that anything could be fairer to pastoralists and I have responded to the requests of the UF&S in ensuring that the Valuer-General rather than the Pastoral Board sets the rental on an annual basis.

Mr D.S. BAKER: This is the crux of the whole situation. I think it is fair to say that the pastoralists and the United Farmers and Stockowners do not oppose the rent being set by the Valuer-General.

The Hon. S.M. Lenehan interjecting:

The CHAIRMAN: Order!

Mr D.S. BAKER: However, they are concerned that there are no guidelines as to how that rent is set. All we say is that the guidelines contained in the amendment take into account the carrying capacity of the lease, and that that is fair and reasonable. Further, they take into account the value of the agricultural land, if it can be used for agriculture, but of course that does not apply to many of the pastoral leases. Most importantly, they also take into account the proximity of the leases to railway stations, ports, rivers, etc.; in other words, those people who live a long way from those facilities would pay a smaller rent because of the extra costs incurred by them. The guidelines also take into account all other circumstances which affect the value of the land to the lessee.

Those guidelines would ensure that the pastoralists felt comfortable that such things as distance and the privation which they have to endure, and the lack of transport, postal and telephone facilities are taken into account when setting a fair rent. All they are asking is that a fair rent be set. The Minister has thrown the rent question totally open and is throwing the pastoralists totally into the hands of the Valuer-General without any guidelines whatsoever. She says that there are appeal provisions, but that has no bearing on it. You can appeal until you are blue in the face, but, if the guidelines for setting your rent do not take into account the circumstances of the pastoral lease concerned—

The Hon. E.R. Goldsworthy: You have no basis for argument.

Mr D.S. BAKER: You have no basis whatsoever for argument. All we are saying in the amendment is that there are some sensible guidelines that take into account where these people live, the distance from Adelaide and the distance from facilities that are available to them. They are merely asking to be treated fairly. Unfortunately, the Minister says, 'No, we will not do that. Why should we? Why not just set the rents and the Valuer-General can race off in any way he sees fit and then they have the right to appeal.' That is not fair or just and, if she wants to reflect on the matter overnight and talk to someone even from her side, the Minister should do so. All we want is justice. This is not justice for those people who have been living in those areas for many years producing a large amount of income for this State.

The Hon. S.M. LENEHAN: I must reject the arguments that the member for Victoria has put forward. There is no suggestion that justice will not be done for the pastoralists. I remind the Committee that no other valuations determined by the Valuer-General under other statutes are set out on the basis of legislative formula. This is totally in line with every other provision in every other Act that requires the Valuer-General to assess and make a valuation.

Criteria are laid down for the Valuer-General, and these can be laid down by a court when determining the valuation. The Valuer-General will certainly take into account all the conditions that the Opposition has spelt out. However, the Valuer-General may also want to take into account other conditions which are not spelt out, so this would preclude him from doing that. And that indeed could disadvantage pastoralists.

The Hon. E.R. Goldsworthy interjecting:

The Hon. S.M. LENEHAN: Well, it is not there, and the fundamental thing which I am opposed to, and with which the member for Victoria is at odds with the mover of the amendment, is that the setting of the valuation should not be by the Pastoral Board. The member for Victoria says that he understands the position of the UF&S and the pastoralists. The member for Goyder is saying that he knows the proper position. I do not know who is supposed to be doing the negotiation with the constituency. I can only tell the Committee what I know, namely, that the UF&S has requested that the Valuer-General should actually set the rents at fair market rentals, taking into account a whole range of criteria. I do not believe it is appropriate to be prescriptive about the range of criteria. If there is any kind of question about the appropriateness of the setting of those rentals, the pastoralist has an appeal provision which I have ensured is written into the Bill. I therefore cannot accept the amendment.

Mr D.S. BAKER: I ask the Minister to put herself in the position of a pastoralist when he reads clause 20 and sees that it contains no conditions whatsoever. The Minister has said that there are conditions, so why not put them in the Bill? We are merely setting down some guidelines which take into account the peculiar and particular circumstances of the pastoral lessees. Why will not the Minister put herself into the position of those people and take into account their concerns? How would she like to be living 1 000 kilometres from Adelaide and receive this Bill last weekend, the earliest time that the member for Eyre could fly it up there for them to look at, and see that that was how the future of her livelihood would be fixed?

