HOUSE OF ASSEMBLY

Tuesday 7 March 1989

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

SUPPLY BILL (1989)

His Excellency the Governor, by message, recommended the House of Assembly to make provision by Bill for defraying the salaries and other expenses of the Government of South Australia during the year ending 30 June 1990.

QUESTIONS

The SPEAKER: I direct that written answers to the following questions on the Notice Paper, as detailed in the schedule that I now table, be distributed and printed in *Hansard*: Nos 105, 175, 177, 179, 186, 188 to 192, 195, 196, 199, 200, 202, 204, 206 to 208, 212, 214, 215 to 221, 223, 224, 231, 233 to 235, 238 to 241, and 257.

PAPERS TABLED

The following papers were laid on the table:

By the Minister for the Arts (Hon. J.C. Bannon)—
- Carrick Hill Trust—Report, 1987-88.
- State Opera of South Australia—Report, 1987-88.

By the Minister for Environment and Planning (Hon. D.J. Hopgood)—
- Botanic Gardens Board—Report, 1987-88.

By the Minister of Employment and Further Education (Hon. L.M.F. Arnold)—
- Industrial and Commercial Training Act 1981—Regulation.

By the Minister of Transport (Hon. G.F. Keneally)—
- The Parks Community Centre—Report, 1987-88.
- Local Government Finance Authority Act 1983—Regulation—Prescribed Barriers.
- Corporation By-laws—
  - Burnside—No. 13—Library Services.
  - Port Adelaide—
    - No. 7—Caravans.
    - No. 8—Bees.
    - No. 9—Dogs.
    - No. 10—Animals and Birds.
    - No. 11—Restaurants and Fish Shops.
  - Port Lincoln—
    - No. 4—Tents.
    - No. 8—Streets and Footways.
  - Woodville—No. 1—Repeal of By-laws.
- District Council By-laws—
  - Meningie—No. 28—Dogs.
  - Millicent—
    - No. 6—Caravans.
    - No. 7—Animals and Birds.
    - No. 8—Dogs.
    - No. 9—Bees.
    - No. 10—Repeal of By-laws.
  - Waikerie—No. 60—Pigeons.

By the Minister of Education (Hon. G.J. Crafter)—
- Trade Standards Act—Report, 1987-88.
- Regulations—
  - Education Act 1972—Regulation—Salary Deduction.
  - Land Agents, Brokers and Valuers Act 1973—Regulations—
    - Returns.
    - Small Business Exemption (Amendment).
  - Liquor Licensing Act 1985—Regulation—Liquor Consumption—Adelaide.
  - Summary Offences Act 1953—Regulations—
    - Overloading Infringements.
    - Seat Belt Infringements.

By the Minister of Health (Hon. F.T. Blevins)—
- Institute of Medical and Veterinary Science—Report, 1987-88.

By the Minister of Forests (Hon. J.H.C. Klunder)—
- Forestry Act 1950—Proclamation—Hundred of Nangwarry.

QUESTION TIME

STAMP DUTY

Mr OLSEN (Leader of the Opposition): Following the Premier's failure at the housing summit to obtain relief for home buyers from crippling interest rates, what plans of his own does he now have to help home buyers and, in particular, when will he honour the promise he made in 1985 to provide stamp duty relief to first home buyers?

Stamp duty has become a windfall when taxed with rising property values. Since 1985, collections have increased by almost $100 million but the Premier has failed to honour an election promise he made then which was quite specific in the benefit it offered to first home buyers. He promised:

> The Bannon Government will continue to gear the stamp duty exemption level to increases in house prices.

However, the exemption level has remained at $50 000. This means that the first home buyers purchasing the median priced house in Adelaide now have to pay the State Government $1 260 in stamp duty.

The Hon. J.C. BANNON: The question of stamp duty relief to first home buyers will be addressed, and is addressed each year, in the budget. If one tracks the changing values of house prices in Adelaide, the fact is that, in comparative terms, although values have changed they have remained relatively static. Indeed, in one period in the past couple of years prices actually went down. Far from breaking the promise in that period, I guess the Leader of the Opposition is suggesting that we should have lowered the exemption level. Is that what he is proposing? No.

Mr Olsen: Another broken promise.

The Hon. J.C. BANNON: So, far from a broken promise—

The SPEAKER: Order! The behaviour of the Leader of the Opposition is reaching a level where it is becoming intolerable. The honourable Premier.

The Hon. J.C. BANNON: That is typical of the—

Mr Olsen interjecting:

The SPEAKER: Order! I call the Leader of the Opposition to order and I warn him about remarks which may reflect on the Chair. The honourable Premier.

The Hon. J.C. BANNON: In fact, the whole question of first home—

Mr Hamilton interjecting:

The SPEAKER: Order! I call the member for Albert Park to order. The honourable Premier.

The Hon. J.C. BANNON: Thank you, Mr Speaker. The first home ownership scheme and mortgage relief were canvassed at the summit—contrary to the intention of the Commonwealth Government in the period leading up to the summit, which was to exclude such matters from the agenda. Incidentally, that agenda was constrained. I think it is worth noting—and perhaps the Leader of the Opposition has not noted—that his own housing policy adopted by his Federal colleagues (and presumably endorsed at the

State level) contains nothing about a reduction in interest rates. It contains nothing about specific measures except, interestingly enough, a six point plan announced by the Federal Liberal Party as part of its vision for home ownership in Australia.

It wants an increase in funding for the first home ownership scheme, which was introduced by the Labor Government. That question was raised and submissions are being made on it. The question of the elimination of the deposit gap was addressed, as was the abolition of the capital gains tax. A change to the Commonwealth-State Housing Agreement to give the States greater flexibility was argued and, most interestingly, there was a national land supply conference involving the Commonwealth and responsible State Ministers in order to ease supply and therefore ease pressure on prices.

It is interesting to note that, when this conference was held, the very person who promulgated that idea on behalf of the Federal Liberal Party last December said that it was a Gilbert and Sullivan idea to hold a conference of Premiers and Prime Minister on land supply. It was one of his own six points, so there is no consistency in the approach. I believe that, in terms of addressing this problem at the housing summit, some significant gains were made and we will definitely follow it up.

ALP HOUSING POLICY

Mr FERGUSON (Henley Beach): Will the Minister of Housing and Construction investigate whether or not there has been a leak from his office? I have been approached by an irate constituent who is angry that the Leader of the Opposition appears to have access to ALP housing policy documents. My constituent referred specifically to the similarities between the Leader's public position on last week's housing summit with regard to stamp duty exemptions for first home buyers, encouraging Housing Trust tenants to buy their own house and promoting a policy of urban consolidation.

The Hon. T.H. HEMMINGS: I thank the member for Henley Beach for his question. In light of what the Leader said in the *Advertiser* on Friday morning, I can well understand his constituent's indignation that there could possibly have been a leak from my office with regard to ALP housing policy. I can reassure the honourable member's constituent and the House that there has been no such leak from my office. It is just a typical case of the Leader, yet again, being the 'second-hand rose' of the Liberal Party.

In the past, he has stolen policy from Nick Greiner in New South Wales; he has stolen policy from Mr Kennett in Victoria; and, just recently, he blatantly plagiarised the Liberals in Western Australia in regard to Western Australia Incorporated. But this is the first time on record that the Leader of the Liberal Party has ever stolen ALP housing policy. So, far from condemning the Leader, I congratulate him. I understand that there is still complete confusion in the Liberal Party as to who is the spokesman for housing. The member for Bragg has that exalted position, but as yet he has not uttered one peep in regard to that area.

The SPEAKER: Order! I ask the Minister to return to the subject of the alleged leak.

The Hon. T.H. HEMMINGS: I am, Sir. I can well understand the Leader of the Opposition being really preoccupied with the fact that his air-conditioner was not working last week and his trying hard with respect to the ASER Riverside Drive Development. However, in regard to the actual policy that the Leader urged the Premier to raise at the housing summit (and, in the main, that relates to providing a stamp duty exemption for first home buyers), we have the best stamp duty deal for first home owners than is the case anywhere else in the Commonwealth.

Just to remind the Leader of the Opposition, I point out that he said, when he thumbed through our housing policy some three weeks ago—and it must really be thumbed through by now—that we were not following our housing policy of reviewing stamp duty exemptions. I can assure the Leader and the House that the matter is under review. I would have thought that the Leader of the Opposition would have shied away from the proposal to encourage Housing Trust tenants to buy their own homes, because the result of the 1985 election showed that his policy of selling discounted trust homes was completely rejected by those people in public housing. He lost heavily on that proposition and this Government has persistently made trust houses available to trust tenants. This year we hope to achieve about 750 sales, and that will make home ownership available to those people in public housing.

So, that is another point that the Leader urged us to bring forward at the summit. Needless to say we did not want to waste the Prime Minister's time, because we had already implemented that policy. As to promoting consolidation, the record speaks for itself. We have led the way in Australia with urban consolidation and I advise the spokesperson for whatever—who says that it is a load of rubbish—that the facts speak for themselves. I ask the Leader to go out to those people in the housing industry, or even to the Housing Industry Association—the ones who used to be his friends and used to think that the Liberals had reasonable development policies—and ask them what they think of this Government's policy on urban consolidation. They say that we are leading the way. They will say that the Leader and his spokesperson on local government (I am not sure who it is—it may have changed since last week) should be putting pressure on local government to support this Government more fully in the process of urban consolidation.

INTEREST RATES

The Hon. E.R. GOLDSWORTHY (Deputy Leader of the Opposition): Will the Premier advise, from his discussions with Mr Hawke and Mr Keating at the housing summit, when home loan interest rates are likely to fall or was his pre-summit—

Members interjecting:

The Hon. E.R. GOLDSWORTHY: I would like to give members opposite time for it to sink in as it takes a while for them to grasp a point. Were the Premier's pre-summit posturing and promises to fight this crisis just one more example of Labor's crude and cruel manipulation of home buyers, which has continued since his own widely advertised canard at the 1985 election—and these were the Premier's words—'A vote for the Liberals is a vote for higher housing repayments'? We will wait for that to sink in.

Members interjecting:

The Hon. E.R. GOLDSWORTHY: I have a bit more to fill in for members opposite. The Premier's submission to the summit admitted that South Australia had a housing crisis caused by the Federal Government's macro-economic policy and its impact on interest rates. In statements in the *Advertiser* on Friday under the headline 'Bannon fights home crisis', the Premier was quoted as saying that he was determined to put South Australia's case even if it went beyond the Commonwealth's guidelines.

Members interjecting:

The Hon. E.R. GOLDSWORTHY: Wait for it! The perception was given that our Premier would lead the fight by the States against rising interest rates. However, nothing like this happened at the summit. Rather, far from initiating debate, our Premier spoke last of the State leaders. He raised nothing new in his submission, only referring to the problem without proposing any solutions whatsoever.

Members interjecting:

The Hon. E.R. GOLDSWORTHY: We have had a very good report—an accurate report. We are not flying blind. The truth hurts! The Premier did not move any motion to have interest rates discussed as a separate issue at all.

The Hon. J.C. BANNON: He has finished. I do not think anyone has a crystal ball to enable them to predict when interest rates will fall. I would sincerely hope, first, that they will not go any higher and, secondly, that they start falling.

Mr Olsen interjecting:

The Hon. J.C. BANNON: We had better change economic policies, says the Leader of the Opposition. It is interesting that, despite the criticisms of macro-economic policy, members opposite have no solution whatsoever to offer. I listened carefully to Mr Greiner at the housing summit and it was not worth listening to at all. He produced absolutely no remedy whatsoever. He was not able to say, for instance, that we should move to regulate housing interest rates again because he knows that that would be a totally unrealistic policy. Indeed, the national housing policy of members opposite says nothing about what they would do with interest rates—not a thing. They talk about giving priority to home ownership assistance through eliminating the deposit gap for low income buyers, helping with mortgage repayments and their affordability, beefing up the first home ownership scheme and cooperating with the States on public housing: it is all very familiar stuff and most is already happening.

There was not a word about interest rates and what members opposite might do in that regard. So, let us not have their crocodile tears. On the contrary, we were told that this housing summit would be restricted, totally, to a question of the sale and availability of land—restricted, actually, to the point that the Opposition spokesman for housing suggested in his release it should be, before he discovered that it was a Gilbert and Sullivan charade.

Be that as it may, at no time was I prepared to accept that restriction. In fact, the evening before the summit Mr Cain, Mr Dowding and I—the three Labor Premiers—met together, prepared a number of submissions and made approaches to the Federal Government which made clear that it would be totally unacceptable to have the housing summit confined in that way. The upshot was that, in fact, the first speaker at the summit, namely, the Prime Minister himself, in introducing the topics and in speaking to the agenda, made specific reference to the fact that he expected such submissions and that the situation would now be that they would be on the table.

At no time did we say that we would walk away with solutions to these problems. That is not as easily done. It is very easy for members of the Opposition to jump up and down and identify the problem—we can all do that. The harder task is identifying the solution for it. In fact, we came away from the housing summit with a number of positive outcomes based around the submissions we had made. We did, in fact, get the issue of the first home owners scheme and mortgage relief on to the agenda, receiving an invitation from the Commonwealth to make submissions which would be seriously considered over the next few weeks. We did get an undertaking from the Commonwealth that, in making land available, it would support the States with provision of infrastructure, because it was recognised that we would not be able to service those new allotments and that new land.

We were able to get some agreement in relation to looking at the question of depreciation allowances being better targeted. We were able to get some agreement that the immigration program should be better targeted to places like South Australia where there is sufficient capacity so that we would not see migrants being sent to the high demand areas.

We were able to make clear to the Commonwealth that the land offerings it was making were not suitable or appropriate and that bilateral discussions were necessary if we were to get anywhere in that direction. We were able to get agreement on a review of land zoning and servicing processing. So, many things emerged from that summit which, I believe, emerged only because of the line we took and the sorts of submissions we made.

COMMONWEALTH LAND

Mr HAMILTON (Albert Park): Will the Minister of Housing and Construction tell the House whether, to his knowledge, the Opposition supports the State Government in its reservations regarding utilising all of the Federal Government surplus land on offer for housing purposes? About two weeks ago, in the first question of the day, the Leader asked the Minister of Housing and Construction whether the State Government was prepared to buy the 15 386 lots of land in the Adelaide metropolitan area offered by the Federal Government to the State for housing purposes. Given the priority attached to this question by the Leader, the Opposition expected the Government to say that it would take up all the land on offer. As the House knows, this was not the case.

The SPEAKER: Order! I rule the question out of order on the grounds that the Minister is not responsible for the policy of the Opposition.

RAH CAR PARK

The Hon. J.L. CASHMORE (Coles): My question is to the Premier. As his promise in July 1988 to build a car park for Royal Adelaide Hospital staff on land owned by the city council was made before the council had made any decision about the use of the land for this purpose, will the Premier accept responsibility for the continuing delays in relation to this project and criticism of the Government, in a statement by the unions last Thursday, for time wasting, procrastination and vacillation, and will he now say when he expects this project to proceed?

The Hon. J.C. BANNON: First, I expect some agreement in this matter fairly soon. It has been subjected to fairly intensive consideration and I hope that we will resolve it. Just to briefly recount the history of the proposition: the first decision that the Government had to make was whether to build a parking station on Frome Road, on the hospital site which, although not traditional parkland, nonetheless should be open space and part of the parkland or Botanic Park system. That would have been a simple solution which was being urged on us by a number of people. Indeed, it is the one that members opposite support: they are on record as saying that that is the answer. I wonder whether the member for Coles endorses that. Does she support that policy?

The Hon. L.M.F. Arnold: She's very silent now.

The Hon. J.C. BANNON: She is silent on that. That was the proposition. My Government did not agree with the approach taken by the Opposition. We have an active policy of returning parklands to the people and major strides are being made under that policy. We said that we were not prepared to build a car park there, but we could not leave the hospital without car parking facilities, so we looked for alternatives. One alternative was to build a car park opposite the hospital, on the other side of the road, which would allow that site to remain free. However, that involved a cost premium in the short term—a much higher capital cost, because it is not the simplest and cheapest solution—and it required negotiation and identification of the site. The City Council owned, and still owns, just such a site.

We approached the City Council and said, 'We are aware of your policies in relation to freeing up the parklands and no doubt you are very supportive of the Government's line in this area: will you assist us in facilitating that by making available that site for the car parking facility at a long term peppercorn rental?' That was in fact agreed, and correspondence was both exchanged with the former Lord Mayor (Mr Jarvis) and subsequently reconfirmed by his successor (Mr Condous).

The Government's planning proceeded on that basis. Members may recall the announcement in July 1988 as to how we would achieve this. It was done with the full cooperation and support of the City Council. What has happened since? One thing that has happened is that the value of the site has increased greatly and the City Council has had second thoughts about whether it wants to make that as a contribution to the freeing up of the parklands on a free peppercorn basis, taking the view that it should perhaps renegotiate the terms and conditions. In that situation, where the City Council was saying that the deal was off and that it wanted some kind of return from its property or full market value, it clearly would have been irresponsible for us to go ahead, so intensive negotiations have been proceeding. I hope that—

Members interjecting:

The Hon. J.C. BANNON: There is no vacillation whatsoever. Contrary to statements by the Liberal Party, we made quite clear that we would not build a parking station on that Frome Road site. That was our unequivocal policy decision and we needed the cooperation of the City Council for it. If we are talking about vacillation, look at the changes that the City Council made in the terms and conditions under which that site would be available. Having said that, I am confident that we can reach an agreement which will be mutually satisfactory, that we will see that site reserved for public use and parklands, and that we will also see the parking needs of the Royal Adelaide Hospital met.

COMMONWEALTH LAND

The SPEAKER: The honourable member for Albert Park.

An honourable member interjecting:

Mr HAMILTON (Albert Park): Why don't you grow a brain?

Members interjecting:

The SPEAKER: Order! The honourable member for Albert Park should not refer to members opposite as 'you'. The honourable member for Albert Park.

Mr HAMILTON: Thank you, Mr Speaker. Will the Minister of Housing and Construction indicate whether the Opposition has supported the State Government's reservations regarding the use of all the Federal Government's surplus land on offer for housing purposes? About two weeks ago, in the first question of the day, the Leader of the Opposition asked the Minister of Housing and Construction whether the State Government was prepared to buy the 15 386 lots of land in the Adelaide metropolitan area that had been offered by the Federal Government to the State Government for housing purposes. Given the priority attached to this question by the Leader, the Opposition expected the Government to say that it would take up all the land on offer but, as the House knows, this was not the case.

The Hon. T.H. HEMMINGS: I congratulate the member for Albert Park who at least shows concern about the orderly development of metropolitan Adelaide. I have made perfectly clear that the Government has reservations about two of the sites proposed for housing by the Federal Government. As the House knows, the sites are those at O'Halloran Hill and at the Defence Research Centre at Salisbury. The former is being considered for open space and the latter is the site of a major employer which also has significant spin-off benefits to the State's economy.

I would suggest that if, after my explanation last week and my reply today, the Leader thinks that the land should be made available for housing, he should say so publicly. At least then we would know where the Liberal Party stands on economic development and the retention of open space in this State.

I am intrigued to know whether the Leader asked his question in ignorance of a statement made by his Federal counterpart, Mr Downer, in January of this year or in full knowledge of that statement. It would interest the House to know that on 20 January Mr Downer said that, with regard to the Housing Industry Association's proposal that surplus Federal land be made available for housing, the Liberal Opposition did not think that all the land proposed for sale would be a practical proposition. Mr Downer went on to say that speaking for his own city of Adelaide there would be proposals in the HIA plan which he did not think the Opposition would accept.

One presumes that Mr Downer shares the concerns of this Government with regard to the Salisbury land at least. This incident highlights either once more the Leader's ignorance of his Federal housing policy, or his inclination to play childish games in the hope of setting up Ministers of this Government in catch 22 situations: that is, they're damned if they do, and damned if they don't. But, yes, there is a clear indication that the Opposition supports the Government's position on this matter.

WOODS AND FORESTS DEPARTMENT

Mr D.S. BAKER (Victoria): My question is directed to the Minister of Forests. How will the Woods and Forests Department pay a dividend of $3.5 million to SAFA this financial year? The financial restructuring of the South Australian Timber Corporation forced by the continuing losses of the IPL (New Zealand) timber venture includes provision for SAFA to have a 16.2 per cent equity in the Woods and Forests Department to compensate SAFA for interest forgone on the debts of the Timber Corporation. This will require the Woods and Forests Department to pay SAFA about $3.5 million this financial year, but based on the recent financial experience of the department, where it has failed to generate a cash flow sufficient to meet this dividend payment, it will need to borrow funds. This is likely to mean that Woods and Forests will be borrowing

funds from SAFA to pay a dividend to SAFA—an arrangement involving escalating debt and interest repayments described on the *7.30 Report* last night as 'ludicrous' and 'a downward spiral with no end' by Professor Scott Henderson, Chairman of the Commerce Department, Economics Faculty, Adelaide University.

The Hon. J.H.C. KLUNDER: It is interesting that we are finally getting some questions about Satco. I rather expected some questions on the last Thursday of sitting because, as soon as the Auditor-General's Report turned up, every member of the Opposition immediately opened it halfway through—obviously to page 18. One after another they looked at their copy of the report and closed it. In fact, I noticed that the member for Victoria was the last person opposite to close his copy after looking at pages 18 to 21. I am not entirely sure whether the honourable member was the most stubborn of members opposite and, therefore, closed his copy then, or whether he was the last to recognise that he did not have the nouse to understand the situation. I guess his question follows that asked by someone else. He did not have the ability to dream up his own questions: he had to wait until a television program produced something from a professor of commerce and he is now asking exactly the same question. The question really is whether or not—

Members interjecting:

The SPEAKER: Order!

The Hon. J.H.C. KLUNDER: Here I am wanting to answer the question and members opposite are interrupting me, trying to stop me doing so.