Controlled leaks from the department have indicated that the rent could be as high as $3.50 for sheep and $7 for cattle. How would the Minister like that to happen to her livelihood when she is living up there with her family? If the Minister puts herself in that position, she may start to think of the minority of people up there who are in an untenable position; she may start to think of these human aspects of the whole thing. It is a despicable clause to have in any Bill.

The Hon. S.M. LENEHAN: It is the last time that I will respond to this position. It is offensive that the honourable member conducts himself in this way, but that is his problem. I refer to one of the proposed conditions or criteria, namely, clause 22 (2) *(b)*, relating to the value of land for

agricultural or other purposes. It is absolutely inappropriate. We are talking about land that can be used for pastoral purposes only. The conditions suggested by the Opposition are totally inappropriate.

Mr D.S. Baker interjecting:

The CHAIRMAN: Order! I call the member for Victoria to order. That is three times.

The Hon. S.M. LENEHAN: I suggest that the Opposition find some other agenda in terms of whipping up fear. We as a Government are responding to the requests of the UF&S and a number of pastoralists to move to the Valuer-General as an independent person setting the rents at fair market rents, taking into account the whole range of criteria which, over the years, have been laid down by the courts of this State. The Valuer-General cannot go off like an unguided missile setting valuations at whim. There are legal process through which the Valuer-General must operate in his commission as Valuer-General. I would have thought that the Opposition might understand that. The prescription of a formula would be to the detriment of the pastoralists. Clause 20 (2) *(b)* is totally inappropriate—it is just a nonsense.

Members interjecting:

The Hon. S.M. LENEHAN: I do not care what Bill it was in. We are talking about a Bill that refers specifically to land that can be used only for pastoral purposes. To talk about asking the Valuer-General to rush around South Australia and assess land because of its agricultural or other purposes is a sheer nonsense. This clause responds to what the pastoralists have asked for. I have said quite clearly (and it is reported in *Hansard* in my second reading explanation) how this provision will be implemented so that there will be no economic disadvantage to the pastoralists. We are talking about implementing fair market rents over a three to five year period: we are talking about the Pastoral Board having the options and the responsibility to ensure that no pastoralist is economically disadvantaged to the extent that the Opposition is suggesting in trying to whip up fear in people. The pastoralists are not such fools and idiots as the member for Victoria is trying to paint them.

The Hon. E.R. GOLDSWORTHY: I wish to put on record a statement by one pastoralist whom the Minister has just purported to speak for. It is appropriate to this clause. A letter to the Editor in this morning's *Advertiser* under the heading 'A mess of pottage' states:

> The pastoral lease Bill now before State Parliament proposes to cancel existing leases and substitute new leases. Many of the leases to be cut short expire as far ahead as 2005. The terms of the new leases will not be known for possibly many years. On the same principle a freehold title could, by a stroke of the statutory pen, be transformed at some uncertain future time into a Crown lease on unknown terms (with ultimately an appropriate high rent!).

We are discussing rents as a major component in this clause. The letter continues:

> If South Australia is to prosper it should not acquire a reputation for abrogating contracts and tenure. Some lessees, however, will apparently not get new leases. They will not be properly compensated. The Government's excuse for proceeding in this manner is that land assessments must first be made.
>
> It would be preferable to provide now for extension of all leases on expiry under an acceptable tenure on terms set out in the Bill. The assessments could then be made in an orderly manner, following which the Government could acquire under the Land Acquisition Act 1969 those areas (if any) that the Government ultimately decided should not be held on pastoral lease. Pending expiry, certain remedial provisions of the Bill could apply.
>
> The procedure proposed in the Bill will involve pastoralists in capital gains tax problems. The Government had the chance to remedy these late last year but did not take the opportunity. The Bill could have been drafted in a different form to overcome the problems, but this possibility has been ignored. There are rumours of massive increases in rent.