Mr Becker interjecting:

The Hon. J.H.C. KLUNDER: By way of interjection the honourable member asked why I did not look at it as Chairman of the Public Accounts Committee. I did not do so because a select committee in another place was already looking at the situation. It is typical of a former Chairman of the Public Accounts Committee to jump in on something that is already being looked at so that he can grab the headlines where necessary. Some people on the PAC are interested in publicity, others in getting things done.

Let me turn to the question, and maybe members opposite will be silent so that they can listen to my response. The point made by Professor Henderson was technically correct but happened to deal with the wrong time period. He indicated that one would expect that Woods and Forests would pay a dividend to SAFA. That is fair enough. For some reason or other he assumed that it would pay that dividend in advance because the shareholding of Woods and Forests to SAFA was concluded only on 30 June last year, so it will be a year from that time, or next June, before some of the dividend must be paid.

Professor Henderson covered himself by saying that there would need to be a change in profitability, and there has been. If the honourable member had been awake a couple of weeks ago when I answered a question on this matter from the member for Bright, he would have heard me say that, over the first six months of last year, the profitability of Woods and Forests increased by 47 per cent. In the first six months of the year it is showing a positive cash flow of very close to $3 million.

Mr Olsen interjecting:

The Hon. J.H.C. KLUNDER: As usual, the Leader of the Opposition does not have a clue what he is talking about. The $12 million that he referred to has nothing to do with the Woods and Forests Department: it concerns IPL (New Zealand). It is typical of the man that he opens his big mouth before he puts his brain into gear. That is one of the things that we on this side of the House have to put up with time and again.

The Hon. H. Allison interjecting:

The Hon. J.H.C. KLUNDER: The member for Mount Gambier just asked the same question as the member for Victoria did. If he wants me to, I will start from scratch and answer it all over again. This year there has been a positive cash flow in Woods and Forests and the—

Mr D.S. Baker interjecting:

The Hon. J.H.C. KLUNDER: The honourable member is again showing his ignorance. He is talking about a revaluation of the forest reserve. The positive cash flow to which I have referred means that the profit is higher than the forest revaluation reserve. If the honourable member—

The Hon. H. Allison: The Auditor-General disagrees with you.

The Hon. J.H.C. KLUNDER: The Auditor-General is talking about a snapshot picture on 30 June 1988. This is as up to date as the Liberals have been for years but we have moved on since then and it is now March 1989. I will answer the member for Victoria again: the positive cash flow that is necessary to pay the SAFA shareholding in Woods and Forests now exists.

HOUSING INTEREST RATES

Ms GAYLER (Newland): Will the Minister of Housing and Construction say whether in recent years he has been made aware of any Liberal Party policy statements to avoid high interest rates for housing loans? Will he say how any such statement compares with the Premier's call for 'interest rate protection for mortgage holders who are on low incomes'? Some 3 000 new home owners in Tea Tree Gully have deregulated post-April 1981 home loans and are anxious to know the Opposition's policy and how it compares with the Premier's important proposal.

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

Mr Rann interjecting:

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

Mr GUNN: The member for Newland is purely seeking an opinion in relation to Liberal Party policies (or alleged policies), which do not—fortunately—come within the province of the Minister. Further, it is obviously a prepared question from the Minister because, as the member stood up to read it, it had attached to it a 'compliments of the Minister' form.

The SPEAKER: Order! The honourable member has contributed enough in order to make his point of order clear without contributing to matters of debate. The question may be out of order but I did not hear enough of the initial words to be able to determine that precisely. I ask the honourable member for Newland to bring the question to the Chair. This may be one of the rare cases in which a question is reinstated if it is proved to be in order.

NEW ZEALAND TIMBER COMPANY

Mr S.J. BAKER (Mitcham): My question is to the Premier. Was Mr Geoff Sanderson's conflict of interest in the negotiations which led the South Australian Government to become involved in the IPL (New Zealand) timber venture revealed to Cabinet at the relevant time and, if not, why not and who does the Premier hold responsible? Mr Geoff Sanderson was one of the South Australian Government's principal negotiators in the IPL deal when it was finalised in 1985. At the time Cabinet agreed to make the investment, Mr Sanderson was employed by the South Aus-

tralian Timber Corporation. He was also the fifth largest shareholder, with 100 000 shares in Westland Industrial Corporation Limited, usually referred to as Wincorp. This was the New Zealand company which formed the IPL joint venture with Satco, and whose directors were later the subject of legal action taken by the South Australian Government alleging fraud in the negotiations.

The *7.30 Report* last night said that Mr Sanderson had admitted he would have gained financially through his shareholding in Wincorp if the IPL venture had been successful. In an interview on last night's program, the present Minister of Forests said that his predecessor, the member for Spence, would have dealt with this conflict of interest at the time if he had not been satisfied with the situation. However, this directly contradicts previous statements by the former Minister. Someone is not telling the truth.

The SPEAKER: Order! The honourable member is not entitled to debate the question.

Mr S.J. BAKER: On 21 October 1987, the member for Spence answered a question about Mr Sanderson's shareholding in Wincorp by saying:

> I am not sure of his personal business involvement in these companies or any other companies.

The facts so far revealed suggest that Cabinet, contrary to the present Minister's statements last night, did not sufficiently inform itself about a serious conflict of interest in a deal which continues to expose the Government in a multi-million dollar loss.

The Hon. J.C. BANNON: This question, like the previous one, indicates real laziness on the part of the Opposition and, in the case of the second question, a short-term memory loss. The member on the redefined front bench who asked the question ought to stand up for his rights a little bit more. Perhaps then he would be asked to do more than retell—virtually word for word—something which was dealt with on a television program the previous night. Simply to come into the House at Question Time and ask questions about something which was covered in a television program, without providing any new information or knowledge whatsoever, indicates a great deal of laziness and lack of ideas on the part of the Opposition.

In relation to the short-term memory loss, it ignores the fact—as was pointed out in the program—that this matter has been very well covered in this place previously. No new information on this matter was provided in the television program last night. The member for Victoria does well to crouch back in his almost front bench seat and look a little uneasy because he knows very well that he asked these questions; in fact, he was leading the probe in this particular matter in 1987, and did so quite effectively. Apparently, his colleague on what is now no longer called the front bench was dozing off at the time and did not realise that fact, so perhaps there ought to be some communication. It indicates the way in which these people are not talking to each other; they have been so devastated by the fiddling around with their responsibilities that they do not communicate with each other.

To return to the core of the question and Mr Sanderson's conflict of interest, his shareholding in Wincorp was made quite clear to Satco and, presumably, he did not take part in the decision-making process on matters where that interest was in conflict. His involvement was also known by Mr John Heard, the consultant who acted for the corporation in respect of the IPL amalgamation so, as has previously been advised to this House, his involvement was common knowledge. Mr Sanderson was not, as alleged, the person who put the deal together or the person who was responsible for the decisions. On the contrary, he was an adviser in the amalgamation process.

As reported in the program, he stood to gain only if the merger was successful. So, rather than the Government being misled in any way, he had every incentive to ensure that the merger was successful. Those matters have been put before the House. When asked a question without notice in this technical area, the former Minister said honestly that he would need to check out the situation. It is all very well to quote that as being the final word on the matter or as being the definitive statement, but the Minister subsequently made a number of statements which made this quite clear. Rather than just retell what the honourable member might have heard on television last night, why does he not do his own research and ask question on matters of substance.

Members interjecting:

The SPEAKER: Order! I rule that the question originally submitted by the honourable member for Newland is in order and I call on the Minister to reply.

HOUSING INTEREST RATES

The Hon. T.H. HEMMINGS: I thank the member for Newland for her question and, Sir, I regret that the member for Eyre should be so ashamed of his own Party's attitude to housing generally that he tries to stifle informed discussion in this House. That sort of action is not to his credit. I am tempted to just answer 'No' to the question and sit down. However, this matter is of vital importance to the community.

Mr GUNN: On a point of order, Sir. During the course of the Minister's response to the dorothy dix question from the member for Newland, the Minister imputed improper motives to me and that is contrary to Standing Orders. I ask for a withdrawal.

Members interjecting:

The SPEAKER: Order! I do not uphold the point of order. The honourable Minister.

The Hon. T.H. HEMMINGS: As I said, the whole question of the Liberal Party's attitude to interest rates is of vital concern to the community and it needs to be aired not only in this House but also outside in the community through the media and through other areas where people know that they are being conned by not only little Johnny Arthur but also the Leader of the Opposition. During the past three to four weeks since the announcement of the summit—

Mr Ingerson interjecting:

The Hon. T.H. HEMMINGS: I very rarely respond to interjections by the Opposition, but here we have the newly appointed housing spokesman—one of the simple seven—who is yet to stand up and ask a question on housing. All we hear is this tirade of, 'What are you going to do about it? What are you going to do about it?' Stand up and ask a question and then I will answer you. Do not leave it to your friends.

The SPEAKER: Order! The honourable Minister cannot refer to members opposite as 'you'. The honourable Minister.

The Hon. T.H. HEMMINGS: The Liberal Party, at State and Federal level, has freely criticised the Federal Government's monetary policy, but no-one has ever asked about, and nor has it offered to explain, its position with respect to interest rates. It has a housing policy document but I do not know whether it is mark 8 or mark 9, because I have lost count. The member for Hanson should know whether

it is mark 8, mark 9 or mark 10. That policy document was released last August and it is remarkably free of proposals for containing high housing interest rates or even discussion of that matter. Having read that document I can inform the House that the summary at the beginning contains not one word about interest rates.

Under the discussion on home ownership in the chapter titled 'Principles' there is not one word in relation to interest rates. These two omissions are rather telling, considering the professed concern of the Liberals regarding the recent rise in interest rates. It is not until we reach the second chapter of the document titled 'Strategies' that we find a reference to interest rates. I read it, with bated breath, fearing the worst. Did it contain a brilliant plan to avoid high interest rates or the answer that the Federal Government could take on to fit in with its own strategy? In effect, what I found both delighted and astonished me. The cupboard was bare! Having criticised the Hawke Government over interest rates in the first two paragraphs of chapter 2, the document then offered one of the most blatant platitudes on political record in relation to this very topical issue. The Liberal housing policy document on interest rates offers this solution to the question:

> The Coalition Government will provide a predictable and responsible economic framework which will assist the home purchase aspirations of the majority of Australians who want to take up the challenge.

In my career I have read some gobbledegook, but that takes the cake. I suggest to members of the media who wish to give a balanced view to the community at large on where the Government stands on interest rates as opposed to where the Liberal Party stands on interest rates that they ask the Leader of the Opposition his Party's view on interest rates. I am sure they will come away more confused than am I.

TANDANYA MOTEL

The Hon. T. CHAPMAN (Alexandra): My question is to the Premier. Has the Government been made aware of the source of funding for the Tandanya Motel venture near Flinders Chase on Kangaroo Island, does any member of the Cabinet have any direct or indirect interest in this development, and how will it affect previously announced proposals for a tourist development within the Flinders Chase National Park? The Premier is already very aware of my support for development on Kangaroo Island, including that in the west. However, there is great sensitivity and concern on Kangaroo Island over reports that the Tandanya project will involve Japanese investment.

The Premier would appreciate that this is a particularly sensitive issue with our high war service land settler residency on the island. I have been further informed that the principal negotiator for this project is a Mr Jim Stitt, described by the Minister of Tourism in another place on 1 December as 'a person quite close to me'. I understand that Mr Stitt previously was unsuccessful in putting forward a proposal for a development within the Flinders Chase National Park. The rights to the development within the park are now held by another company and, ultimately, the Government must decide whether it is to proceed. However, there is mounting speculation on Kangaroo Island that the Government will scrap these plans in favour of the proposed development outside the park. The Government's position on these several points would be very much appreciated.

The Hon. J.C. BANNON: No, I am not aware of the exact financing arrangements for the Tandanya proposal and I do not think it is a matter for our concern at this stage. The proposition has been before the council, as I understand, and will then go to the planning authority.

The Hon. D.J. Hopgood: That is the planning authority.

The Hon. J.C. BANNON: That is the planning authority for this development. I thank the Deputy Premier for that information. Presumably the proposal will go through the normal processes. It is not connected with the proposal in relation to Flinders Chase itself. That proposal is still being—

Mr S.J. Baker interjecting:

The Hon. J.C. BANNON: Competition is healthy. I thought that members of the Opposition were in favour of competition. It is interesting that, in this topsy-turvy world in which we live, it is a bad thing that there might be competition. On the contrary, I think the more we can ensure that there are facilities such as that, the better for Kangaroo Island, the better for our tourist industry, and the better for our State. So, that is no concern. Ultimately, it will be the economics of these projects that determines whether they go ahead, provided they meet all the planning and environmental requirements. But the end result should be useful.

In relation to the source of finance, the member for Alexandra asks whether Japanese money is involved. I do not know, but, quite frankly, I do not care, either. Indeed, I think that there has been quite a bit of hypocrisy around this issue. Members opposite were in government in 1980 when Mitsubishi of Japan stepped in and bought, holus-bolus, the operations of the Chrysler Corporation. Members opposite supported it, and so did we, and I am very glad we did, because that company has not only remained here but developed and expanded under that management.

There are many areas of our economy where Japanese entrepreneurs, Japanese investment, are involved. I happen to welcome that. I certainly support a monitoring of any situation which might get out of hand in this area. I can understand concern being expressed in Queensland over some of these developments, perhaps, although I think it is very odd for people in Queensland, which has an open slather policy on this, to now begin to complain about it. They have sort of put their whole State up for grabs—with a first in first served and do not worry about the consequences approach—and they have got a lot of investment because of it. However, we are a little more careful here about our environmental and other considerations. But, quite frankly, I would welcome more Japanese investment in our tourist and resort industry in this State. It is particularly important as we develop the direct flights from Tokyo and as we are embarking on the spending of some $600 000 on a special marketing campaign in association with that. It would be even better if we had actual Japanese partnership and participation in some of those developments.

I think that those people who are saying, 'Sure, we want to sell things to the Japanese, we want to trade with them and prosper in that way, but we don't want to have anything to do with them here in this country,' are closing their eyes not only to the very major contribution that the Japanese are already making to our community in investment terms but also to that potential. I think that is the important issue that was raised there. So, as to the Tandanya project, it will go through the appropriate processes. If it is commercially viable, if it passes the environmental tests, it will go ahead, and that is the basis on which it is being promoted.

YOUTH REHABILITATION AND ASSESSMENT CENTRE

The Hon. J.W. SLATER (Gilles): Will the Minister of Community Welfare give some assurance to the House and

to the residents of Gilles Plains that the juvenile rehabilitation and assessment centre proposed to be built at Blacks Road, Gilles Plains, will be secure and environmentally acceptable, and that it will not intrude on the privacy of local residents? As the Minister would be aware, a public meeting has been arranged for this evening to discuss the matter. The venue will be St Paul's School. There have been some misunderstandings and local disquiet about the facility, on the part of both local government authorities and some local people who are concerned that the centre will intrude on their privacy and on the amenity of the area.

The Hon. S.M. LENEHAN: I am delighted to respond to the honourable member's question. I can give him an immediate assurance in relation to the proposed relocation of the South Australian Youth Rehabilitation and Assessment Centre. I remind the House that it is currently located, within the boundaries of the Enfield council, at what used to be Vaughan House, which is now Bartonvale Hall. As I have said, that is situated in the Enfield council area and the centre will be relocated to another part of the Enfield council area. I assure the honourable member that the security will be increased relative to the security currently operating at the existing Youth Rehabilitation and Assessment Centre.

In reply to the second part of the honourable member's question, I will share with the House what is proposed in the relocation of this centre for young South Australian adults. The proposed centre will be a single storey, modern, commercial-style building that will not have fences or high walls around it. In fact, the outer perimeter of the building will be the security of the centre. I assure the honourable member that the centre will be screened on all sides with considerable native vegetation.

Contrary to what is being whipped up in the media and in certain sections of the local community, only one side of the site borders on land zoned for residential development, so its impact on future housing will be minimal. It is worthwhile pointing out that the present centre, which I understand has been there for about 30 years, abuts directly on a senior citizens' residential housing development and I understand that that development has not found a problem with the location of the centre next door.

I can understand that some local residents have concerns when they read in their local newspaper such outrageous statements as the one that helicopters will range over all the City of Enfield if this relocated small, secure centre is built. I imagine that the fear behind that is that absconders will roam throughout the Enfield council area and that helicopters will operate.

The present centre has an extremely low rate of absconders and this aspect has posed no problem for the elderly citizens living next door to the centre. I understand that a member of the family of the member for Gilles, although living close, has not raised this matter with the honourable member at any time.

A letter on this matter from St Paul's School to some of my colleagues has translated some misinformation on the subject. In that letter the centre is described as a maximum security detention centre. Ordinary members of the community would obviously imagine that this centre would be some kind of super-duper, whizz-bang technology-type maximum security prison for adults when we are talking about young offenders who are being assessed and having rehabilitation programs offered to them in this small, environmentally sensitive and much more appropriate centre than we have at present.

What has the Enfield council suggested in place of the current position? It has suggested that this centre should be located within or very close to the Yatala Labour Prison. I am sure that my colleague the Minister of Correctional Services would appreciate that we are talking here about a maximum security prison for hardened criminals in many cases. I understand that the Opposition spokesperson for community welfare has called on the community to agitate and she has whipped people up. I ask her whether she supports the relocation of the centre into the surrounds of the Yatala prison? Such a move is totally opposed to the philosophy that has been supported by both sides of this Parliament through successive Governments in terms of the way in which we deal with young offenders. I remind the House, in this climate of great care and concern for street kids (and we are talking about people going to concerts, sending donations, and supporting homeless youth), that many young people in the two centres operated by the Government are in fact homeless young people.

It seems all right for people to go to concerts, to donate money and to talk about building supported accommodation in the medium term, but the minute this Government does something constructive and humane to provide decent and proper training, rehabilitation and assessment for young people, no-one wants to have such a facility in their area. What hypocrisy! What double standards!

May I remind the House that the council making the most fuss is the council which currently has the existing centre within its boundaries. I suggest that there is a hidden agenda here, and it is no surprise to me that we are now witnessing a lot of fear, scare and prejudice against a group of young people who have not had the opportunities enjoyed by many of the children of members in this place and by other children in the community. We will now witness fear and scare. I remind the House that the Christian Brothers College, which is making a great deal of kerfuffle and expressing concern about this, also runs Rostrevor College.

One might well ask: what does that have to do with anything? I remind the House that SAYTC, which certainly is a more secure centre for older, and dare I say, hardened young people, is situated directly opposite Rostrevor College, and boys attending Rostrevor College use the playing facilities in the grounds of SAYTC. What kind of double standards are these? We are talking about a secure centre which will look like a modern commercial office block and which fits in with a range of other institutions, including a TAFE college, the Institute for the Blind and other institutions.

I believe that there are members opposite who would want to adopt a bipartisan approach to this issue because they have done so in the past. I believe that to try to whip this up as some kind of Party-political point-scoring exercise is a disgrace to people of integrity in South Australia. I intend—

An honourable member interjecting:

The Hon. S.M. LENEHAN: It is your shadow Minister who is telling residents to go out and demonstrate against this centre. It is not my colleagues—nor is it the local member—telling residents to go out into the community and agitate against a very worthwhile and humane proposal. I give the honourable member that assurance.

SITTINGS AND BUSINESS

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

That the time allotted for—

(a) all stages of the Motor Vehicles Act Amendment Bill (1989) and the Animal and Plant Control (Agricultural Protection and Other Purposes) Act Amendment Bill; and

(b) consideration of the motion for the disposal of the land in part section 529, hundred of Onkaparinga—

be until 6 p.m. on Thursday.

Motion carried.

PASTORAL LAND MANAGEMENT AND CONSERVATION BILL

In Committee.

(Continued from 23 February. Page 2162.)

Clause 36—'Property plans.'

Mr MEIER: I move:

Page 12, line 15—Leave out 'from any cause' and insert 'by reason of the lessee's failure to discharge a duty imposed by section 6'.

I know that the Minister has not been happy with the way in which amendments have come forward, but I think we made that point very clear when we were seeking to have the Bill referred to a select committee, and I will not go over those arguments now. We have had an intervening week, and it is not for me to comment on any drafting of amendments—

The CHAIRMAN: I must intervene here to make the Chair's position clear. The honourable member is absolutely correct when he states that the Committee must not refer to any drafting of amendments. Any variation to the wording of amendments and clauses is in the hands of the Committee.

Mr MEIER: I am pleased that that has been made clear. Because the Government appeared to be in a great hurry to get this measure through, there was little time for comment on the draft Bill circulated last October. In relation to property plans, the UF&S commented:

Property plans: the UF&S agrees with this section provided it means that a person found, after an appeal (if instituted) to not be caring properly for the land can be subject to the imposition of a property plan. However, some additions are necessary if this particular section:

(i) The section should include provision for variation of a plan.

(ii) There should be recognition that a lessee is required to carry out a plan only in so far as it is appropriate to do so having regard to seasonal conditions and economic circumstances.

(iii) Any property plan must have the prior approval of the relevant soil conservation authority.

Those submissions were put forward in connection with the earlier draft Bill, clause 18 of which enabled the Minister to insist on a property plan as a prerequisite to the granting of a lease or at any other time. In negotiations with the UF&S the Minister conceded that the preparation of property plans was an appropriate matter to be dealt with on a voluntary basis and that a property plan should be imposed only where there was bad management.

I contend that it is a ludicrous position that a pastoralist should, under ordinary circumstances, be subjected to a legally binding property plan. Running a pastoral property is a commercial activity and such activity cannot be conducted under the supervision of bureaucrats. In any event, circumstances in the bush or pastoral areas are subject to rapid change and pastoralists must change their plans at a much faster rate than that with which a Government department could cope. Having made this concession, the Minister is now seeking to sidestep it.

Last time the Bill was debated in this place, she made clear that she intends to impose the equivalent of a property plan on the grant of a lease. She said, in effect, that each lease will be based on an assessment and will contain conditions appropriate to that lease. The conditions that she has in mind will amount to a property plan. The measure concerning property plans needs to be amended appropriately. Having moved my first amendment to this clause, I seek the Chair's guidance as to whether it is appropriate to debate generally all the amendments to this clause.

The CHAIRMAN: The Chair is prepared to allow such a course provided the honourable member speaks to the subject that is before the Committee. The honourable member has seven amendments to this clause and the Committee does not want to go over the same ground seven times. However, the honourable member may speak generally to the clause before moving his amendments.

Mr MEIER: While on the subject of lease conditions, I have a number of matters to put to the Minister. She and her advisers labour under an extraordinary misapprehension about what 'conditions' means in this Bill. Clause 17 enables the board to fix the conditions and reservations in a lease. The clause makes its own dictionary, as lawyers would say. By 'conditions' it means all the provisions of the lease that bind the lessee other than the actual grant of the land and the reservations. The covenants, the provisos and all the other binding provisions will be conditions. It is nonsense to say that the variation clause (clause 23) does not apply to covenants. In any event, throughout the process of inflicting its fanciful plan, the Government has referred to variable covenants when it means provisions relating to management.

The relevance of this is that, yet again, the Government wants two or more bites of the cherry. A distinctive feature of its fanciful plan was contained in the draft Crown Lands Management Bill of 1987. Having included a provision to vary any conditions, the Government wants to do the same thing all over again in this clause. As drafted, clause 36 can be used to make a pastoralist legally responsible to make good not just the result of his or her own mismanagement but any damage, perhaps damage caused years ago by early settlers before people such as Peter White learned to conserve the bush or, more likely, damage beyond the control of the pastoralist, such as that caused by rabbits or goats.

If that is what the Government wants, let it pay the pastoralist to be there instead of charging rent. While pastoralists want to improve their land for obvious reasons, to force the whole cost of rehabilitation on them is not only practically impossible but grotesque. It is one of the many confidence tricks concealed in this shocking and arrogant document. The clause should be limited so that it will apply only to those pastoralists who are not good managers.

The Hon. S.M. LENEHAN: This is amazing. If I did not know better, I would have thought that the honourable member's comments were written by a lawyer. In the six years that we have both been in Parliament, I have never heard him use such terminology.

The Hon. E.R. Goldsworthy: You shouldn't be so cynical.

The Hon. S.M. LENEHAN: Cynical? I am not cynical; not me!

Members interjecting:

The CHAIRMAN: Order! I ask the Minister to take her seat and I call the Committee to order. The member for Goyder was heard in reasonable silence. The Minister has the right to reply to those comments and I ask members of the Committee to show the same tolerance to her as they showed to the member for Goyder. The honourable Minister.

The Hon. S.M. LENEHAN: Thank you, Mr Chairman. I do not intend to accept this amendment. I say to the Committee yet again that I circulated the draft Bill to all pastoral lessees in South Australia and to all groups and organisations which registered an interest in the question of the preservation and good management of pastoral land in South Australia. The original draft contained a provision

for mandatory property plans. However, I met with some of the interested parties, and I visited some of the pastoral properties, and concerns were raised with me about mandatory property plans. I returned to Adelaide and, with my advisers from the Department of Lands, we looked seriously at the requests from pastoralists that the plans not be mandatory. That is reflected in the Bill that is now being debated.

I do not believe that anyone could be more reasonable. The Bill provides that property plans will be voluntary, although the Pastoral Board may request a property plan under conditions that are spelt out clearly. I will not read those conditions to the Committee because I am sure that all members will have read them in great detail.

Mr MEIER: The Minister's response does not surprise me, because she has not accepted many of the amendments to the first 35 clauses of this Bill. The way the clause is drawn up means that pastoralists could be responsible for rehabilitating or arresting damage which is beyond their control or which occurred a long time ago. That should not be the financial responsibility of pastoralists. Pastoralists agree that their land needs to be conserved and upgraded. It needs to be kept in a positive state of management. The Government is attempting to hold a whip over the pastoralists by imposing property plans, in addition to the conditions contained in the various provisos.

It is not as though the Government does not have any power apart from that contained in this clause. Why is it that the Minister will not agree to some sensible oversight of the property plans and to state specifically that, where a pastoralist is in breach of duty, a property plan will be needed? How does one define the various factors contained within clause 6 and identify where deterioration of land has occurred and the concepts of rehabilitation and damage? It is an unnecessary and undue burden on pastoralists and I ask the Minister to accept the amendment.

The Hon. S.M. LENEHAN: Clause 36 provides that, 'If the board is of the opinion that pastoral land has, from any cause, been damaged, or is likely to suffer damage or deteriorate,' the board may call for a property plan. The honourable member's amendment proposes that the only time the pastoral board can call for a property plan is if the pastoralists or the lessee fails to discharge a duty imposed by section 6. Is the honourable member telling this Parliament and the community of South Australia that destruction and degradation of the land is fine as long as it is outside the lessee's wilful failure to discharge a duty imposed by section 6?

After debating 35 clauses of this Bill it surely must become apparent to even the most disinterested person that it is about good land management and the care and preservation of this very fragile community resource. Does it matter in the long term whether the destruction and degradation is from a cause other than by reason of the lessee's failure to discharge a duty? Surely, the fundamental principle is that the land has been damaged—as it says in the Bill—or is likely to suffer damage or deterioration and, in order to prevent, arrest or minimise this damage or deterioration of the land, or to rehabilitate the land which presumably has already been damaged, it is necessary that action under this section be taken, and the board may take that action. The honourable member's explanation demonstrates absolutely no understanding of the fundamental principles of this Bill and I do not believe that this amendment does anything to meet those principles which we have already agreed to in this Chamber.

Mr MEIER: From what the Minister has just said, I take it that she is virtually admitting that the pastoralists are there on the land through the generosity of the Government and that the Government will dictate entirely the terms of what they are there for: that they are to manage the land, to rehabilitate the land and to bring it up to some imaginary state of which we do not know what is the nth degree. The Minister said that if members—and she included me—do not understand the whole intent of the Bill, which is for the management of the land—

The Hon. S.M. Lenehan: The good management.

Mr MEIER: Yes, the good management. She went on to give the clear impression that that good management will be what the Government wants, what it imagines this land should look like. So, it is clear to me that this clause identifies the Government's true intentions better than any previous clause, although that is subject to argument. Under this clause the Government will allow these people to be on the land as servants of the Government. If they do not do the right thing, the Government will kick them off straight away. As to the economic aspect, that seems to be incidental.

The Hon. S.M. Lenehan interjecting:

Mr MEIER: The Minister said it, Mr Chairman.

The CHAIRMAN: Order! I ask the Minister to hold her interjections. I will give her every opportunity to answer in due course.

Mr MEIER: The honourable Minister has made it very clear from her comments that that is the Government's thinking. I wish that the Government would think first of what benefit the State might get not only from a land management point of view but from an economic point of view. Pastoralists as people need to be concerned and need to be given a little bit of credit for their own ingenuity, knowledge of the land and historical background in the way the land has been managed for such a long period of time. But, no, it seems there is to be a Government directive through a property plan. This identifies clearly the Government's thinking not only in relation to property plans but the total land management fiasco (as I would call it) from the pastoralists' point of view and how they must feel.

The Hon. S.M. LENEHAN: I will respond for the last time on this issue. From discussions I have had with pastoralists it seems that a number of them have developed their own property plan, which is a long-term statement of how the pastoralist intends to manage the pastoral lease with respect to, in some cases, a number of problems or areas that have been clearly identified. I received the clear impression that a number of concerned pastoralists saw the property plans as a very positive thing.

I do not think that this debate is being furthered by the honourable member's suggesting that the Minister responsible for pastoral leases—and therefore for the economic viability of the pastoral industry in that sense—would in any way wish to jeopardise that economic viability. If the honourable member proceeds in that way, it will clearly demonstrate to any reasonable person—and I suggest that most people I have met who have anything to do with the pastoral industry are reasonable people—on reading his comments that the honourable member does not understand this Bill. What we are hearing from the honourable member is a range of rhetoric rather than actual debate about the issues, because he has not addressed the very point that I made about his amendment. He has not clarified that point and I think that debate on this clause could go on for most of the afternoon.

There are a number of important clauses to be debated, so I do not intend to take the time of the Committee by answering every red herring which the honourable member wants to drag across this debate. I will say that pastoralists and members of the UF&S who have met with me would

know that the kind of claims—and I suppose you could call it abuse—that have been put forward by the honourable member are just nonsense. In my whole time in this place I have never suggested that we should not recognise the tremendous economic value—and a whole range of other values which are not just economic but social, cultural and historic—which the pastoral industry has brought to the South Australian ethos and culture. To start talking about that is a mere nonsense.

Mr D.S. BAKER: It staggers me that the Minister gets up and carries on with the rhetoric and personal affront to people on this side. When we started debating this Bill she gave an undertaking to her leader that 'We will whisk this through in no time. I know all about it and they don't know anything about it on the other side.' After about two and a half days of debate she has started to realise that she does not understand the ramifications of the Bill on pastoralists. To cover herself she had the affront to come in here the other day with a ministerial statement saying that the debate was held up by the multiplicity of Opposition spokesmen. I thought that democracy was all about anyone on either side of the Chamber being able to debate a Bill clause by clause.

The Minister is trying to stifle the debate, but she will not succeed. Clause 36 is really what this Bill is all about. This afternoon the Minister told the Committee that she has consulted with all the pastoralists and that they want voluntary land management protection and voluntary property plans. She also said that she has provided that voluntary option in this clause. That is absolute rubbish and she should know it. Clause 36 clearly provides:

> If the board is of the opinion that pastoral land has, from any cause been damaged, or is likely to suffer damage or deteriorate . . .

Everyone knows that this is an all-embracing blanket clause which contains no voluntary option for property plans. Every pastoralist knows that they are caught up in this clause. This is the guts of the Bill. This is where Government management and control comes in because, as the previous speaker said, much of the damage is beyond the control of pastoralists.

The damage caused by kangaroos, rabbits and all other feral animals is beyond the control of the pastoralists, but this clause quite clearly uses the words 'from any cause'. It does not refer to the land being degraded but, rather, it now refers to it being damaged. This clause is all-embracing. In simple layman's terms, rather than using the terms of the Minister, it means that, whether or not they like it, the board will decide that every property owner most submit a property plan. It is about time that the Minister discovered the ramifications of this Bill, because her colleagues are becoming very edgy. They are also concerned about her statement, 'I will whisk it through in no time. Don't worry about the people on the other side.' I support the amendment.

The Hon. S.M. LENEHAN: If it was not so ridiculous I suppose it would be sad. Once again we have been subjected to a tirade of rhetoric from the honourable member. I have never at any time made any statement about whisking anything through any House and the honourable member well knows that.

Mr D.S. Baker: You ask your colleagues over on that side.

The Hon. S.M. LENEHAN: I would be pleased if you provided me with the evidence. I have never said that I would whisk anything through the House. I have extended the debate by one full afternoon and an evening and thus given members opposite a chance to make further contributions to the debate. If they do not want to take that opportunity, that is fine by me.

The honourable member has again shown to South Australians, including pastoralists whom he and some of his colleagues purport to represent and purport to be their champions, that members opposite have contradicted themselves. The member for Eyre, whom I think everyone in this place would recognise probably does know more about pastoral lands and the pastoral industry than anyone else—and I am prepared to acknowledge that—has spoken on this topic. I have not been the local member for every pastoral lease in this State and neither has any member opposite. However, in his very long and detailed second reading contribution the member for Eyre said that fundamentally property plans were basic commonsense and that he did not have any problem with those plans.

Where is the position of the Opposition? So far we have seen nothing but contradictions. One honourable member has moved an amendment and another honourable member from his own side has opposed the amendment. If any honourable member wants to know their identity, they should ask the member for Alexandra and he will remind them about the way in which he spoke against an amendment the week before last.

The member for Victoria stated that I did not know anything about this Bill. I do not know how he came to the conclusion that, by extending the time of the debate for this Bill, I am not coping. I have never felt more relaxed about anything. It seems amazing that one honourable member opposite talked about property plans as being basic commonsense and his having no problem with them, but then another honourable member opposite (who I think *Hansard* will show has said this six or seven time) said that this was the fundamental clause of this Bill and that this is what it is all about. He said that this is the one clause which we would go to the wall on. On how many more clauses will the honourable member subject us to the same tired rhetoric?

I am happy to debate this clause until 10 o'clock this evening and, if that is what the Opposition wants, they know the rules of debate in this Parliament as well as I do and that they have been given a lot of extra time for debating this Bill. I believed that this Parliament owed an extension of the debate to the pastoralists. If members opposite want to impute motives to me that I did not have, that is their decision and problem, but I do not intend to be drawn into some kind of peripheral debate about a lot of nonsense.

Mr D.S. BAKER: Does the Minister believe that clause 36 allows the pastoralists to become voluntarily involved in property plans?

The Hon. S.M. LENEHAN: The short simple answer is 'Yes, I do.'

Mr MEIER: I appreciate that we must deal with many clauses and I will not delay the proceedings unnecessarily. In relation to the Minister's comments on the member for Victoria's queries, I believe that the way this clause reads, for all intents and purposes it is not a voluntary clause. The clause refers to 'from any cause' and then mentions 'damage or deteriorate', the need to 'minimise damage' and 'to rehabilitate'. It is so tightly worded that it is very clear that in a few years every property owner will be under a property plan because any Government bureaucrat will be able to suggest that an area should be rehabilitated because it has suffered damage—thus the pastoralists will have to have a property plan. The Minister is totally wrong in saying that this will be a voluntary plan: it will be a compulsory plan.

I also refer the Minister to my comments in relation to clause 23.

Mr LEWIS: I take exception to the Minister's linking my views to those of other members in this place. Whilst I belong to a Party, I represent my electorate of Murray-Mallee and express views on its behalf. I do not answer for what I say here to the Liberal Party, the Labor Party, or any other political Party.

Mr D.S. Baker: Or the Minister.

Mr LEWIS: Or the Minister, the department or ministerial advisers: rather, I answer to the people in my electorate who have placed their trust in me. If I am mistaken in that view, I am sure that that mistake will be addressed at the next election. This clause compels any lessee (that is, pastoralist) to do whatever is determined by the board to prevent deterioration or to rehabilitate any deterioration which it, or the board through its advisers, has decided has or could occur.

I am distressed that the Minister does not understand the serious financial implications that any such untrammelled power may have. The Minister knows that the board is not comprised of people who are necessarily sympathetic to the interests of the pastoralists: indeed, a majority of members are otherwise inclined. The Minister and other members of this place would regard it as being unreasonable if, for instance, local government required her to control, at her own expense, an outbreak of millipedes or European wasps, whether or not an infestation were discovered in her back yard.

That would involve the Minister in outlandish expense at a personal level. Notwithstanding what you and I, Mr Chairman, would regard as the stupidity of such a proposition as it related to the Minister or any other suburban householder, the Minister, on behalf of the Government, is advocating that a responsibility even more horrendous than this should be contemplated, indeed included, in legislation affecting pastoralists. Let us take another look at it in another way. If, in the opinion of some independent authority in the absence of the Minister and out of her view, some hoons one week-end went into the Minister's front and backyard and tore up the garden, the lawn and the exterior furniture, and if it was then decided by local government that there was an unsightly mess, she could be compelled immediately by the authority of local government out of her own pocket, without recourse to the perpetrators in any way, shape or form, to repair the damage forthwith. That is the stupidity of the proposition under this clause. That is quite unreasonable.

Nowhere do we provide for the capacity of the lessee to otherwise collect the cost from any other party who may perpetrate that damage, wholly or partly. Whilst the Minister may think it far-fetched, from my personal experience I know that groups of people unbeknown to pastoralists can get on to a pastoral lease fairly easily and do enormous damage to a large area of that lease without the pastoralist being able to identify whom it was, whence they came, how long they were there and where they went when they left. In other words, it is just not possible to identify who did it. But then, given that the damage has been done and that it offends the board or those making recommendations to the board, under this clause the board may compel the pastoralist to repair the damage. Repairing the damage is a subjective process: indeed, assessing the damage in the first place is a subjective process.

Nowhere in the entire Bill are there any guidelines to determine how damage shall be assessed and what 'damage' really constitutes. Nowhere is it defined. At some point in the future it will be possible for servants of the department to recommend to the board that it take action to compel a pastoralist to repair, according to some subjective assessment of what is 'damage' caused by unknown agents or individuals, at the expense of the pastoralist with no capacity to seek redress or compensation in the process.

That is the nub of the Opposition's difference with the Government over the thrust of this clause. We are not at odds with the Government that there must be responsible management, indeed sensible husbanding, of a fragile environment: we are merely at odds with the untrammelled power and unfettered capacity that the board and its servants will have under this clause as written. That is what we believe must be addressed and that is why we have moved the amendment. I say 'we' because in this instance I am in sympathy with and support exactly what the member for Goyder is proposing. I have listened to what he said in support of his proposition and see it as sensible and desirable. In no other legislation would we contemplate giving any Government department or official such untrammelled and ill-defined, in fact, nil defined, power. Does the Minister understand what I am saying? Does she appreciate the gravity with which this clause will impact upon the liability of pastoralists if it is used (or, indeed, I would say 'abused') by servants of the board or the board itself at some time in the future, whether vindictively or otherwise or whether in a one-off exercise or otherwise? Does she believe that it is fair for Government officials to have such undefined, untrammelled power?

The Hon. S.M. LENEHAN: Anyone reading the Bill would know that there is no suggestion that Government officials should have undefined or untrammelled power. Certainly the clause does not read like that. We are talking about a property plan which can be undertaken voluntarily and, I believe, will be undertaken voluntarily by many pastoralists the same as most people plan their normal lives and their own businesses. Financial planning or management—

Mr Lewis: That is not a problem, with great respect.

The Hon. S.M. LENEHAN: I am happy to explain what it is.

Mr Lewis interjecting:

The CHAIRMAN: Order! The honourable member will get the call if he needs it.

The Hon. S.M. LENEHAN: I remind the Committee that we are talking about a property plan that is in fact the property of the individual pastoralist, and such a plan will be developed in conjunction with the Pastoral Board and the individual pastoralist and not with a whole series of other people. The honourable member referred to cost. He asked how the lessee will be protected from exorbitant cost where a plan is prepared by the board in the few cases where the board would be involved in the preparation of such a plan for a number of reasons as covered in the Bill.

First, a significant number of pastoralists will voluntarily prepare plans; many have already done so. The member for Eyre stated in his second reading contribution that that is basic good sense. We are not talking about imposing or inflicting a horrendous requirement that people will have to repair damage that has occurred over tens of years: we are talking about a longer term strategy for the management of that lease. Secondly, good managers (and I put on the record again that I believe that the vast majority of pastoralists are good managers) will know what is required for their own leases and, as effective long-term managers, will be prepared to document their plans. Thirdly, the lease assessment undertaken for the Pastoral Board will be available without charge. I have not heard any mention of that. The lease assessment undertaken by the Pastoral Board will

be made available to the individual pastoralist without charge to the lessee and will provide a great deal of valuable information about the condition of land on a paddock by paddock basis.

Fourthly, the property planning guidelines will be notified to pastoralists without charge when they are asked to prepare a plan. Any pastoralists who want to prepare their own plan will have the guidelines given to them. The guidelines will state clearly what information is expected to be presented and where people can go to get help on particular sections.

Mr Lewis interjecting:

The Hon. S.M. LENEHAN: I thank the honourable member for his interjection. I was about to offer to share with the Committee the preliminary guidelines if members are interested.

Mr Lewis: Yes, please—incorporate them.

The Hon. S.M. LENEHAN: I have a number of pages of guidelines, but I will read out a check list of 13 items which can be included in a lease property plan. This does not mean that every one of these items will have to be included in every property plan, but it will give pastoralists—

Mr Lewis: Is it exhaustive?

The Hon. S.M. LENEHAN: It is only 13 guidelines at this stage. We can discuss it later. The first item relates to the schedule of proposed stocking rates on a per paddock basis. The second concerns the proposed fencing maintenance-development program. The third item is the proposed maintenance-development program for watering points and pipelines. The fourth relates to proposed maintenance or development of an access track system. The fifth item concerns a program of monitoring of photopoint sites set up as part of the lease assessment program. The sixth relates to a drought destocking policy. I suggest that most pastoralists would have that already—as most would certainly have most of the items referred to so far. The seventh item relates to a feral animal control program and the eighth relates to a pest plant control program. The ninth item relates to a proposed soil-land reclamation program. The tenth item relates to location and proposed management of sites of conservation significance, and the eleventh relates to tourist management and facilities. Quite obviously, that will not be appropriate for most people.

Mr Lewis interjecting:

The Hon. S.M. LENEHAN: As the honourable member well knows, there are provisions for access for a number of interested individuals, everyone from hikers through to people who are involved in four-wheel drive clubs, etc. So, if a pastoralist wanted to be involved in any activities of this type, that pastoralist would need to outline clearly those requirements in the tourist management and facilities section. The twelfth item relates to location and proposed management of sites of Aboriginal significance, and number 13 relates to location, preferred access and management of sites of public interest.

Each pastoralist will be provided with a set of guidelines for preparation of lease property plans. These are in the draft stage. They are not exhaustive, and I would think that, in line with the whole philosophy of this Bill, which is based on commonsense and cooperation rather than some kind of adversary or confrontation-type approach, those guidelines will be very useful, and certainly I believe that the pastoralists will be interested in them.

Specifically, in relation to the honourable member's question, may I say that these guidelines and requirements have been discussed with pastoralists and developed cooperatively with them. Staff of the Department of Lands have prepared draft guidelines for consideration by the Northern Flinders Soil Conservation Board. May I remind the House that that board has been involved in discussing those guidelines with its members. So, we are talking not about something that has just appeared but about something that has been developed in close working cooperation. I understand that the meeting that was held on 25 January this year was a full day meeting: it was not just a half an hour evening meeting but it went for the full day. At that meeting provision was made for exhaustive discussion and clarification of the draft and the approaches to be adopted.