That was alluded to by the honourable member for Victoria. The letter continues:

> Such increases would, by reducing lease values, amount to expropriation. Pastoral lessees in South Australia generally pay higher rents for Crown leasehold than are paid elsewhere in Australia in comparable circumstances.
>
> It is ironic that when times were bad some said pastoralists should not be there. Now pastoralists have enjoyed a period of high prices (no doubt temporarily) they are seen as suitable victims for a rack-rent. It should not be forgotten that the capital investment is high and risks great. It is a pity that the Government, after years of effort, has produced an unworkable Bill.
>
> Submissions have been invited from time to time. No doubt they are carefully read but there is never any proper debate on them. It is all rather depressing. It is like talking to a wall. The Bill is a mess of pottage for which a pastoralist is not even given the opportunity to sell his birthright.

That letter is signed 'P.R. Morgan, The Mutooroo Pastoral Co Pty Ltd.'

The Minister purported to speak for pastoralists in discussing this clause in relation to rents. I suggest that that statement, for one directly involved in the pastoral industry, is a far more accurate assessment of the way that pastoralists feel about this matter.

Mr MEIER: I support those remarks of the Deputy Leader. Rather than comment further on that matter, I want to make a few observations on what the Minister said on the rent amendment. She mentioned a so-called discrepancy between the position of the UF&S and that of the Opposition. The Minister is aware that many pastoralists are associated with the UF&S and that there are one or two spokespersons for the UF&S. I have spoken to those people. I acknowledge that there is a feeling that there could be an independent valuer, and having the board setting values does not detract from that. Earlier in the debate we passed a clause giving the board the power to delegate responsibility. Surely that delegation could take place in determining the rents. That could come about without any problem.

The Minister mentioned the right of appeal against rents as they exist. The Minister should know that appeals do not mean anything if the Valuer-General, and particularly the department or the Minister, is determined that those rents shall stay. Throughout the electorate of Goyder, let alone other areas, appeals have been made and been ignored. Therefore, the appeal mechanism for rents does not give any glimmer of hope for pastoralists.

The Minister also said that the Opposition should be prepared to allow pastoralist rents to be set according to fair market rental. If what the Government is doing to rents all over the State is fair market rental, I can only say that that is the way to squeeze businesses to death. That is perhaps what the Government wants to do and what the Minister wants to do in these rent provisions.

It is a pity that we cannot debate this matter for the next hour or two, but the main points have been made. I am extremely disappointed that the Minister is not prepared to accept the Opposition's amendment which seeks a seven-year term and a 50 per cent proviso.

Mr BLACKER: The Minister has referred to the UF&S. In a document that I circulated among UF&S members, on 22 November, the following statement was made about the clause on rent:

> At meetings held to discuss the proposed legislation, pastoralists have unanimously rejected the rent clause in the new Act. They believe it would be in the Government's interest and their own interest to retain the present system of lease rentals and the present rent-setting mechanism—that is, a seven year rental period during which lease rentals do not change, and the retention of the maximum of 50 per cent increase clause at the end of such a period. This system provides lessees with a sound and standard base upon which they can plan their operations. Annual variations of rents would not achieve this objective and would also be more labour intensive as far as the Government is concerned.

I mentioned in the second reading debate that I was somewhat concerned that it seems that rental fees are going in the direction of becoming a resource tax on primary industry. I again express that concern. If ever there is a disincentive on primary industry it is to have a resource tax. It should be the other way around, so that there is encouragement to produce. However, an interpretation of this proposal indicates that this will become a resource tax on primary industry.

The Committee divided on the amendment:

Ayes (16)—Messrs Allison, P.B. Arnold, D.S. Baker, S.J. Baker, Becker, and Blacker, Ms Cashmore, Messrs Eastick, S.G. Evans, Goldsworthy, Gunn, Ingerson, Lewis, Meier (teller), Oswald, and Wotton.

Noes (20)—Mr Abbott, Mrs Appleby, Messrs L.M.F. Arnold, De Laine, Duigan, Gregory, Groom, Hamilton, Hemmings, Keneally, and Klunder, Ms Lenehan (teller), Messrs McRae, Mayes, Payne, Plunkett, Rann, Robertson, Trainer, and Tyler.

Pairs—Ayes—Messrs Chapman and Olsen. Noes—Messrs Crafter and Slater.

Majority of 4 for the Noes.

Amendment thus negatived; clause passed.

Progress reported; Committee to sit again.

ADJOURNMENT

At 12.58 a.m. the House adjourned until Thursday 23 February at 11 a.m.