It is quite clear that only a very small minority of pastoralists would have property plans prepared by the Pastoral Board. The departmental costs of preparing plans will be considerably lessened by the wealth of information which is already available to lessees. I will leave the matter at this point in the hope that the honourable member has received the information that he required in his very lengthy question.

Mr LEWIS: I would be delighted to grant the Minister leave to have that incorporated in the record, if she were willing to offer to do so.

The CHAIRMAN: There is no provision for the member to grant leave.

Mr LEWIS: Only if the Minister, of course, requests.

The CHAIRMAN: The Minister may request, but that is in the hands of the Minister. Does the honourable member wish to contribute further to this debate?

Mr LEWIS: Yes, Mr Chairman. The situation is as I suspected when I first read the legislation: the terminology used in this clause is not elsewhere defined in the Bill or in the Acts Interpretation Act. The powers conferred on the board are sweeping: they are not trammelled in any way. In consequence, I simply say again to the Minister that these wide powers (and not the ill-defined but the nil defined meaning of the terms contained in the clause, for the first time appearing in legislation of this kind as it relates to land management) will assume a *de facto* meaning that will grow across time without there being any means for us as legislators to participate in the process of the way in which that legislative action will, by fiat—by administrative fiat, at that—affect pastoralists in the future, if this Bill ever becomes law.

One other thing: I hope that the Minister understands that we do not differ from the Government's view—and indeed we share it—that there needs to be responsible management of fragile environments. However, we disagree with the Government as to the fashion in which it should take power away from the people who have the grubstake investment in the land, in the enterprise based on the land, and its responsible management. The provisions restrict the tenure and make subjective the terms under which renewal of tenure is based. They take all the aces as well as the joker into their own hands and disclose nothing to the pastoralists. Indeed, at this point there might be nothing clandestine in the Government's intention. However, I do not think so. I believe that there is something clandestine in its intention and that across time a number of pastoralists will be forced off, using the provisions of this clause in ways not ever imagined as being likely interpretations. But it will be done in that fashion to suit the whimsy of Governments comprised of people belonging to any grouping on the Left that disapproves of private ownership in any form and enjoyment of property.

I am distressed then that the Government has taken unto itself this kind of power in this way, where it is simply not prepared to identify what it is that it regards as being damage, deterioration, responsibility to rehabilitate any of

those subjective things, or what expense it would be willing to determine to compel any pastoralist to incur. Such expense could easily send a pastoralist to the wall because elsewhere the Bill provides that the Government can collect the cost of doing this kind of work even if the pastoralist decides to surrender the lease. The family or the company in those circumstances could still be up for the money spent in rectifying this so-called damage or deterioration whether or not it was caused by the livestock of the pastoralists.

That means that it could be done for any damned thing, whether the damage is done by feral goats, camels, locust plagues, rabbit plagues, or other kinds of pestilence that may overtake the land. The responsibility for restoring the land to such a state as is subjectively determined by the board is the responsibility of the pastoralist and must be done at his cost. That is the crook bit about this.

I applaud the Minister for providing us, so frankly, with information about the so-called guidelines, but she has not got a defined list. The Minister said that the list was not exhaustive and that the Government might include other things in it. Indeed, the Government does not have to put them down in regulations or anything else: they are merely so-called guidelines that do not have to appear in subordinate legislation or anywhere else.

If the Government of the day directs the board to change the guidelines, they can be changed in a trice and there is no recourse to this Parliament for amendment or disallowance. Further, if the interpretation of the guidelines changes, there is no capacity for the Parliament to debate those changes or to determine their suitability. That is the terrible thing about this kind of legislation. Where will it end up? If we are prepared to go this far on the rights and interests of tenants of the Crown, will we go the same distance in due course with freehold title? I bet that the Government already has that in mind if it wins the next election.

The Hon. S.M. LENEHAN: There is nothing clandestine happening here. I seek leave to table the check list and to have it inserted in *Hansard* without my reading it.

Leave granted.

DRAFT:

ITEMS FOR INCLUSION IN LEASE PROPERTY PLAN

Note: The attached 'Guidelines for preparation of lease property plans' provides detailed information on what to include under each item.

1. Schedule of proposed stocking rates on a per paddock basis.
2. Proposed fencing maintenance-development program.
3. Proposed maintenance-development program for watering points and pipelines.
4. Proposed maintenance-development of an access track system.
5. Program of monitoring of photo point sites set up as part of the lease assessment program.
6. A drought de-stocking policy.
7. A feral animal control program.
8. A pest plant control program.
9. Proposed soil-land reclamation program.
10. Location and proposed management of sites of conservation significance.
11. Tourist management and facilities.
12. Location and proposed management of sites of Aboriginal significance.
13. Location, preferred access and management of sites of public interest.

The Hon. S.M. LENEHAN: In this clause we are talking about a property plan. Some pastoralists already have developed a property plan, independent of this legislation. A pastoralist may voluntarily develop a property plan or, if the Pastoral Board, under this clause, believes that a property plan is in the best interests of a lease, a property plan will be developed in conjunction with the lessee: it will not simply be imposed by hordes of public servants tracking all over the pastoral country. I suggest that it would be totally irresponsible of any Minister to say, 'Here is the check list: this is absolute.' We will continue discussions with pastoralists because they themselves might want to add a number of things to the check list.

There is no requirement for everything on the check list to be included in the property plan. The check list is merely a guideline that has been developed in conjunction with pastoralists. Does the member for Murray-Mallee suggest that this Parliament should tramp out to the pastoral lands to decide on every item that is on the check list? Does the honourable member understand the terminology being used? We are here talking about a property plan.

Mr Lewis interjecting:

The CHAIRMAN: Order! I will not have a dialogue across the Chamber. The honourable member for Murray-Mallee will have the opportunity to speak again. If he so desires, I will give him the call. The honourable Minister of Lands.

The Hon. S.M. LENEHAN: I am trying to be as reasonable and cooperative as possible and to explain the position. I have gone through all the points raised by the honourable member, including that relating to cost. I cannot be responsible for Opposition members not understanding what is written in English under 'Part V—Land Management and Protection', especially in clause 36 dealing with property plans. Although in a previous career I taught English, I do not think that that is my role in this place. I am sorry if the member for Murray-Mallee does not understand those provisions. That is something that he will have to do for himself.

Mr LEWIS: Clause 36 (3) *(c)*, talking about a property plan, provides that the board may:

> . . . reject the plan and . . .
>
> (ii) prepare (or revise as the case may be) a property plan itself and recover the cost of doing so from the lessee as a debt.

Subsection (4) provides:

> If a lessee fails to comply with a notice under subsection (1) or (3)—

that is the one that I have just read—

> the board may prepare a property plan or revised property plan in respect of the pastoral land and recover the cost of doing so from the lessee as a debt.

Subsection (5) goes on to say that the bits of work that have to be done must be done at the expense of the pastoralist. The Minister has not answered my question about the property plan. It is not defined in this or in any legislation. What is by definition, in law, a property plan, which we shall be using as a tool by which administratively we could send pastoralist after pastoralist broke? The capacity is there for the Government to dispossess the lessee by that means. A property plan is not defined in law anywhere. What constitutes a property plan is for the subjective determination of the board.

The Minister has admitted that she does not have an exhaustive list of items to be included in the property plan for a lease. She has also admitted that she has no clear definition of what the terms used in the list that is provided even mean in law. If they are not defined, they can be subjectively determined. No lawyer could argue in support of or in opposition to any given plan which the board decides shall be implemented as a term of the lease in protection of a (client or in defence of the board's action) where a client attempted to get redress through the law if that client, being a pastoralist, found it onerous or unreasonable. It would be just too bad. The Bill, as written in clause 36, is currently capable of driving every pastoralist

to the wall. That is why my colleague has moved the amendments.

It is unfortunate that the Minister has not understood the seriousness of the generalities and the wide range of ways in which the terms used in clause 36 in the deliberative sense, in this legislation which she proposes to make law, can be so easily and subjectively determined as to their meaning. It will not help anybody. From one day to the next the meaning can be changed and the leaseholder will be unable to do anything about it. There is no appeal. There is no means of saying: 'I did not know that is what you meant. It is not what you told me last time we spoke. It is not what you told me when you last sent me a letter about this matter.' The meaning of the terms or the number of terms can be increased and changed at the whim of the people administering the legislation. That is the tragedy of it. It is just so nebulous.

The Hon. S.M. LENEHAN: I refer the honourable member to clause 36 (1) *(a)* which defines a property plan. The clause provides:

> . . . to submit to the board a plan (a 'property plan') detailing the proposed management of the pastoral land over a specified period.

That is the definition of a property plan. I really cannot let one of the statements made by the honourable member go unchallenged. Why would any Minister of any Government want to gradually send one pastoralist after another bankrupt off the pastoral land? I really find that comment totally obscene and I believe that if the honourable member is not being insincere—if he genuinely believes that—then all I can say is that he does not understand the reasons for this pastoral Bill and he certainly does not understand the reasons why I, as Minister, am determined that this will not be the case. I do not believe that any Government of any political persuasion would allow that to occur.

It was stated that pastoralists are contributing enormously to the economy of South Australia. For the honourable member to then suggest that the same Government that is benefiting economically from these pastoralists would systematically, diabolically, with a hidden agenda and in an underhand way seek to drive one pastoralist after another off the land through these incredible things called property plans is absurd. I cannot believe that any reasonable, rational and logical person could possibly arrive at such a conclusion.

Mr BLACKER: I had hoped that by now there would have been some clearer explanation for this provision. Maybe I am having difficulty in understanding it. In the preparation of a property plan—a property management plan—it is one thing to say that a pastoralist has been keeping records and that he knows that in paddocks x, y and z blue bush has the ability to respond after six months of destocking or it will degrade after two years of drought, or something like that. It is one thing to know and understand the vegetation that that pastoralist is talking about.

On the other hand, am I to assume that we are now talking about a property plan for the future so that pastoralist will say to the department: 'assuming it does not rain, or if it rains we will stock that particular paddock with x number of stock; if it does not rain we will not. However, what are we going to do with that stock in the meantime?' Or, does the pastoralist say, 'We have too many stock on the land and, using stock as previously determined, we could incorporate kangaroos because they are now being harvested; I will undertake that I will remove 50 000 kangaroos from the property each year until such time as stocking rates are acceptable.' All of that is perhaps going from one extreme to the other. However, as I see it, it does not solve the problem, nor does it prove a useful purpose for the management plan.

The Hon. S.M. LENEHAN: In short, it is a number of issues raised by the honourable member. Yes, it is looking to the longer term. It is looking into the future. It is not just talking about making decisions on an *ad hoc*, off the back foot, basis. It is providing the pastoralist with the ability to look forward and if that pastoralist wishes to increase his stock or productivity, then, quite clearly, the pastoralist will be able to identify some measures that he might wish to take. For example, he may wish to increase the number of watering points to maximise the situation.

The plans are aimed at improving the productivity of the land and, at the same time, ensuring that it suffers no further degradation. I am not aware whether many pastoralists have plans, but the few that I know of who have plans have seen it as a very effective management tool in relation to planning (as, I guess, one would plan any business) and looking at the possibilities—if there is a drought or if I wish to increase my productivity these are some of the things I need to look at.

No-one is suggesting that the property plan is written in concrete and that it could not be changed at any time by the pastoralist in consultation with anyone he wishes to talk with, for example, the Pastoral Board, or in response to changing climatic or economic conditions. I believe that it will be, and is already being, seen by some pastoralists as a very effective management tool in terms of the long-term planning and management of what I think we have all acknowledged (and the member for Alexandra probably said it better than any of us)—a very fragile and precious land.

I believe that once the rhetoric, fear and scare has died down pastoralists will understand exactly what it is. As I said, some are already doing this on a voluntary basis. I am not sure whether the honourable member was in the House, but the pastoralists have already been consulted and they themselves have talked about and are involved in devising a list of checkpoints that might be canvassed in such a plan.

Mr BLACKER: First, during my second reading speech I raised the possibility of the harvesting of kangaroos or other species—emus and so forth, because emu farms have already been talked about. Secondly, I do not see it as being readily acceptable that powers in relation to vegetation planting be incorporated in the legislation, and I am thinking of old man salt bush and some of the fodder trees that can be planted and brought into a particular area. This is only at the development stage and people in nearer areas are starting to look at fodder trees, some of which are quite adaptable in arid areas.

The Hon. S.M. LENEHAN: I appreciate what the honourable member is saying. I am sure that he has not had the opportunity to read the list of items for inclusion in these property plans and I will refer him to the points. As well as the feral animal control program there is the pest plant control program and the proposed soil land reclamation program. I think that these matters are very important and I thank the honourable member for raising them. They already have been identified in terms of the draft that we have prepared to help members understand the kinds of things that pastoralists, in conjunction with the Pastoral Board, will be looking at in preparing a property plan.

Mr GUNN: I have read this clause carefully and on many occasions, and I am aware of what the Minister read in relation to subclause (1) *(a)*. Will the Minister clarify the following matters. Who will have access to the property plans? Will they be available to other Government departments and for what purpose? As I endeavoured to point out during my second reading speech, if it is good enough

for the Government to claim commercial confidentiality then obviously it is good enough for that to apply to those required to supply these plans. I would like a clear undertaking that these plans will not be made available to others who may be interested in the pastoral industry without first having the permission of the person who supplied them. The document should be privileged and for the use of departmental officers only. Further, will the Minister assure us that these plans will not be made available to other departments or statutory authorities, either in this State or federally?

The CHAIRMAN: I will allow the honourable member's question, but I point out that the Committee is drifting away from the amendment. Under debate is the amendment to page 12, line 15, not clause 36 in general. After the Minister has answered this question, I ask members of the Committee to come back to the amendment.

The Hon. S.M. LENEHAN: It is important to have a degree of confidentiality about the plans. It is certainly not my intention as Minister for those plans to be sent to other departments and to be generally accessible to the public. However, several groups involved in this matter, including staff of the Department of Lands and, on the request of pastoralists themselves, local soil conservation boards, will need access to the plans. As the honourable member would be aware, the Bill provides that local soil conservation boards will play a significant role in terms of what I call self-management. The development of property plans is part of that.

It is not intended that the plans become public documents. The plans are the property of individual pastoralists but copies will, of necessity, be lodged with the Pastoral Board and will be worked on with pastoralists by the staff of the Department of Lands and local soil conservation boards. It is my intention to make a commitment that the plans not be sent to other Government departments. That is not the intention of the provision. Once and for all, that removes any allegations or suggestions made by the member for Murray-Mallee that there is some sort of hidden agenda. That is certainly not the case.

Mr MEIER: Is a pastoralist working under a property plan responsible for damage caused by the mismanagement of other people or other damage not caused by his activities?

The Hon. S.M. LENEHAN: The clause provides for the board to form an opinion that pastoral land has been damaged or is likely to suffer damage from any cause. Such damage has probably occurred over a long period and is significant damage. It is not intended that the board demand that a property plan be devised because of a group of irresponsible people coming on to the land, roaring around on motor bikes in one particular area and damaging the land. Individual pastoralists would be vitally concerned about that and would want to remedy the damage. The approach that is envisaged is based on commonsense and cooperation. It is not intended that the Pastoral Board should see itself as a distant group of individuals, five in all, who can inflict on pastoralists conditions which will cause economic disadvantage or which may be unreasonable.

The Bill's philosophy is that of cooperation, commonsense and reasonableness. In answering the honourable member's question, I refer to a point made by the member for Murray-Mallee. Subclause (3) *(c)* states that the board may reject a plan. A careful reading of all the provisions in this clause shows that it relates to an extreme situation involving a person who deliberately does not want to cooperate in terms of the aim of the Bill, which is the proper care, management and rehabilitation of severely damaged land.

To pick that out as though the board is going to be rushing around the pastoral country and the 350 leases rejecting plans and demanding that plans be prepared is quite inappropriate. That is not the intention. The board will not behave in that way. Why would it do so? The board is there to ensure the ongoing viability and future of the pastoral industry. Anyone who does not see that that is the purpose of the board is deliberatly trying to misrepresent the legislation.

Mr MEIER: The Minister nearly answered my question. Could a person operating under a property plan be required to repair damage that had occurred 20 years earlier?

The Hon. S.M. LENEHAN: I suppose the answer to that question is 'Yes' because, if the land has been so badly degraded and damaged over 20 years, it means for the individual pastoralist that there has been a marked or gross reduction in the carrying capacity of that land so as to make it uneconomic. If the land has been damaged and degraded over a period—and there is land to which this has happened—it is a totally uneconomic proposition for the pastoralist not to want to move forward to repair that damage and degradation.

The property plan does not involve a pastoralist having to repair that damage over a period of time, say, in 12 months. Rather, it involves the pastoralist sitting down with the board and experienced officers who have an understanding of the land and working out ways by which the land can be rehabilitated and made productive for the pastoralist. The spin-off is an improvement not just for the pastoralist but for posterity, because the land can be restored to a good condition, so in that sense everyone wins. We would be looking at setting a time frame with which the pastoralists themselves feel comfortable.

There is no intention in these plans or in the smooth operation of the board for conditions to be imposed on pastoralists to make them economically unviable. I cannot understand how any thinking member of this Committee would consider that the board and pastoralists themselves would agree to that. The property plans must be agreed to by the individual pastoralists. Why would a pastoralist agree to the conditions of the development of a property plan that would send them bankrupt? Surely, no-one in business would do anything like that, as it would be working against their own interests.

Mr BLACKER: In responding to the member for Goyder, the Minister said it was possible that a pastoralist could be responsible for actions that might have occurred 10 years or 20 years previously. That opens up completely new problems in the event of the transfer of a lease. Will the Government take caveats or liens over properties to ensure that, before a lease is transferred, proper monetary consideration is given for the restoration of the property in respect of permanent or semi-permanent damage caused through neglect? This involves a retrospective claim and, although this provision might work in the case of a lease held under the same ownership, in the event of a lease transfer to a new owner the problem could grow out of all proportion.

The Hon. S.M. LENEHAN: I would say that any person purchasing a lease would be aware of the conditions prevailing in terms of that lease; for example, if there was a property plan they would be aware of that property plan. So, it is a matter of considering to what extent the onus of responsibility is on the person transferring the lease or on the person who is having the lease transferred to them. All this information would have to be available to the person involved in that transfer process.

Once again the principle of commonsense must prevail. To go right back to the first white settlement and look at the degradation that has taken place from that time is a clear nonsense, and I do not suggest that at all. In the assessment section we are looking at each lease and seeing what it is like now, making a thorough and scientific assessment in conjunction with the lessee about that particular area of land, and stating where there is degradation, where there is not, where there are watering holes and fencing, etc. We are making an assessment of the condition of the land at the time at which the assessment is made. It has to be seen in that context, in terms of the whole situation of the development of a property plan.

Amendment negatived.

Mr MEIER: I move:

Page 12, after line 39—Insert new subclause as follows:

(5a) A property plan may, with the approval of the Board, be varied by the lessee.

The Minister would be aware that management of pastoral areas is not like management of higher rainfall areas. There is constant change; seasons are not the same. You might get a feed rain but no water, or a dam filling rain but no feed. Heat and high winds may dry up the effect of rain in a twinkling. A flood may produce a massive feed and a watercourse. A big dam watering a vast area might be dry for years or, conversely, it might be full for years. Plagues of this or that may come and go. Changing conditions, particularly the advent of rain in a good season, require a change of plan.

I hope that the Minister will recognise that a change of plan needs to be able to come in, and that the property plan might envisage having a new water line put down. Yet the seasons can change so that the water supply is adequate and therefore there would be no need to proceed along that course of action in the immediate future, particularly if it is causing economic hardship to the pastoralist concerned.

The Hon. S.M. LENEHAN: I am delighted to accept this amendment but point out that this is already covered in the Bill. Under clause 36 (3) *(a)* of the Bill the board may:

. . . approve by endorsement, a property plan or revised property plan;

That means that property plans can be revised. However, in the spirit of cooperation, if the Opposition wishes to ensure that that be more clearly spelt out under a new subclause, I am happy to accept the amendment.

Amendment carried.

Mr MEIER: I move:

Page 13, line 1—Leave out 'must be prepared in consultation with' and insert 'does not take effect until approved by'.

This amendment ties in the property plan provision with soil conservation. As I have explained previously, the Opposition maintains that the new Soil Conservation Act should have been passed before this Bill was brought before us. That is one of the reasons why the Opposition felt that a select committee should be implemented and why we felt that there was no need to rush this legislation into the Parliament. This amendment will prevent the imposition of a property plan unless it is first approved by the local soil conservation authority.

The Hon. S.M. LENEHAN: I do not accept this amendment. I believe that this clearly states what I think should take place—that there should be consultation with the soil conservation authority, namely, the boards. If the Opposition's amendment were accepted it would add a whole layer of red tape and delays to the approval process. I would have thought that in these days of deregulation we are trying to go in the opposite direction, rather than adding further layers of red tape.

I want to elaborate on this, because I think that consultation is appropriate (and that is there) to avoid overlap and to ensure that property plans are consistent with soil conservation plans. That is covered in the present clause. However, there are likely to be components within property plans that have nothing specifically to do with soil conservation, such as fencing, although particular watering points can impact on soil conservation. It would be inappropriate to be seeking soil conservation board approval for some of these things which are not within the ambit of that responsibility.

To accept the amendment would leave the Pastoral Board open to a situation where the Soil Conservation Board might refuse to approve a plan, and there is no mechanism to resolve this dispute. We could have an *impasse* if we were to accept this amendment. A soil conservation board might say, 'We don't wish to approve the plan', and there would be no way in which that kind of situation could be resolved, and that would not be in the best interests of the pastoralists.

Finally, I think that it should be noted that the soil conservation boards, more particularly the Northern Flinders Soil Conservation Board, have not sought this power. During quite intensive and ongoing discussions with the conservation board, they have not sought the power to approve property plans. If the established boards are not seeking the power, why is the Opposition seeking to impose this duty on soil conservation boards?

There is an inconsistency with the concept of self-regulatory and voluntary planning which, of course, is the overall concept being promoted. While the member for Goyder probably believes that this might in some way more closely tie in with the soil conservation authority and the boards under that authority, I think that the ramifications would be contrary to the interests of pastoralists.

Amendment negatived.

Mr MEIER: I move:

Page 13, after line 3—Insert new subclause as follows:

(6a) A lessee is not obliged to implement a property plan if it is not appropriate to do so having regard to seasonal conditions and economic circumstances.

This amendment attempts to further ensure that variation conditions can occur and can apply. I was very pleased that the Minister saw fit to accept the last variation condition. The pastoral lands are subjected to constant changes over long periods.

For most of us it is a different world, and those who have not experienced it find the concept hard to understand. In the pastoral lands good management involves rapid response to change. As I indicated earlier, well laid plans for pipelines or new waters may be deferred for long periods because adequate rain arrives. Because of low prices or low stock numbers, money may run out. In this respect a property plan cannot be too rigid and this amendment will provide a more sensible framework for the operation of a property plan. I urge the Minister to accept this amendment.

The Hon. S.M. LENEHAN: No, I will not accept the amendment for the following reasons. First, under the previous subclause the lessee has the ability to go back to the Pastoral Board and revise the property plan. Secondly, if this Parliament is going to be so prescriptive that it sets down two specific conditions, it really cuts across the whole concept of the Pastoral Board's sitting down with individual pastoralists and looking at their specific needs and the lease.

Further, I think this amendment would cause problems relating to who makes the judgment about seasonal conditions and economic circumstances. If we are totally prescriptive in this matter and these are the two circumstances, who will actually arbitrate, how do we define 'seasonal conditions', and what sort of economic circumstances are

we referring to? The honourable member referred to a couple of those circumstances. Should we say that that was an exhaustive list?

What if other conditions needed to be taken into account? Subclause (7) already provides the lessee with the ability to approach the board with a reasonable excuse for non-compliance. I think that, if Parliament made it too prescriptive, that is not working in the best interests of the pastoralists. Subclause (7) makes it very clear that the board is the judge of the circumstances. I oppose this amendment, because it is intended that the board will sit down, look at individual cases and make decisions in a commonsense and cooperative way.

Amendment negatived.

Mr MEIER: My next amendment on file is consequential, so I will withdraw it. Whilst the Minister has accepted one amendment, that was a very small concession. That amendment does not deal with the practical problems of this clause relating to property plans. I am very disappointed with the Minister's attitude on this clause. On at least two, perhaps three, occasions she said that she would give assurances that such-and-such a thing would not happen. However, we do not know whether she will be the Minister in one or two weeks, so that assurance does not mean a thing.

If a question arises relating to a legal or technical matter, the legal authorities will not look at *Hansard* to see whether the Minister of the day gave an assurance. Whilst those assurances might read well with the electorate and even with a few pastoralists, they do not count for anything. In these areas specific provisions need to be made in the Bill and the Minister has rejected most of them.

The Minister has also said that commonsense must prevail. It is a pity that commonsense has not prevailed from the word go. First, the Pastoral Land Management and Conservation Bill should have been given much more time before it was debated in this place, and I referred to that earlier. Because the Minister has not accepted the Opposition's amendments, which at least would have taken the whip away from the current provisions, the Minister (as she virtually acknowledged in her replies) or the board can, for any cause, implement property plans.

In answer to my question as to whether a pastoralist would have to repair damage caused 20 years earlier, the Minister finally said that that is the case. I suggest that all pastoral lands be looked at because there could be argument in each case that all pastoralists need a property plan due to damage or deterioration having occurred in the past. For the Minister to say that the property plans are voluntary is simply a smokescreen in order to implement property plans if and when required. For that reason the Opposition opposes this clause.

Mr D.S. BAKER: I support the remarks of the member for Goyder. The Minister tells us that there has been consultation all along, that it will be implemented after discussion with the pastoralists and, if there is disagreement, it will be listened to. She then said that she did not mean that it should be 'from any cause has been damaged' but only if dramatically damaged. She then said that it would apply only if the lessee maliciously did not comply. However, that is not clear in the Bill. None of these extremes are stated. If pastoral land has been damaged or is likely to suffer damage from any cause, the board has the power to step in and insist on a property plan.

Now, we have the guidelines, which we have not seen before. The Minister says that the pastoralists have submitted some of them and would agree to them, but some are quite draconian. I agree with the member for Goyder that we strenuously oppose the clause. If the board imposes a property plan on a lessee who, through no fault of his own, is made responsible for something that happened 20 or 30 years ago or for something resulting from division III (public access), will the Minister and the board stand behind the pastoralist and impose restrictions on that public access if that is the cause of the damage and stop access under division III? Alternatively, will they not stand behind the pastoralist in that situation? That really gets to the bottom of what it is all about.

If we are going to force the pastoralist to conform to all items to be included in the property plan, will the Government and the Minister stand behind the pastoralist when the degradation or damage is not of his making and help him to correct it. That will mean, under division III, cutting out public access in sections 42 to 44 of the legislation. We will then know whether or not the Minister in her hour of consultation and help is fair dinkum.

The Hon. S.M. LENEHAN: We are debating clause 36 finally. I will point out again (and I hope this will be the last time) that the introduction to clause 36 sets the scene. It states:

> If the board is of the opinion that pastoral land has, from any cause, been damaged, or is likely to suffer damage . . .

I refer members to the word that I think is most relevant in that clause, namely, the word 'may' on line 18. It states:

> . . . the board may, by notice in writing to the lessee, require the lessee—

It does not say that the board will or must—it says that the board 'may'. So, there is a discretionary ability for the board to sit down and talk with the individual pastoralist regarding whether a property plan is required. The member's saying that the board 'will impose' does not give a proper and broad reading to that aspect.

With respect to degradation, I remind the member that under Part VI, relating to access to pastoral land, we are talking about a clause that in the Bill is directly as a response to requests made by pastoralists. The one piece of consistent feedback that I have had from pastoralists is that they are happy with the provisions of access. True, the Opposition may have introduced some minor amendments this afternoon that I have not had an opportunity to see, and that is unfortunate. I may well be happy to accept them, but it is my understanding that, under the composite Bill which was discussed widely in the community, the pastoralists raised with my predecessor a number of issues regarding access. This Bill addresses those issues, so we are talking about very clearly defined access routes which will not allow people to tramp in willy-nilly all over the pastoral lands.

In terms of general provisions of access—and I notice that we are again looking at that part in relation to Aborigines—no-one will be able to take a vehicle, horse or camel onto the pastoral lands unless they remain on access routes. They will not be able to move off those routes without the permission—and I emphasise 'permission'—of the individual pastoralist. So, why would the Pastoral Board then want to say that no-one can do that when a clear reading of these access provisions indicates that that provision is already there?

Why would not the individual pastoralist who had had his land degraded through any cause exercise his rights under this Act and say to anyone who sought their permission to drive a vehicle or in some way further degrade the land that they would be unable to do that? With respect to Aboriginal people, the same provisions that are in the current Pastoral Act have been picked up under 'public access, rights of Aboriginals'.

Aborigines have exactly the same rights in the new Pastoral Bill as they had in the old legislation. I stand to be

corrected, but I have not had one representation from a pastoralist who had sought to change that and who came to me and said, 'We are not happy with the way in which Aboriginal people conduct themselves on the land. Minister, we want you to tighten up the provisions that exist in the current legislation to further prevent Aboriginal people from exercising what is seen as a quite legitimate use of the land by Aboriginal people under the clear definition of a traditional pursuit.' I really believe that the Pastoral Board will in a very sensitive way respond to the issues that the honourable member has raised. The provisions of access quite clearly ensure the protection and care of the pastoralists' land while at the same time provide access to those people, be they bushwalkers or other groups of interested visitors.

It is owned by the public of South Australia, and most pastoralists are very comfortable about that, provided that they have the assurance in relation to access routes and that they have the assurance that people will not be rushing onto the land and having car rallies, or doing a whole range of other things, without their permission. I believe that the points raised by the honourable member are covered quite adequately in the Bill.

The Committee divided on the clause:

Ayes (26)—Mr Abbott, Mrs Appleby, Messrs Bannon, Blevins, Crafter, De Laine, Duigan, and M.J. Evans, Ms Gayler, Messrs Gregory, Groom, Hamilton, Hemmings, Hopgood, Keneally, and Klunder, Ms Lenehan (teller), Messrs McRae, Mayes, Payne, Plunkett, Rann, Robertson, Slater, Trainer, and Tyler.

Noes (18)—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, Lewis, Meier (teller), Olsen, Oswald, and Wotton.

Majority of 8 for the Ayes.

Clause thus passed.

Clause 37—'Verification of stock levels.'

Mr MEIER: I move:

Page 13, line 11—Leave out 'statutory'.

I believe it is typical of the Government's urban ignorance that it should require a multikilometre drive for a pastoralist to complete a form. We note that for stock or muster numbers a statutory declaration is needed. The Government is not prepared to accept the word of the pastoralists. They have to get a JP to sign the form saying, 'Yes, your muster numbers are okay. If you declare that, I, as a JP, will sign it.'

Members interjecting:

Mr MEIER: It will be adequate for the pastoralists—

The CHAIRMAN: Order! I ask the honourable member to resume his seat. The noise levels in here are intolerable. I ask the Committee to come to order. This Committee will be conducted in a proper way. I ask members to keep their conversations down if they must have conversations. The honourable member for Goyder.

Mr MEIER: Thank you, Mr Chairman. Surely it would be adequate for the pastoralist to declare stock numbers without a statutory declaration. The Government could make a false declaration an offence. However, the Government is not accepting the word of the pastoralist. We have seen time and again so far in the amendments that the Government gives last recognition to pastoralists and first to others. Here is a clear case of that. I hope that the Minister will accept the amendment.

The Hon. S.M. LENEHAN: I shall be brief in my response. I do not think that it is being totally unreasonable. There have been discrepancies in the stock numbers which have been indicated by some pastoralists. Numbers have been clearly identified by the Department of Agriculture in the wool census returns, so it seemed appropriate—

An honourable member interjecting:

The CHAIRMAN: Order! If the honourable member wishes to contribute, I will call him later.

The Hon. S.M. LENEHAN: In order to protect the interests of pastoralists and everyone, a statutory declaration, which is clearly understood by everyone to have legal recognition, is required. That is not unreasonable.

Mr MEIER: Here is a clear case where the Minister has contradicted herself in relation to earlier clauses when she said that commonsense would prevail. This is a case where commonsense can prevail. How are pastoralists to get the statutory declarations? It is often difficult enough for people in my electorate, who do not have anywhere near the distances to travel to obtain statutory declarations, to find Justices of the Peace. The Minister seems to think that it will be a great exercise once a year to get pastoralists to find a JP and have the appropriate form authorised in that way.

There are other conditions in the Bill, some of which the Opposition will be seeking to amend, which give the board and, by implication, the Minister so much control over the pastoralists in determining stock numbers, yet the Minister is not prepared to make life just a little easy for the pastoralists in this respect. She is clearly saying, 'There have been false returns. I do not trust pastoralists.' It is a tragedy that that should be the Government's attitude to people. The Minister is happy to accept the word of other people—tourists, Aborigines—but not pastoralists. She is virtually saying that they cannot be trusted and must have a statutory declaration. I appeal to the Minister once again: here is a chance for commonsense; take up the offer while it is there.

Amendment negatived.

Mr MEIER: My amendments to lines 14 and 19 are consequential and I withdraw them. I move:

Page 13, line 24—After 'subsection' insert '(2) *(b)* or'.

The Minister might be aware that the submission of the United Farmers and Stockowners on this clause was as follows:

> While the UF&S understands the thrust and import of this section, this additional clause is needed to provide financial protection for a lessee ordered to muster stock, where such a muster proves the number of stock present as contended by the lessee.

If members look carefully at subclause (5) they will see that the Crown will only pay for a muster when the board carries it out. The poor old lessee, who musters as ordered, is left to carry the expense of a disrupting and troublesome exercise. To muster sheep depastured in heavy scrub can be difficult, especially sheep that are out on paddock water. This amendment extends the subclause to provide that the Crown must pay for the dutiful lessee's muster where his declared stock numbers are substantiated. I believe it is imperative that this amendment be carried, otherwise a lessee who musters as ordered will be prejudiced. I urge the Minister to accept the amendment.

The Hon. S.M. LENEHAN: This amendment is not the same as the one that was on file, but I think I understand what it seeks to do. Once again, I think that the honourable member has misunderstood this subclause. The requirement to conduct a muster will be enforced by the board in particular circumstances: it will not be the normal thing. It is possible to ascertain the number of head of stock without conducting a muster.

Members interjecting:

The Hon. S.M. LENEHAN: The lessee can provide a declaration of the number of stock.

Members interjecting:

The Hon. S.M. LENEHAN: I am sure that the Chairman of Committees will give everyone a go.

The CHAIRMAN: Order! I ask the Minister not to respond to interjections and to direct her attention to the Chair.

The Hon. S.M. LENEHAN: Thank you, Mr Chairman. It is very difficult when every player is trying to win a prize. The whole thing is a shambles. However, we will proceed.

Members interjecting:

The Hon. S.M. LENEHAN: Look at what is going on opposite. Members are contradicting one another. They are coming in with two and three amendments.

The CHAIRMAN: Order! Will the Minister resume her seat. This Committee will not be conducted like a shouting match. If I have to draw this matter to the attention of the Committee again I will have to start naming people. I want this Committee to be conducted in the orderly way in which Parliament expects it to be conducted.

The Hon. S.M. LENEHAN: I am not prepared to accept this latest amendment, which I think is either the second or third amendment that we have had dropped on us this afternoon.

Mr MEIER: That clearly shows that the Government is using the pastoralists as it wishes. They will pay for the rehabilitation of the land and higher rents, and under this clause they will pay for musters that have to be conducted at the Government's whim. There is no consideration given to the pastoralist who is trying to do the right thing. Earlier the Minister said that it was not the Government's intention to drive pastoralists off the land. Previously I referred to examples where pastoralists have been driven off because of excessive rents. In certain other countries—countries of extreme socialist persuasions—rents and other conditions have been set at such an exorbitant rate that the people occupying the lands live in poverty. Here it appears that, while the pastoralists might have the chance to walk off the land, that is all it will be because we will later see that the provisions for compensation leave much to be desired. I am disappointed that the Minister will not accept the amendment.

Mr LEWIS: The Minister is bloody unreasonable, and so is the Government.

The Hon. S.M. LENEHAN: I take personal offence at that.

Mr LEWIS: In the strongest possible terms may I use an adjective—

The CHAIRMAN: Order! The honourable member will take his seat. I warn the honourable member—

Mr Lewis: Why?

The CHAIRMAN: Because if the Chair directs a member to take his seat, he will do so immediately. I am issuing a warning. The honourable Minister.

The Hon. S.M. LENEHAN: Mr Chairman, I ask you to rule that the honourable member withdraw that comment. It is grossly insulting, quite unfair and inappropriate.

The CHAIRMAN: A request has been made to the member for Murray-Mallee to withdraw the language that he used. The Chair is not in a position to do anything other than ask the honourable member to withdraw.

Mr LEWIS: Mr Chairman, am I compelled to?

The CHAIRMAN: No. The language is not unparliamentary. A request has been made to withdraw and the matter is with the honourable member.

Mr LEWIS: I understand what the Minister has asked of me but I want her to understand the strength of feeling that I express on behalf of the people for whom I am speaking and, in any other circumstances, I would be happy to use in its place whatever other strong adjective I could. It is unreasonable to include a clause of this kind in the legislation. It is the same kind of provision that drove a friend of mine from pastoral leases in Chile after the Allende Government came to office. Within 12 months he was driven to the wall. He was not antagonistic towards that Government and assisted it in developing what were considered at the time to be enlightened and sensible guidelines for the management of land. However, the Government used its administrative powers, which were not included in legislation, and compelled him to meet the cost of mustering his livestock after confiscating his property rights and freezing his bank balances. That struck me as unreasonable but he was fortunate to be able to get out of the country with his life.

That has relevance here, as many of his animals died because they were mustered in high summer. Nowhere in this Bill is the board compelled to take account of other factors that might mitigate against having a muster within a 30 day period. Given the level of understanding that the Minister and her advisers have demonstrated to date of the kind of conditions which prevail in pastoral country—the level is so low as to be a lack of understanding—I doubt that one could rely on the good sense of the Minister and other people working for her in a Government of this persuasion not to cause great distress and loss to pastoralists, not to mention my feelings for the animals that might be so distressed by the exercise that they would die in their hundreds.

I do not know whether any members opposite have worked in pastoral country: I have, and in weather conditions such as those prevailing now it is pretty easy to perish before lunchtime if you do not take water with you. You would not get even halfway through the day out in the open, yet heat conditions of the kind being experienced in the metropolitan area at present can go on for weeks on end. Mustering a pastoral lease takes more than a couple of days respite that might come after a fleeting cool change. If you are halfway through a muster, what the hell do you do?

I can foresee circumstances in which stupid and unreasonable bureaucratic demands could be made that would be cruel to the animals, not only the sheep but also dogs and horses. Notwithstanding my concern for livestock, it would be equally devastating to the fortunes of the pastoralists. There would be substantial losses, if not in stock numbers, then in terms of fleece weight and quality. If sheep are moved in the sort of heat where they are under moisture stress for three or four days, there is a break in the staple. I guess that the Minister does not give a damn about that.

There is no requirement anywhere in the Bill, let alone in this clause, to compel the Minister or her servants to take account of the weather conditions prevailing at the time. They can simply issue the order and it has to be done, and done at the expense in all ways of the pastoralist and his livestock. To say the least, it is unreasonable in the highest degree.

The Hon. S.M. LENEHAN: I am disappointed that the member for Murray-Mallee is not willing to withdraw that comment.

Members interjecting:

The Hon. S.M. LENEHAN: No, you were asked to withdraw it. I found that comment grossly insulting. I am sad to say that it does not reflect the kind of debate that we have been having for 3½ hours, and we are now dealing with the second clause considered today. Insulting people is not necessarily the way to end up with a productive decision. I will clearly outline what I believe verification of

stock levels means. If the board has cause to believe that the statutory declaration of stock levels on a lease is inaccurate, that stock levels were declared to be lower than were actually on the lease, the board has the power to require and, if it so chooses, to carry out, that muster. One might call it a verification muster, for want of a better word.

If the board is correct and if the figures were inaccurate and there was an increase in the number of stock on that lease, it seems appropriate that the lessee should pay for that muster. However, if the board is wrong in terms of compelling a muster, then subclause (5) has effect. I said earlier that I thought that the declaration should be by statutory declaration; as that would give protection for the lessee as well as the Crown. Subclause (5) provides:

> If a muster carried out pursuant to subsection (4) verifies that the stock levels as declared by the lessee in accordance with this section were accurate, the cost of carrying out the muster will be borne by the Crown.

That is fair. It clearly spells out what the situation is and I urge the Committee to support the clause as it stands.

Mr LEWIS: Notwithstanding the Minister's explanation that the cost is to be borne by the Crown if the statutory declaration was found to be accurate, what happens to the losses sustained by the pastoralist in the course of conduct of the muster? I do not suppose that members, including the Minister, imagine for one moment that it is possible to pop out after breakfast, slip around the mob, put them into a pen, run them down the drafting race and count them before lunch, as one can get around the shops in most city electorates before morning tea. That is not on. Organising a muster on a pastoral lease requires weeks of careful planning. It has to be done at a time of the year when weather conditions make it less likely to cause distress and loss. Of course, the Minister will tell us that commonsense will prevail, I am sure. Unfortunately, that is something that most pastoralists do not believe the Minister or members of the Government possess.

In their opinion it is not demonstrated by the kind of substance contained in these measures, and I share that view. I do not wish to be offensive to the Minister, or to any other member. At no time during the course of my remarks about the Minister's attitude did I say anything that reflected upon her person. Mr Paul Keating has used far more colourful and insulting terms about people than anything I have ever said to the honourable lady or other members of this place. However, I am quite sure that many pastoralists would happily apply the adjectives used by Paul Keating to describe members of the Opposition in the Federal Parliament to anybody associated with the drafting and conduct of this legislation.

Therefore, I say to the Minister that, notwithstanding her reassurance about the so-called cost if things turn out to be right, the permissible margin of error is not included. If the pastoralist is one animal out then it can be said, 'We told you so, now you have to pay'. There is no provision for a reasonable margin.

This sort of muster in this day and age with modern technology is an absolute nonsense. It can be done with infra-red photography after dark. The animals on any given lease can be counted within two days of a photograph being taken. There is no need to use an aircraft. As far as I am aware it would be possible to use existing satellites and other technology to actually count the number of animals. Given that one could expect a certain number of kangaroos and other feral animals to emanate about the same intensity of infra-red radiation after dark, one could estimate very accurately, to within a few score, the population of grazing animals held by the pastoralists for the purpose of profit on a lease. Yet, we see such antiquated measures, such unreasonable attitudes and such unrealistic requirements reflected in this legislation. This makes me wonder about the Minister's sincerity and, for that matter, her awareness of the available technology to do the job.

Mr D.S. BAKER: I agree with what the members for Murray-Mallee and Goyder have said in relation to clause 37. This clause shows the contempt which the Minister has for pastoralists by requiring them to furnish the board with a statutory declaration. It includes provisions which allow the Government not only to get out of paying for it, but also to catch out the pastoralists. Subclause (5) refers to the accuracy of stock levels as declared by the lessee. The word 'accurate' means precise. Some leases are 50 square kilometres—or even 100 square kilometres. The same result is supposed to be obtained on two given occasions, but lambing or calving goes on all the time on many pastoral leases. Yet the Minister is saying that the declaration has to be precise or the Crown will not pick up the cost.

The wording of subclause (5) is contemptible and I implore the Minister to remove it because it makes her and the Government the laughing stock of every rural person in Australia. I know that this Bill has been written by bureaucrats or people who do not understand the problems, and I know that the Minister does not understand them, but if she took this point to any reasonable rural person and read clause 37 out she would hear the laughter and the dismay from those people because it is impossible to carry out a muster on pastoral lands and it is impossible to have an accurate, precise count on two different occasions. I believe that the Minister is using this clause to get the Crown off the hook.

Mr MEIER: This again is a commonsense matter. The board can require a lessee to muster stock and, if a muster is carried out and it is found that the numbers are in accordance with what the lessee said originally, the Government says 'Thank you very much. You pay for it, of course: you had to do it.' The Minister is saying, 'No, we won't do it.' That identifies what the Minister and the Government are really up to with this Bill.

The Hon. S.M. LENEHAN: The honourable member has misinterpreted the clause, and I would ask him to reread it. If, following a muster, the board finds a discrepancy in the numbers, commonsense would prevail. No-one in their right mind would suggest that it has to be the exact, precise number.

Mr Meier interjecting:

The Hon. S.M. LENEHAN: Accuracy is one thing: to say 'precise' is another. I believe that commonsense will prevail. We are not talking about small discrepancies—

Members interjecting:

The CHAIRMAN: Order! We will have this Committee conducted in the right way.

The Hon. S.M. LENEHAN: It has been brought to my attention that there have been considerable discrepancies in terms of numbers. I understand that in one situation about 1.3 million sheep were identified through departmental returns, yet the Department of Agriculture, through the wool census returns, indicated that there were some 2 million sheep. That is a fairly significant difference.

Members interjecting:

The Hon. S.M. LENEHAN: We are not talking about lambs. I think the Department of Agriculture is sufficiently sophisticated to tell the difference between sheep and lambs. Once again, this is a deliberate attempt to use fear and to suggest to pastoralists that somehow the board will rush willy-nilly around the pastoral lands insisting that they have musters. That is not the case at all. This is simply a provision for the board to be able to require that a muster take

place to verify the stock levels. Going back to the principles embodied in this Bill, I would have thought it is in everyone's interests—pastoralists, conservationists and the community generally—to be fairly sure about the number of stock involved in the pastoral lands, otherwise the whole intent of the Bill is subverted. That will not happen.

Amendment negatived.

Mr MEIER: I move:

After line 26—Insert new subclause as follows:

(5a) For the purposes of this section, a declaration as to stock levels furnished by a lessee will be taken to be accurate if a subsequent muster finds that the numbers of stock on the land are less than or do not substantially exceed those declared.

This matter has been alluded to already by several Opposition speakers. It is recognised that there should be some provision for identifying that, if a muster is within—

Members interjecting:

The CHAIRMAN: Order! I call the member for Hayward to order.

Mr MEIER: —a reasonable positive or negative level and does not substantially exceed those declared, that will be acceptable. As the member for Murray-Mallee, I think, pointed out earlier, there is no such provision. Under this clause the board or the Minister would be entitled to penalise people if the numbers were out by one or two.

Hopefully, the Minister would appreciate that in the vast country about which we are talking significant discrepancies could occur. Let us be even more specific and say that they should not substantially exceed the numbers presented. The Minister should be aware that normally a stock count is taken only at shearing time, after which it can readily be perceived what sheep have missed the muster.

At any particular time stock numbers on the books can be inaccurate through deaths, theft, straying, stragglers, strangers and late lambs. A pastoralist can only make an estimate of the situation as against his book count and, therefore, some leeway should be allowed before the pastoralist is charged with the cost of the muster which would be a disrupting and troublesome exercise, to say the very least. The Minister has stated that the pastoralists must pay for everything and she has demonstrated that she has no trust in them. I hope that she will at least agree to this subclause which allows for some slight variation in the numbers.

The Hon. S.M. LENEHAN: Could the honourable member define what the Opposition means by 'substantially exceed'? The amendment refers to a 'declaration', which contradicts the previous wording 'statutory declaration' as already agreed by the Committee.

Mr MEIER: It is difficult to find suitable words and I acknowledge that several possibilities were considered when this amendment was being drawn up. I do not have my notes with me, so I cannot relate what other possibilities were considered, but I believe that, at the very least, the Minister should further consider this matter. As this Bill has to go to another place, perhaps the Minister could indicate her acceptance of this amendment with the proviso that suitable wording can be agreed. I suppose that one could use the term 'plus or minus 10 per cent'. However, the statistician may say that that provides for too great a variation and percentages reduce it to a specific figure. I make no apology for not having the exact wording, but it is difficult to insert words that are not totally prescriptive.

Some of the arguments presented on this Bill have related to the fact that it is too prescriptive. Perhaps the Minister could acknowledge that some tolerance should be allowed because, if not, some draconian official could say, 'I have caught you out by five. I will throw the book at you.' In such a situation, the pastoralist could not appeal against that decision. I know that the Minister will say that commonsense should prevail, but there is a lack of commonsense in this clause and, hopefully, my explanation will help the situation. If my first proposal is not acceptable, perhaps suitable wording could be agreed upon before the Bill goes to another place.

The Hon. S.M. LENEHAN: It will not be the decision of an official: rather, clause 37 (1) refers to a decision of the board. An official will not have that power and I would not agree to an individual official being able to take action. However, I think that this matter could be looked at and a tighter definition could be inserted. Some agreement could be reached that addresses the issue of the limits of tolerance. I am sure that between now and when the Bill comes back to us from another place we can agree on appropriate wording. I oppose the amendment as it stands at the moment, but I give the honourable member an undertaking that we will look at the problem and will try to agree on some appropriate wording.

Mr BLACKER: Will the Minister check or explain a figure she quoted to the Committee a while ago, in considering the amendment of the member for Goyder, regarding 1.3 million sheep on a property?

The Hon. S.M. Lenehan: No, overall.

Mr BLACKER: It came across as 1.3 million sheep on a property.

The Hon. S.M. LENEHAN: No, I was just giving an example. I explained that it was an average. The discrepancy was drawn to my attention and, in the interests of informed debate, I thought I should share it with the Committee. It was an overall figure and did not relate to one property. When the Agriculture Department came up with its figure, it was substantially different.

Mr D.S. BAKER: I thank the Minister sincerely, for saying that she will look at this because the whole clause makes not only her but also some of her officers the laughing stock of anyone who knows anything about rural industries. None of us would want that to happen or to impose that upon the pastoral or agricultural industries. It is commonplace in pastoral leases at shearing time for there not to be a clean muster. It is almost impossible on many pastoral leases to muster the stock accurately in the time provided for shearing. It is generally held amongst pastoralists that there is normally a second shearing. The member for Peake should consult with the Minister on this, as he will agree that a clean muster is almost impossible. Often the second shearing consitutes up to 10 per cent of stock numbers on that property. I should have thought that it was reasonable to have a variation of plus or minus 10 per cent (in this case plus 10 per cent).

It is reasonable in any statutory declaration made by the pastoralist for numbers to have altered in the period of time of making it to the next muster. That would be due to natural increase or whatever, and the Minister should take into account natural increase. I would like to hear the Minister's view and what she thinks is a reasonable compromise in order to make this clause acceptable to the average person in the pastoral industry.

The Hon. S.M. LENEHAN: I have already indicated to the member for Goyder, who I understand is the lead speaker from the Opposition, that I am more than happy to undertake to look at that and ascertain whether we can come up with a reasonable definition. I remind the member for Victoria that if an amendment is moved by the Government in another place it will have to come back here for us to debate. It is not productive, given the available time frame, to start canvassing a range of options. I have given an undertaking that we will look at it and there will

no doubt be some discussion in the other place followed by further discussion in this place.

Mr S.J. BAKER: I find it quite extraordinary that the Minister has not considered the whole matter because musters are totally inaccurate. Every muster is an approximation because one has only the animals on hand. Surely, in terms of accuracy of numbers it is more critical, in those circumstances where the numbers are approaching the capacity of the land, to carry those numbers whereas a deviation of 50 per cent in the areas where the stock numbers are well below what is allowed to be carried anyway would not be significant.

A person may say, 'I am not really interested in doing an accurate count,' and neither should they, because they are working well within the tolerance limits. The danger comes when somebody is overstocking the property, as the Minister would recognise. In the Minister's deliberations and between now and the other place or during the debate in the other place, I ask her to look not only at the tolerance placed on the estimation numbers but also at the tolerance of the carrying capacity of the land concerned, because surely that is the critical value that we should all be looking at. This is so important in relation to those people who overstock and make assumptions about weather conditions. These people think that they can carry stock through certain conditions and that, if they get rain, they have done very well. However, if they do not, it degrades the land and they suffer loss.

I ask the Minister to consider the carrying capacity so that pastoralists are well aware of the tolerances within which they are working. I would have thought it was infinitely reasonable and that if, under normal circumstances, they were working on carrying capacities, that a 10 per cent tolerance was appropriate. If you are well below those levels, tolerance levels do not matter a great deal.

Amendment negatived.

Mr D.S. BAKER: Concerning the person authorised by the Minister to count the stock, I do not know whether she counted them in her dreams, hoping that this Bill would pass quickly. Who will be authorised to count the stock? Will they come from the Department of Lands or will we have an authorised pastoralist or a member of one of the pastoral houses—someone who has experience in counting stock? For anyone who has counted stock, as the member for Peake would no doubt be aware, it is very difficult, and it would not suit someone thrust out of an airconditioned office in Adelaide onto a property to be asked to count sheep. He would be highly inaccurate and he would probably feel very uncomfortable in this heat.

The Hon. S.M. LENEHAN: There will be an authorised person who will be a pastoral inspector, and also involved will be other staff of the outback management branch of the department. It would also be appropriate, depending on the people of the Pastoral Board, for members of the board to be involved in that. There will be properly authorised personnel—

Mr D.S. Baker interjecting:

The Hon. S.M. LENEHAN: No, they will not be doing it on their own. I thought I made that clear. Quite obviously, what is happening here is a deliberate attempt by the Opposition to stall the passage of this Bill.

Members interjecting:

The Hon. S.M. LENEHAN: Mr Chairman, I am delighted to see that the Deputy Leader, who is out of his place, is interjecting in this debate—

Members interjecting:

The CHAIRMAN: Order!

The Hon. S.M. LENEHAN: —because he is the person who ascribed all kinds of motives to me and, notwithstanding that, he was still happy, on behalf of his Party, to accept an extra day to debate this Bill. He is now saying, in a jovial fashion, 'Well, I gave them extra time.' Let me put on the public record for everyone to read that the deliberate stalling and wasting of that time has been nothing to do with me and everything to do with some members of the Opposition—certainly not all but some. We can work out what is happening here. I am pleased to say that there will be properly authorised people to carry out such stock assessment and, of course, they will be competent. They will be appointed by the Pastoral Board. Already we have pastoral inspectors, and they will be assisted by—

An honourable member interjecting:

The Hon. S.M. LENEHAN: They will not necessarily be greenies. I hope that is on the public record. Let the public of South Australia know that we are talking about an Opposition which is totally opposed to any kind of principles of conservation, and a clear reading of the debate on this Bill will show that. Certainly, there will be properly authorised people to carry out the inspection.

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

Clause passed.

Clause 38—'Notices to destock or take other action.'

Mr MEIER: I move:

Page 13, line 38—Leave out paragraph *(c)*.

The amendment seeks to remove the provision under which the board can require a lessee, in the case of damage, etc., to carry out the improvements or works. Not only is this already covered by the variation clause and by the property plan clause that we discussed extensively earlier this afternoon, but inherent in the provision is the concept that the lessee can be required to make good old damage or remedy the rabbit or goat problems, or other problems that in no way relate to management. It is to be noted that both paragraphs *(c)* and *(d)*, under which the lessee can be required to adopt or desist from specified land management practices, have strayed into the Bill since the October draft, so that the industry has not had a proper opportunity to consider the implications.

Here is another example where it is all very well for the Minister to say that this Bill has been around for many months, but there are many specific items in the Bill which have not been around, and this is a classic case. Will the Minister tell the Committee just exactly what management practices she has in mind here? I know that she has alluded to a considerable depth of management practices in relation to the earlier clause on property plans, but this provision also relates to undertaking 'specified improvements to or land treatment works on the land'. I want to know what sort of management practices the Minister has in mind, which practices she wishes to stop and which practices she wishes to enforce. As I have indicated earlier, I believe that the Bill places far too many sanctions on pastoralists. That is one of the key reasons for the Opposition's moving to amend this clause—so that the improvements or works as referred to in this clause cannot be forced upon the lessee.

The Hon. S.M. LENEHAN: I do not accept the amendment to remove paragraph *(c)*. I will not again refer to the arguments that we have canvassed in the last three hours of debate. I believe that I have covered this matter in my response to the amendments to the clause on property plans. However, I believe that the removal of this provision would greatly restrict the land management and conservation provisions of the Bill. It is important to have powers to order

the rehabilitation, for example, of watering points, the rebuilding of fences and other land management oriented improvements. It is also important that there be greater flexibility in requiring improvements of land treatment works in response to specific circumstances and conditions. Once again, of course, the board would discuss this with the individual pastoralists. This is to ensure that potential land degradation is contained and prevented. In the case of rehabilitation of watering points, in particular, the improvements have the effect of improving the carrying capacity of the land and can only be to the benefit of the lessee. I do not intend to canvass yet again the benefits to the lessee by improving the carrying capacity—because I am sure that all members of this place would agree with that.

Mr MEIER: Will the Minister comment briefly on why it was decided to include paragraphs *(c)* and *(d)*, particularly paragraph *(c)*, in this clause. Those provisions were not in the draft Bill. Surely, the matters to which the Minister has just alluded would be contained in the property plan so therefore is this not repetition?

The Hon. S.M. LENEHAN: No, it is not repetition. As I have explained over some 2½ hours of debate, the property plan relates to a longer term management plan which considers the future of a lease. Productivity is looked at, as are the aims and objectives of the individual pastoralist with respect to his or her lease. Here we are talking about the whole question of destocking. Thus, we are talking about a much more immediate situation. We are not talking about the long-term situation here. It is important that there be some provisions to ensure things like an increase in improvements to the watering points and that, where necessary, fences are replaced. One cannot necessarily replace fences over huge tracts of land, but there might be an appropriate and very important area where that needs to be done. The reference to 'specified improvements to or land treatment works on the land' relates to the shorter term and to more specific things which will impact directly and immediately on the care and management of the land or, to put it another way, things which would have a detrimental effect if nothing was done, and further exacerbate the degradation and destruction of certain sections of the land. I refer, yet again, to the whole question of watering points.

Amendment negatived; clause passed.

Clause 39—'Reference areas.'

Mr MEIER: I move:

Page 14, line 17—Leave out 'may' and insert 'must'.

We see that there is no provision whereby the Minister must fence the reference areas, yet there is a significant obligation on the pastoralist not to cause any stock to enter the reference areas. It seems to be a complete contradiction.

The clause represents another provision which was not in the previous Bill, so we have no feedback about it from the pastoralists. We should remember that, although the Bill has been circulated to many pastoralists, by the time they got it and considered it we had very limited scope. There is to be another meeting in relation to this matter in a week or so, but that does not help us now.

The clause provides for the setting aside of reference areas up to one kilometre square. If the Minister does not fence, the lessee is required to keep stock out of the area. It is another instance where the lessee would be forced to fence if the Minister did not, because of the further proviso in the clause. I hope that the Minister will accept the amendment.

The Hon. S.M. LENEHAN: It is appropriate that I should canvass all the provisions in the clause, because there is a further amendment and I should like to indicate my position to the Opposition. First, I am not prepared to accept the amendment 'must be fenced', but I am prepared to accept a reasonable and sensible compromise. There could be some reference areas which will not require fencing because of the geographic features in which they are situated—for example, natural hills and roadways—and part of it could be fenced already. To say that they must be fenced will not necessarily achieve the Opposition's aim. I certainly do not believe that lessees should be required to pay for fencing. That is not the intention and I will ensure that it does not happen.

What I intend to do, in an attempt to be perfectly reasonable, is to ensure that, in another place, an amendment is moved to the effect that, where a reference area is required to be fenced, it must be fenced by the Minister. That will have to be discussed in another place.

I am more than happy to accept the second amendment, which relates to the whole question of reference areas, namely, the removal of subclause (4) *(b)*. If we remove subclause (4) *(b)*, we are not in any way insisting on pastoralists having to provide fencing to keep stock out of an area. Where fencing is required, the fencing will be built at the Minister's cost.

I am happy to accept that but I am not happy to insert 'must', because it has been explained to me that there are some areas that may not require fencing and will still not be a problem to individual pastoralists. Whilst these situations might be very few and far between, I think that a more appropriate amendment in another place will certainly pick up the concerns raised by the honourable member.

Mr MEIER: I am pleased that the Minister acknowledges that there is a problem. I briefly refer to her statement that she will endeavour to see that certain conditions will not be applied whilst she is Minister. However, in relation to her successors, she cannot answer on their behalf. I will not pursue that.

Amendment negatived.

Mr MEIER: I move:

Line 22—Leave out paragraph *(b)*.

Amendment carried.

Mr MEIER: What sort of limitations, if any, on the creation of reference areas does the Bill envisage? What if the area includes a major dam or natural watering point? I could see that causing problems in the future. Can the Minister comment on that and say whether or not there would be compensation for the loss of an important section of a pastoral lease?

The Hon. S.M. LENEHAN: This gives me the opportunity to put to rest a myth which has been—dare I say—maliciously circulated among pastoralists and which has been brought to the attention of officers in my department, someone having decided to, yet again, raise the whole fear and scare bogey. I am not suggesting that the Opposition is responsible; however, rumours have been put abroad in the pastoral lands that these reference areas would constitute about 10 per cent of the leases. That is absolute and utter nonsense, and anyone who read the Bill would know that. Therefore, I know that these rumours did not start with—and I am sure had no support from—the Opposition.

Mr D.S. Baker interjecting:

The Hon. S.M. LENEHAN: Well, I am being very generous. I am sure the member for Victoria will recognise that.

Mr D.S. Baker interjecting:

The Hon. S.M. LENEHAN: Well, I have a few virtues and that is obviously one of them. In subclause (2) *(a)* the Bill refers to a reference area not being greater than one square kilometre in size, which, if anyone has any misapprehension about that in relation to a standard size pastoral

lease, is certainly not 10 per cent. So let us get that furphy off the agenda. What are the criteria? I raise this question because I believe the honourable member is genuinely interested in the whole question of reference areas. It is something new and I think it is a quite exciting innovation that will work. I will explain some of the issues. The criteria for selection will include many factors. We most certainly will not be using watering points, dams, etc.: that would be quite counterproductive to the whole concept of a reference area.

The criteria will include: the extent to which an area of land represents a defined major land system; that it is large enough to include the major land units; the distance of the land area from stock water; and representations from the local soil conservation board or other professional groups to preserve an area for study or research. So, if we receive a representation from people wishing to research pastoral lands and they want to identify an area for that research, we could tie that in with the reference area. We would not be looking at setting up a number of reference areas adjacent to each other. This once again, dare I say, will involve a commonsense approach.

The criteria will also include representations from a lessee to reserve an area for monitoring or protecting a particular type of vegetation. In fact, we want to include lessees in the identification of these particular reference areas. Also included is the isolation of an area in which there is chronic or serious feral animal or pest plant penetration to enable comparison with a protected area that does not have that particular type of degradation. Also, reference areas will be selected on the basis of their proximity to defined tracks, and that again is important, as it avoids degradation by moving across the land.

Unfenced areas are more likely to be selected in the more extensive land systems north of the dog fence. These would include the larger, more diverse areas where there is no appreciable livestock impact. The reference area provides an on-the-ground comparison of the effects of grazing, whether by livestock or feral animals, on a particular type of vegetation under comparable seasonal conditions. It provides a benchmark for comparison with other similar sites in a more degraded or grazed condition.

Clause as amended passed.

Clause 40—'Establishment of public access routes and stock routes.'

Mr MEIER: I move:

Page 15, line 3—After 'stock routes' insert ', or both'.

One should realise that under this provision a stock route can be declared a public access route if required as such. The Opposition maintains that a stock route is a facility for travelling stock. It has been put to me that it is a relic of the days preceding modern motor transport. In that regard the Committee might wish to hear a brief comment from the Minister of the extent to which she believes stock routes are still used. The new public access route is another matter. A stock route may be totally unsuitable to be used as a public access route. If a stock route is to be used as a public access route it should be proclaimed a public access route.

The Hon. S.M. LENEHAN: The Government accepts this amendment.

Amendment carried.

Mr MEIER: I move:

Page 15, line 36—Leave out all words in this line.

Under this legislation the Minister is not obliged to maintain a public access route in a trafficable condition. The Minister has made a point of stating that the Bill opens up the pastoral lands more than has been the case. It is not out of the question that groups or persons using the lands may inflict damage on a particular route. If so, why should pastoralists be responsible for maintaining that route? An incident has been brought to my attention involving the army. It had been raining prior to the army's going through and the track was churned up terribly. According to the present provisions, no-one is responsible for that damage. The term 'trafficable condition' has been used in the amendment. We have not said that a track must be in A1 condition but, if the army has ploughed up a track, surely the Government, which has been keen to see public access routes opened up, should come to the rescue. I urge my amendment on the Minister.

The Hon. S.M. LENEHAN: I cannot accept this amendment. Surely if the army churns up tracks with monstrous tanks, trucks or other implements of destruction in terms of pastoral land and other things, the responsibility is on the army. Surely the honourable member is not suggesting that the State Government should accept that responsibility. Care, control and management has been vested in the Minister to overcome any residual problems with lessees being made liable for negligence under the Wrongs Act.

Secondly, to suggest, as this amendment does, that the Minister must maintain a public access route in a trafficable condition, means that my department would need a budget akin to that of the Highways Department. We are talking about access routes over 80 per cent of the State. I must correct the honourable member with respect to his comment about the Government's wanting access routes. Access routes were defined in response to requests from pastoralists that the community did not move on to their land in an unrestricted way. Once again, the honourable member has demonstrated that he does not understand the provisions in this Bill or their origin. This measure has come from the pastoralists who want access routes so that they can clearly define where the public can go. The Government understands that and has accepted liability so that pastoralists will not be liable under the Wrongs Act.

If the Government had to maintain every access route in a trafficable form, I would need a larger budget than that of the Minister of Transport. Access routes have come about as a result of working closely with a number of groups which made representation to me, including four-wheel drive and off-road vehicle clubs. I admit that there will be problems if the roads are not accessible to ordinary vehicles, but there may be a way around them. By working with the users of identified access routes, the department could devise maps similar to those provided by the RAA, setting out those places where users would strike a number of waterholes or creeks crossing that route, making it impassable for anything other than four-wheel drive vehicles. Some form of signage could also be used. Such groups have a role to play in helping to identify and map the routes and to provide clear signage for tourists, visitors and car clubs seeking to use the routes.

I realise that the honourable member did not hear what I said earlier. They are not our access routes in the sense that we want them. They have been included in response to the request of pastoralists to give them some degree of privacy and an understanding of where tourists and visitors will be on their land. It is perfectly reasonable. I indicate to the Committee that although I will not accept new subclause (9a), I will accept the amendment in respect of new subclause (9b).

Amendment negatived.

The Hon. S.M. LENEHAN: I would like to deal with the remaining amendments separately.

Mr MEIER: I move:

Page 15, after line 37—Insert new subclause as follows:

(9a) The Minister must maintain a public access route in a trafficable condition.

Amendment negatived.

Mr MEIER: I move:

Page 15, after line 39—Insert new subclause as follows:

(9b) A lessee of pastoral land over which a public access route or stock route is established is not obliged and cannot be required to keep stock off the route, and may use the route for the purpose of droving stock.

The amendment is self-explanatory.

The Hon. S.M. LENEHAN: I am concerned about the numbering of the new subclauses. If the amendment is accepted, would it become new subclause (9c)?

The CHAIRMAN: This new subclause will come between subclauses (9) and (10) and be numbered accordingly.

Amendment carried; clause as amended passed.

Clause 41—'Travelling with stock.'

Mr MEIER: I move:

Page 16, line 22—After 'gate' insert 'or other means of access'.

This amendment will enable a lessee to provide access to a stock route by means other than a gate, such as a fence lift or other modern means.

The Hon. S.M. LENEHAN: I am pleased to accept the amendment.

Amendment carried.

Mr MEIER: I move:

Page 16, line 24—After 'gates' first occurring insert 'or other means of access'. Leave out 'gates' second occurring and insert 'points of access'.

This amendment is, for all intents and purposes, consequential.

Amendment carried; clause as amended passed.

Clause 42—'Rights of Aborigines.'

Mr MEIER: I move:

Page 16, line 30—After 'Aborigine' insert 'who is a member of a tribe that has a tribal affinity to particular pastoral land.'

The Minister clearly considers that the traditional pursuits of the Aboriginal people means the traditional pursuits of the local tribe in the area, as she stated in the debate on the last day of sitting. That was my interpretation of what the Minister said. As this clause stands, it would enable an Aborigine from anywhere in Australia to claim that he or she was entitled to hunt on the land. That is unnecessary. This amendment is reasonable, it makes the situation quite clear and I urge its acceptance.

The Hon. S.M. LENEHAN: I think that the honourable member knows what my response will be. Of course, I am not prepared to accept this amendment. Earlier we adopted for the purposes of this Act the definitions of 'Aboriginal people' and 'Aborigine', which we took not only from other State Acts but from Federal Acts where it is appropriate that these definitions be applied. So, we have the standard definition: that is the first point. Also, the amendment moved by the honourable member is incredibly restrictive and does not show an understanding of Aboriginal people. What about Aboriginal people who come from a particular land area that has been totally settled by white people, such as some of the areas around the City of Adelaide? Is the Opposition saying that those people should not have any access at all when they do not have any registered tribal land of their own?

Mr Meier interjecting:

The Hon. S.M. LENEHAN: That is exactly the point. As I have said in this place before, while I have studied Aboriginal history and culture I do not pretend to be an expert. However, I believe I have an affinity with and an understanding of Aboriginal history and culture. I believe that this amendment just ignores the fact that Aboriginal people have an affinity with the land which many white people perhaps do not understand. To say that they can only go on a particular part of the pastoral land from which their historic tribe came does not show an understanding of the whole concept of Aboriginal culture and tradition. We have argued this in the Parliament, and it is one of the fundamental differences between the Government and the Opposition. We could argue here all night.

Members interjecting:

The Hon. S.M. LENEHAN: The Deputy Leader is grunting and groaning, moaning and carrying on. Let me say that—

Members interjecting:

The CHAIRMAN: Order!

The Hon. S.M. LENEHAN: —not one pastoralist has made representation to me saying that there are specific problems relating to the practices of the current Act. What we have done in this Bill is pick up from the regulations under the current Act the access that Aboriginal people now have. We have not extended that: all we have done is put in this Bill a definition of 'Aborigine' and 'Aboriginal people'. We have not extended that beyond what currently exists.

I have not had pastoralists marching into my office saying 'Aboriginal people from the cities are coming in their hundreds and degrading pastoral land.' Why is the Opposition raising this issue, if it is not because of an inherent prejudice against Aboriginal people? I can come to no other conclusion, because I would have heard from pastoralists if they were concerned about Aboriginal people, who have exactly the same access under this Bill as they have under the current Act. They would have come and said, 'Minister, we have really serious problems. Will you please amend the legislation?' They have not done that. If there are problems and they have not come to me, I am sorry; I am not prepared to accept what I consider to be a racist attempt to prevent access.

Mr D.S. BAKER: That is a quite malicious statement made by the Minister, who all through her lengthy speech fell into a trap. We do not have any problem at all with Aboriginal people: they are welcome to go onto those pastoral lands, and we support that. It is the urban Aborigines with whom we have the problems, that is, the people who have no affinity with that land, but who want to claim it as their homeland. That is what we are trying to protect the pastoralists from. We love to have the Aboriginals there: they have a tribal right in that land, and we support that. The Minister spoke about 'Aboriginal' all through her speech, when she meant 'Aborigine'. She is the one who does not understand the Act or our concerns. I support the amendment.

Mr MEIER: I take great exception to some of the Minister's comments. I believe strongly that people within Australia should be treated as equals, but it is obvious from this that that is not going to be the case. I also recognise that there are Aborigines who are associated with a particular tribe—

Members interjecting:

Mr MEIER: Government members may laugh: it only shows their total lack of concern for this particular issue. They want to brush it to one side, but that is not good enough.

Members interjecting:

The CHAIRMAN: Order! I ask the honourable member to sit down. We have reached a point in the debate where temperatures are rising. There is no need for this debate to be conducted in any way other than that in which the rest of the debate has been conducted. Everyone who has some-

thing to say will be given the opportunity to say it. I hope that interjections are kept to a minimum.

Mr MEIER: For the Minister to say that certain Aborigines cannot come onto the land is ridiculous, because that is adequately and totally catered for in clause 43, with which we are about to deal. The people who do not have tribal affinity with that land are quite at liberty to go onto it, as is any other person, whatever the colour of their skin. Why should we distinguish here? Surely the Minister is aware that Aboriginal groups have their tribal areas which they still cherish, and another group would not be welcome there and would have no right to be there. Our amendment is a commonsense one, but the Minister does not seem to be prepared to consider things which are commonsense but which do not suit her.

The Hon. S.M. LENEHAN: I do not think I can let that statement go unchallenged, because I believe that it is irrational. Nobody except the Opposition has indicated that there is a problem. There is this kind of obsession in saying that we do not have a problem with 'Aboriginal people' but we have a problem with 'Aborigines'.

Mr D.S. Baker: You've got it the wrong way round.

The Hon. S.M. LENEHAN: It is the other way around. I refer to the definition from which I am working and which provides that 'Aboriginal people' are people 'who inhabited Australia before European colonisation'. I do not think the Opposition recognises that for these people the land is a living religion. I do not think that white Anglo-Saxon, dare I suggest middle-class males, would necessarily understand that concept. We are not talking about Aboriginal people wanting to come on and take possession. This is not a land rights debate, as I understand it. I am sure that the pastoralists, through their representatives and as a consequence of my writing to 350 of them, would have been very quick to reply and say, 'We've got real concerns about this. It isn't working now.'

For the last time, let me say that we are not changing what is happening now. This is the current practice. Give me some examples of incredible degradation of the land and incredible destruction of pastoralists' plant and equipment, and then perhaps we could discuss that, but no such examples have been brought to my attention. I am not prepared to accept an amendment which I believe discriminates against the people who were here first. It is very easy for the member for Goyder to say, 'We treat everybody equally.' That is fine if you all start the race at the same point. May I suggest that many Aboriginal people started so far behind the starting line that it would take generations and centuries for them to catch up.

Amendment negatived.

Mr MEIER: My next amendment on file is consequential on the previous proposed amendment, so I will withdraw it. I move:

Page 16, after line 37—Insert new subclause as follows:

(3) Nothing in this section gives an Aborigine the right to interfere in any way with stock, plant or improvements on pastoral land.

Subclause (1) authorises an Aborigine to:

. . . enter, travel across or stay on pastoral land for the purpose of following the traditional pursuits of the Aboriginal people.

Subclause (2) restricts the right of an Aborigine to camp. In order to prevent clashes of rights, it is essential that this clause makes it clear that an Aborigine is not authorised to interfere with pastoral activities. Traditional pursuits can well be pursued without an Aborigine's interfering with stock, plant or improvements. My amendment makes this clear.

The Hon. S.M. LENEHAN: I believe that this amendment is irrelevant. Clause 52 (1), which relates to the misuse of pastoral land, provides:

A person who, without lawful authority or excuse—

. . . *(c)* damages or interferes with pastoral land, or anything on pastoral land;

I believe that that subclause more than adequately covers everybody, including Aborigines and every other person who goes onto pastoral land, so I do not see any point in having a repetitive clause.

Amendment negatived; clause passed.

Clause 43—'Right to travel across and camp on pastoral land.'

Mr MEIER: I move:

Page 16, line 40—Leave out 'or a stock route'.

This amendment and the deletion of 'or a stock route' in clause 43 (3) follows my earlier amendment to provide for a stock route to be declared a public access route where the intention is to use the stock route as a public access route. As the Minister agreed to that previous amendment, I hope she will see her way clear to agreeing to this amendment.

The Hon. S.M. LENEHAN: I am happy to accept the amendment.

Amendment carried.

Mr MEIER: I move:

Page 16, lines 41 and 42, and page 17, lines 1 and 2—Leave out subclause (2).

These are consequential amendments.

The Hon. S.M. LENEHAN: I will not accept the second amendment. It deletes clause 43 (2), which gives bushwalkers and hikers the ability to go onto pastoral lands, provided that they notify the lessee in writing or orally. I canvassed this point with representatives of the pastoral industry with whom I met. They were happy about it because we are not talking about people riding horses, camels or motor bikes, or driving motor vehicles or any other kind of vehicle. We are talking about the dedicated group of people who like to bushwalk. Nobody will seriously say that such people will cause degredation to the land. It seems reasonable, from a good manners, commonsense approach, for these bushwalkers to be able to say to the people who have the lease of that land that they are proposing to come onto that land and to give details of where they will be.

The pastoralists said to me that it is important for reasons of safety and security of the individuals that they know where people are. It is important that pastoralists be informed that bushwalkers or hikers will be on their land as that is basic good manners and a commonsense approach. The pastoralists with whom I spoke were quite relaxed about the clause, so I will not accept the amendment.

Mr MEIER: I was wrong in stating that the amendment was consequential. The next amendment is consequential on the first one. The Minister has identified the key factors in the amendment, which needs to be read in conjunction with the amendment I will move shortly.

Previously when debating the Bill the Minister said that pastoralists had assured her that they were delighted with the provisions of access. She said then, and just repeated, that she had not representations from pastoralists that they were concerned about access. I dispute that statement by the Minister, as submissions on access have been made by the UF&S regarding the October Bill. Its submission states:

The UF&S draws attention to the fact that inherent in the present legislation is the right of the public to use all the roads, paths and ways in the pastoral region. If the Government does not provide for automatic renewal of leases, and the force of the present Act continues, then the admirable objectives as detailed in the access provisions of the draft Bill will not be achieved through the passage of the new legislation.

This is another powerful reason why there should be automatic renewal of pastoral leases. The UF&S is referring to other items, but it has drawn to my attention that this clause relates to the public access provisions. It appears that there were reservations and I want to point out again that this amendment relates to equal opportunity for people travelling through the lands. The clause that we have deleted differentiated between people who are walking and people who are travelling by means of a motor vehicle, horse or camel. How on earth can the Minister differentiate in this respect: a person travelling in a vehicle might get out of the vehicle and start walking? If that person is walking, prior approval is not needed: if they are travelling in a vehicle, prior approval is needed. Why on earth is there a differentiation? I do not see why the Minister is not prepared to accept this amendment and I hope that she sees this situation in a different light.

The Hon. S.M. LENEHAN: I am delighted to respond, because the honourable member really shows a complete lack of understanding of this situation.

The Hon. E.R. Goldsworthy interjecting:

The Hon. S.M. LENEHAN: It does, I know, and it is really sad that I have to keep repeating myself. Let me explain what it means. Certainly, people can come on to the designated access routes. The red herring that was dragged before us all about pastoralists wanting automatic renewal of the lease has nothing to do with the access provisions in terms of the fact that pastoralists do not want them. Pastoralists, when asking for automatic renewal of their lease, wanted access provisions to come in almost immediately. They did not want to wait for the access routes to be clearly identified; they did not want to wait for the provisions of the new Bill to be implemented; they wanted the access routes to be defined clearly and to come into effect immediately. That is quite different from not wanting access routes. That has nothing to do with this clause.

This clause provides that people can certainly drive on the designated access routes quite legally. They do not have to ask permission or tell anyone. They might be bushwalkers, people who like looking at birds, or people who, for a range of reasons, might just want to commune with nature. I understand that pastoralists are quite happy with this provision, and I will go over it again.

Members interjecting:

The Hon. S.M. LENEHAN: I am not wasting time, because members opposite clearly do not understand what it provides.

Mr D.S. Baker: You have been using that for three days.

The CHAIRMAN: Order! I call the Committee to order.

The Hon. S.M. LENEHAN: This is different from a later clause because, if somebody wishes to drive a motor vehicle or ride a horse, a camel or, I suppose, some other four-legged animal—it does not mention donkeys but I presume one would use commonsense—they must get prior permission of an individual pastoral lessee. That is perfectly reasonable. I understand that the pastoralists think it is perfectly reasonable. I am not quite sure what the honourable member is saying.

Mr MEIER: Perhaps there is some misunderstanding, because this amendment must be read in conjunction with later amendments. We are not just talking about this amendment, and I was under the impression initially that the Minister was aware of that. The arrangements regarding travellers on foot are totally different from those proposed in the October Bill. In that legislation, a person could in effect be on pastoral leasehold other than a public access route only with the consent of the lessee or the Minister. There was a procedure if the lessee did not consent. It seems that the Minister has had a change of heart over the Christmas period and has decided that this cannot be the case, and she has just put forward the argument that she feels walkers are in a situation that is totally different from the situation of people in vehicles or on four-legged animals.

When the Minister says that the industry was happy with the arrangements, she would have been referring to the original Bill. Certainly the industry would not have had a chance to appreciate the full implications of the changes which have occurred. I reinforce the point that I made earlier. There is no problem about treating all the groups the same rather than differentiating between walkers and others.

The Hon. S.M. LENEHAN: I have to respond to this. Surely the Opposition is not seriously suggesting that the group of people, known as bushwalkers and hikers, to whom the honourable member sneeringly referred as greenies—

Mr Meier: I have not used the word 'greenies' during the whole of the debate, and I ask the Minister to withdraw that remark.

The CHAIRMAN: Order! There is no point of order, but I am sure that *Hansard* will have picked up what the honourable member said.

The Hon. S.M. LENEHAN: If I have offended the honourable member, I withdraw; but members opposite have on a number of occasions referred in a sneering way to 'greenies'. If it was not the honourable member, I am sorry.

Is the Opposition seriously suggesting that conservationists, who love the arid lands and choose to drive hundreds of kilometres in order to walk, for personal enjoyment and gratification, on pastoral lands, will degrade those lands? I cannot believe it. We had a joint meeting—

Mr Meier interjecting:

The Hon. S.M. LENEHAN: Perhaps the honourable member would listen, because he accused me of not consulting people about this clause. We had a joint meeting with pastoralists, conservationists, representatives of the UF&S and some of my departmental people, and this was presented to them. Not one person had any objection to differentiating between hikers and bushwalkers who would have to be considered generally by most reasonable people as being conservationists. If one wanted to degrade the land, one would hardly travel all that way and go on foot. It does not make sense, and there is no evidence to support it. The pastoralists have no concerns and are not prepared to accept an amendment when there is not one shred of evidence to suggest that bushwalkers and hikers are degrading pastoral lands by walking on them. Apparently members opposite want these people to give notice either orally or in writing to the lessee.

Mr MEIER: I do not know what the Minister is talking about when she refers to degrading the land. The clause does not talk about that; it talks about travelling. I have not mentioned anything about degrading the land. There is no mention of it at all. I do not know what the Minister is talking about there, but she has made her point, and I do not agree with it.

The Hon. S.M. LENEHAN: Why else would one prevent genuine bushwalkers and campers going on to pastoral lands if they were not degrading them? Would one prevent them going on the land because one did not like them, found something obnoxious or offensive about their lifestyle or the fact that they love open spaces and go on the land because they enjoy communing with nature?

Why would we want to remove a reasonable clause which has not been objected to by the pastoralists whom I have consulted or the UF&S at a joint meeting 2½ to three weeks

ago? There must be a reason for removing a clause. There must be a reason, not a whim, for its removal.

Mr MEIER: I am not trying to prohibit these people; I am trying to put them into the same category as people driving or riding horses or camels. People can ride camels to look at birds and explore the land just as well as they can on foot. The Minister says that we are discriminating against them and not wanting to let them go onto the land. We are merely asking that they should have permission to go on the land. The people who drive need permission and so do people on horses and camels. We already have three-quarters. We are simply seeking to include the other quarter. The Minister has gone round the big circle arguing nonsensically why she disagrees with the amendment.

The Hon. S.M. LENEHAN: Does not the honourable member understand that motor vehicles, camels and horses cause degradation? I am not saying they cause degradation to every area that they traverse, but they cause greater degradation than does a human being with two feet travelling in the area.

Amendment negatived.

Mr MEIER: I move:

Page 17, line 4—Leave out 'or stock route'.

The Hon. S.M. LENEHAN: I am happy to accept the amendment.

Amendment carried.

The CHAIRMAN: Consequential on the two amendments agreed to, as a clerical adjustment I intend to remove from clause 43 (2), (line 42) the words 'or stock route'.

Mr MEIER: The amendment to lines 4 and 5, to leave out 'by means of a motor vehicle, a horse or a camel', is consequential on an earlier amendment, to leave out subclause (2). That was canvassed in debate and, given that the Minister would not accept the earlier amendment, I will not proceed with this amendment. I now move:

Page 17, line 11—Leave out 'other' and insert 'natural or'.

The purpose of this amendment is to prevent camping within 500 metres of natural watering points. Now, we have within five hundred metres of several other places—a dam or any other constructed stock watering point. Representations I have had and the general feeling of the Opposition, suggest that, from the point of view of both stock and the environment, campers should be kept at a distance of some 500 metres from natural watering points as well.

The Hon. S.M. LENEHAN: While I am extremely sympathetic to the intent of the proposed amendment, I cannot accept it as I think we need to have further detailed consultations with the groups that are using the pastoral lands and with the pastoralists themselves. Therefore, I will not accept the amendment. I think it is too simplistic to just substitute 'or any natural or constructed stock watering point on the land'.

Mr MEIER: It is to include a natural watering point. The Minister already has in the Bill 'dam or any other constructed stock watering point'. The amendment seeks to include natural watering points as one of the items—so, it is not just tacking it on.

The Hon. S.M. LENEHAN: Both recreation groups and pastoralists have highlighted that fact that there are areas where people can camp near natural waters without there being any potential damage to stock or land. Also, they have highlighted areas where such camping should be prohibited. I believe that the most reasonable approach is for this matter to be handled as part of the delineation of public access routes. These will provide a means of controlling movement and can be dealt with on an individual basis, giving consideration to particular terrain and the fragility of particular watering points.

I believe it is important to consult with the groups that will be using the areas and with the pastoralists. Let us identify the natural watering points that do not have the potential for damage or degradation and ensure that we keep people away from the ones that do. I think we have to do that in a consultative way. I have sympathy for and I understand what the honourable member is trying to achieve, but I think we can achieve it in another way.

Amendment negatived.

Mr MEIER: I move:

Page 17, line 17—After 'land' insert 'or for any other good and sufficient reason'.

I believe that the grounds in the Bill for refusing consent are somewhat limited. They refer to the safety of the public, the management of stock and rehabilitative work, but clearly there may be other valid grounds. It is not possible for the legislature to think of them all. The pastoralist, confronted with a car rally, may wish to protect station tracks and gates from damage. He may be worried about the huge clouds of dust that would result from such a rally, about damage to the bush, the safety of employees, fencing, property, or his own personal safety. This amendment covers areas that may not have been considered.

The Hon. S.M. LENEHAN: I am prepared to accept the amendment. In doing so I wish to clarify my acceptance, to ensure that members of the public do not view this amendment as being some kind of obstructive clause to prevent access (and I do not believe that the Opposition sees that either). I am pleased that the Opposition has accepted the concept of discretionary decision-making. The reasons for refusal to consent were specifically listed to be consistent with the reasons for applying for a temporary closure of access routes. That is why the list was delineated—but I think it is important to have this amendment as well. I am prepared to accept that a lessee may be able to demonstrate reasons beyond these factors, and I am happy to incorporate the discretionary provision. However, I point out that this inclusion does not preclude the Minister from subsequently granting consent for access, and this provides a continuing protection for members of the public seeking a different form of access than the right granted under clause 43 (1).

Amendment carried; clause as amended passed.

Clause 44—'Public access not to be obstructed.'

Mr MEIER: I move:

Page 17, line 34—After 'gate' insert 'or other means of access'.

This amendment broadens the description of access.

The Hon. S.M. LENEHAN: The Government accepts the amendment.

Amendment carried.

Mr MEIER: I move:

Page 17, line 36—leave out 'the' and insert 'any such'.

This amendment is consequential.

The Hon. S.M. LENEHAN: The Government accepts the amendment.

Amendment carried; clause as amended passed.

Clauses 45 and 46 passed.

Clause 47—'Powers and procedures of the tribunal.'

Mr MEIER: I move:

Page 19, lines 6 and 7—leave out ', except in the case of a compulsory conference,'.

This will make it possible for a party to appear at a compulsory conference by counsel or representative. Settlement may be reached at a conference and, inevitably, a Government official will be teamed against a pastoralist, so the result could be unequal. I doubt that the intention is that the Minister who made the decision will appear in person. It might be expensive for a pastoralist to appear in person,

or the conference might fall at a busy time of the year when shearing, lamb marking or crutching is taking place. This is a sensible amendment. I realise that compulsory conferences are seen as a get-together of the parties but, in the case of a pastoralist, surely a representative should be allowed.

The Hon. S.M. LENEHAN: The Government does not accept the amendment for a number of reasons. This reflects one of the basic differences between the Government and the Opposition about taking a reasonable approach to decision making and management in the administration of pastoral leases. I remind the honourable member that, under present legislation, there is no right of appeal. It has been suggested to me that pastoralists support this provision because it enables a right of appeal. In a civilised and cooperative way, a pastoralist and a member of the Pastoral Board, or a representative of a particular department, can sit down in a calm manner and discuss their differences with the assistance of a disinterested third party. If we are serious about solving some of these problems through cooperation and discussion, it is not appropriate to adopt an adversarial, confrontational model.

If a compulsory conference does not work and talks break down, the pastoralist has the right to take his or her case to the tribunal at which he or she may be represented by a team of lawyers or even a team of Queen's Counsel. It is a complete nonsense to say that it is more expensive for a pastoralist to attend a one-to-one conference than to have legal representation. Obviously, the member for Goyder has no understanding of the costs of legal representation. It would be costly and unnecessary and it runs counter to the philosophy of this Bill, which works from a premise of commonsense and cooperation, not confrontation. It is important to ensure that legal representation is not necessary at that conference. For the first time in the history of pastoral legislation in this State, if a conference is not successful pastoralists can take their case to a tribunal at which they may be legally represented. That is an enormous breakthrough for pastoralists.

Amendment negatived; clause passed.

Clause 48 passed.

Clause 49—'Appeal against certain decisions.'

Mr MEIER: I move:

Page 19, line 44—After 'lease' insert ', or to extend the term of a lease by a certain number of years'.

This amendment relates to the right of appeal to the tribunal where the lessee is dissatisfied with the decision not to extend the term of a pastoral lease. The Government has not considered this situation. I hope the Minister will see that the amendment provides another safety outlet for pastoralists in respect of appeals.

The Hon. S.M. LENEHAN: The intention of the Bill is to have a rollover system of leases. When a lease is extended, the extension will be to the 42 years. There is no intention of providing a range of extensions at the discretion of the board. When the lease is assessed within the 14 years, it will be topped up to a 42-year period. Therefore, the amendment is irrelevant. The board does not have the discretion to extend the lease for only five years or 10 years. If an extension is granted, it will be to the full 42 years. The amendment is irrelevant because it does not relate to any other provision.

Amendment negatived.

Mr MEIER: I move:

Page 19, after line 44—Insert the following paragraphs:

(ba) a decision as to the conditions on which a pastoral lease is to be granted to a lessee pursuant to the surrender of an existing pastoral lease;

(bb) a decision under section 36 (property plans);

(bc) a decision under section 38 (notices to destock or take other action);

(bd) a refusal of consent to a transfer, assignment, subletting or other dealing with a pastoral lease;.

This amendment extends the grounds of appeal and is self-explanatory.

The Hon. S.M. LENEHAN: First, I will go through each of the amendments individually. I am not prepared to accept proposed paragraph *(ba)* because this amendment is adequately covered in the schedule of transitional provisions. It merely states once again something which is found elsewhere in the Bill. Proposed paragraph *(bb)* covers a decision to appeal against property plans. I am not prepared to accept this amendment. I would only see justification for having an appeal provision against property plans if they were mandatory. We had 2½ hours discussion earlier today on the fact that property plans are not mandatory, so why would we want to have an appeal provision against them?

I feel very strongly about proposed paragraph *(bc)*. I am not prepared—and I have had no representation from pastoralists—to accept an appeal provision against destocking. The absolute consequences of this amendment are that, by the time the destocking order was appealed against, there would be total degradation of the area in which the destocking order was made so that it could be preserved. That must be a total contradiction of the aims and philosophies of this Bill, because destocking must take place almost immediately. If one was able to appeal and maintain the stocking levels whilst appealing, what would be the point of having destocking orders at all? We might as well not have them because somebody who really wanted to misuse the land maliciously would be able to appeal and keep their stock on the land. Pastoralists have not raised this matter with me. It is a total contradiction of the provisions of destocking, and I am not prepared to accept the amendment.

In relation to proposed paragraph *(bd)*, I am happy to demonstrate again my reasonable approach to this whole question. I believe that this decision can be reviewed by administrative appeal. So, I support new paragraph *(bd)*.

Proposed paragraphs *(ba)*, *(bb)* and *(bc)* negatived; proposed paragraph *(bd)* carried.

Mr MEIER: I move:

Page 20, line 1—Leave out 'or impose a fine on a lessee'.

The tribunal has sufficient power as it is, and to impose a fine is simply an added power. We have debated the various conditions that could be imposed on pastoralists in relation to property plans and so on. There is also provision to cancel a lease. To throw in as well the option of imposing a fine is one more unnecessary addition to this Bill which will only make the pastoralists' task harder. There are plenty of provisions in the Bill to ensure that the pastoralist has to do all that he or she could possibly want to do. As the Minister would appreciate, this amendment is consequential on a later amendment.

The Hon. S.M. LENEHAN: I must take the Committee back to the previous debate. It is not, in fact, consequential on an amendment to come: it is consequential on a decision taken by the Committee. I remind the honourable member that he moved an amendment to remove the provision for a gradation of penalties for a fining system. At that time I thought that I clearly explained that I was again responding to a request by pastoralists that, instead of having the one provision of cancelling a lease, the pastoralists in consultation with me had agreed that a much more progressive way was to have a series of fines. All the way through the Bill we have references to the penalties. Now we suddenly arrive at the right of appeal of the tribunal, and I have written in to the rights of appeal that pastoralists will have the right to appeal against a decision to cancel a pastoral lease or to impose a fine on a lessee for breach of lease

conditions. The Opposition is saying, 'No, we are not going to allow pastoralists the right to appeal when they have a fine imposed on them.' May I suggest that the honourable member consult with the people in the gallery who are coaching him, because I think—

The CHAIRMAN: Order! The honourable Minister must not refer to anyone in the gallery.

The Hon. S.M. LENEHAN: I am sorry, Mr Chairman: that was just a slip. May I suggest that the honourable member reconsider his amendment, because throughout the Bill we already have a series of fines which are penalties for a number of offences and which are clearly identified throughout the Bill. This clause gives pastoralists the right to appeal against the imposition of those fines. Surely the people who are purporting to represent the pastoralists do not want to take away from the pastoralists their right of appeal against a fine. I cannot believe that that is what they intend, and I strongly oppose the removal of that right, which I have given pastoralists.

Mr MEIER: The Minister has made it quite clear that she wants the right to impose fines. The Minister makes the point that throughout the Bill there have been scheduled fines. I acknowledge that those provisions have been there. That is one of the problems in debating Bills such as this where we are dealing with provisions further on. It is only possible at this stage to remove the issue of the fines. The Minister would be well aware that, if she were prepared to accept the amendment, the need to remove some of the previous clauses could be taken care of in another place. I think I have said enough about the reason why I believe this should go through. We will find another consequential amendment further on.

The Hon. S.M. LENEHAN: I am really quite amazed about this. Anybody can see from a cursory glance that throughout the Bill there are fines provisions in a whole range of clauses. The pastoralists themselves did not believe that there should be only one maximum penalty. I will use an analogy so that I can explain this to the honourable member. If this State had only hanging as a penalty and it had no other fines, what would happen? If someone broke the law but it was not a serious offence, does the honourable member really suggest that courts would impose a sentence of hanging on all offenders, because that was the only provision which existed? What happens under the current pastoral legislation? The only sanction is the removal of that lease, which is the livelihood of the pastoralists.

When I discussed this matter with the pastoralists, I said, 'I understand that you want some gradation of penalities; you want a system of fines which clearly reflects the severity of the breach of the conditions.' I could go through the whole list relating to this topic. There is a division 8 penalty under 'Travelling with stock', so the pastoralists accepted this.

We have had this debate and discussion relating to the honourable member's amendment which sought to remove the provisions relating to the imposition of fines. The Committee supported the provisions relating to fines, because it was commonsense to do so and it is what the pastoralists want.

I now refer to the right of appeal to the tribunal. I should have thought that every member of the Opposition would support not only the provisions relating to the imposition of fines but also the right of appeal provisions. The Pastoral Board and not the Minister will impose the fine and the lessee will have a right of appeal. We will say to the pastoralists, 'Yes, you will have the right to appeal against the fine, just as you have the right to appeal against a decision to cancel a pastoral lease, to vary the conditions of the pastoral lease, or against a decision not to extend the term of the pastoral lease.'

I will oppose this amendment to my last breath, because I believe that this clause is fundamental in terms of recognising the rights of pastoralists. It seems quite amazing that the supposed champions of the pastoral industry want to remove a right of appeal for pastoralists. I vehemently oppose this amendment.

Amendment negatived.

Mr MEIER: I move:

Page 20, after line 12—Insert new subclauses as follows:

(5) A right of appeal lies to the Supreme Court against a decision of the tribunal.

(6) An appeal under subsection (5) must be instituted in accordance with rules of court.

This amendment is self-explanatory and I urge the Minister to accept it.

The Hon. S.M. LENEHAN: I am not prepared to accept this amendment. Again, I refer members to the comments I made about not dragging the administration of this Act into an adversarial confrontation situation. I believe that appeals to the Pastoral Land Appeal Tribunal provide lessees with a sufficient safeguard. They do not have that right of appeal now. Why would we drag them through layer upon layer of courts? I think that this might be some kind of legalistic plot to ensure that the legal profession has adequate access to litigation resulting from this Act. I will not be party to such an amendment, because I think that it is quite outrageous. I do not believe that the pastoralists themselves want to be involved in lengthy and expensive litigation. The Pastoral Land Appeals Tribunal provides a sufficient safeguard—and certainly a protection—which is not available in the Act. I am not prepared to accept any further delays in implementing reasonable land management practices and controls. I further believe that such an amendment would ensure additional delays.

Amendment negatived; clause as amended passed.

Clauses 50 and 51 passed.

Clause 52—'Misuse of pastoral land.'

Mr D.S. BAKER: Is it perfectly clear that this clause does not apply to the lessee of pastoral land? I cannot see anywhere that it states such.

The Hon. S.M. LENEHAN: I believe the honourable member is asking whether the lessee automatically becomes a person with lawful authority or excuse, and of course he does: that person is the lessee. We are talking about people who come onto the land or who, for one reason or another, occupy pastoral lands when not the lessee. Many of these provisions are to protect the rights of the lessee. I should have thought that that would be the normal practice at law and the normal practice in terms of the way in which these clauses are drafted. The lessee is very well protected by this clause.

Clause passed.

New clause 52a—'Act does not derogate from Mining Act or Petroleum Act.'

Mr MEIER: I move to insert the following new clause:

52a. Nothing in this Act derogates from the operation of the Mining Act 1971, or the Petroleum Act 1940, or of a tenement granted under either of those Acts.

It seems that there is an exception for mining in the current Act and I therefore see no reason why a similar exemption should not be contained in this legislation. I ask the Minister to agree to the amendment.

The Hon. S.M. LENEHAN: I have no problem with the substance of the clause. However, I ask the honourable member to consider whether this clause would not sit more comfortably with clause 56 relating to powers of entry, rather than being tacked onto clause 52, which really relates

to the misuse of pastoral land. Is he prepared to move that clause in conjunction with clause 56, in which case I will be pleased to accept it?

The Hon. E.R. GOLDSWORTHY: I am pleased. I do not have to say any more. It is in the old Act and will be in the current Act. These provisions will apply, but the mining industry wants the comfort of seeing the clause in black and white so that it will not have to engage in arguments with disparate groups who wish to challenge their right of entry.

The CHAIRMAN: Is leave granted for the honourable member to withdraw his suggested new clause?

Leave granted; amendment withdrawn.

Clause 53 passed.

Clause 54—'Right to take water.'

Mr MEIER: To the best of my recollection, this clause was not included in the October Bill. If it was not in that legislation, the pastoralists would not be aware of its implications. Why has the Government included it now?

The Hon. S.M. LENEHAN: There have been representations from recreationalists and a concern expressed that this provision may be abused by travellers, particularly if water is scarce. Under this clause, we are ensuring that there is the right to take water and that people have the right to take sufficient water for their personal needs. We are not talking about people wasting water or abusing the system. The recreational groups who use the pastoral lands made representation to me and I thought it appropriate to have a reasonable compromise so that the pastoralists would not be disadvantaged by this obligation to allow people to have water. At the same time, we are spelling out in the Bill the responsibility of those who recreate on pastoral lands to take water for their personal use only.

Mr MEIER: It seems to me that this type of clause is not needed and that commonsense, to use the Minister's terminology, should be used. If a traveller needs water, they could ask and the water would be provided by the pastoralist. To actually embed it into legislation seems a strange way of going about it. It is unnecessary. I know what the Minister is alluding to, but it allows people who see a rainwater tank to think it is common property. They may not be aware that it has not rained for some time. The pastoralist might say, 'I can spare you a tiny bit,' but the traveller might want a jerry can filled. This provision places the onus on the traveller but it should lie with the property owner. I have not yet heard of a case where a property owner has refused to give drinking water to a traveller.

The Hon. S.M. LENEHAN: Subclauses (1) *(b)* and (2) are in the current Act. The only provision that has been added is for clarification, paragraph *(a)*. In a sense we are just using what is currently recognised, and specifying that people who have a lawful right of access through pastoral land may take only water that they need for their personal use. I am quite relaxed about having that in the Bill and I do not think it is a major issue.

Mr D.S. BAKER: I believe that it is a major issue, because a considerable number of people have contacted me on that very point. The most valuable thing in a dry climate is rainwater and rainwater tanks are expensive. Rainwater is kept in most cases for drinking purposes and in some cases, if there is a large supply, it is used in the hot water system but not in the cold water system. If this clause has just been plonked in to help travellers without any consultation with the pastoralists, there should be differentiation of a personal rainwater tank for household use. This clause is right out of order.

The Hon. S.M. LENEHAN: I do not agree that it was plonked in. I accept the point that the member has made. This clause is meant to cover stock water: it refers to 'any natural source or storage point'. However, I am happy to ensure an amendment is moved in another place that will pick up that point to actually exclude rainwater. I take the honourable member's point which is a valid one.

Clause passed.

Clauses 55 and 56 passed.

New clause 56a—'Act does not derogate from Mining Act or Petroleum Act.'

Mr MEIER: I move:

Page 22, after clause 56—Insert new clause as follows:

56a Nothing in this Act derogates from the operation of the Mining Act 1971 or the Petroleum Act 1940 or of a tenement granted under either of those Acts.

I have already explained the situation.

New clause inserted.

Clauses 57 to 61 passed.

New clause 61a—'Presumption as to improvements.'

Mr MEIER: I move:

Page 23, after clause 61—Insert new clause as follows:

61a For the purposes of this Act or any other Act or law, it will be conclusively presumed that all improvements on pastoral land that form part of, or have at any time formed part of, the amenities of the pastoral lease, or any former lease, over the land are the property of the lessee.

Under the Pastoral Act it is clear that improvements belong to the lessee. Under this Bill it will not be clear. From the pastoralists' point of view, the improvements belong to them and they have been recognised by the Pastoral Act as so doing from time immemorial. The pastoralists made the improvements and the property would be useless without them. This is so where, for example, there are no waterholes or springs. The new clause makes this clear and I urge the Committee to support it.

The Hon. S.M. LENEHAN: In fact, the new clause would reverse the situation which exists under the present Act, so I am not sure where the honourable member gets his information. Under the present Act the lessee is required to list improvements and to seek ministerial valuation on those improvements. The onus of proof of ownership should lie with the lessee, not vice versa.

In fact, that is the current practice. There is no change to the Act. If one is talking about time immemorial, this is what has happened since time immemorial. The honourable member's amendment seeks to completely change to onus of proof, to reverse the whole situation, and I am not prepared to accept that. No representations have been made to me from anyone to suggest that we should change the current situation.

New clause negatived.

New clause 61b—'Compensation on expiry.'

Mr MEIER: I move to insert the following new clause:

61b (1) On the expiry of a pastoral lease under this Act consequent upon—

(a) the Board refusing to extend the term of a lease pursuant to section 22;

or

(b) the lessee not accepting a variation of the conditions of the lease,

the lessee is entitled to compensation.

(2) The amount of the compensation will be determined by agreement between the Minister and the lessee or, in default of agreement, by the Land and Valuation Court.

(3) Compensation must be assessed and will be payable in accordance with the Land Acquisition Act, 1969, as if the pastoral lease were being compulsorily acquired.

(4) For the purposes of a determination of compensation under this section, it will be presumed—

(a) that the lease had not expired but had been, and had continued to be, duly extended in accordance with this Act;

and

(b) in the case of an expiry referred to in subsection (1) *(b)*, that the variation of conditions to which the lessee did not agree had not been proposed.

As the Minister will notice, this is a reasonably detailed amendment which seeks compensation under a separate heading: 'Compensation on expiry'. This issue was debated previously when addressing the matter of the board refusing to extend a lease. This amendment seeks to determine that the amount of compensation will be determined by agreement between the Minister and the lessee or, in default of agreement, by the Land and Valuation Court. This amendment also details the condition under which compensation must be assessed and payable in relation to the Land Acquisition Act.

I know that the Minister made the point during the previous discussion that a person whose lease had expired in some circumstances would not be eligible for compensation. However, I think we need to consider very clearly the many improvements that may have been made during, say, the last 14 years, since the time that the expiration of the lease was announced. The present Bill gives no guarantee of any compensation. A pastoralist who has undertaken an amount of work during that period of time and who has, to a large extent, succeeded in developing the property, would therefore be penalised totally unnecessarily. This amendment will at least protect the pastoralist. That is only fair and reasonable. This provision is obviously missing from the Act and needs to be inserted.

The Hon. S.M. LENEHAN: I will respond on two levels. First, this is a fairly long amendment. I am not prepared to support it because I believe we should be keeping to the current situation where any compensation is based on the value to an incoming lessee, and that is ascertained in the Land and Valuation Court. That is the current situation and I support that. If it seems appropriate that such an amendment should be moved in another place, then I would certainly look at that with an open mind. However, this fairly tortuous compensation on expiry amendment is not appropriate, and I will certainly stick with the current situation which is that any compensation would be based on the valuation to an incoming lessee. We also have the Land and Valuation Court as the final arbiter in this matter.

Mr MEIER: Do I take it from the Minister's reply that she is prepared to consider this issue further?

The Hon. S.M. LENEHAN: Yes, I am prepared to do that.

New clause negatived.

Clauses 62 and 63 passed.

Clause 64—'Regulations.'

Mr M.J. EVANS: I wish to raise a point about the provision in the regulations for expiation notices to be issued. While I readily concede that this is not a significant point in relation to the Pastoral Bill as such, I believe that it is a fairly important technical question that should not go unnoticed despite the fact that it does not fit in particularly well with the major topic of the Bill. This clause allows the Minister, in effect, to provide by regulation for a system of expiation notices to be issued in relation to any offence under this proposed Act. Of course, at this stage, Parliament would not be aware of which offences it is proposed to make expiable or what the conditions would be in relation to the level of the fine or for the issuing of notices and the time available for payment and the like.

When Parliament adopted a scheme for the expiation of offences under the Expiation of Offences Act 1987 it laid down a fairly reasonable regime for expiation notices to be issued which provided for safeguards and which defined the specific offences that were to be involved.

While I am sure that the Minister's provisions will be reasonable, and the House, after all, will have the opportunity to disallow the regulations, I believe that it is an important principle that where offences are to be expiable Parliament should know in advance what the conditions are to be. I suggest that the Government might like to take on board at a later stage—not this evening, obviously—consideration of a possibility that in relation to the penalty clause attached to each individual section—where that now includes things like a division 8 fine or a division 6 imprisonment—it could also include a division 1, division 2, or division 3 expiation, so that the Parliament would know in advance, in a Bill such as this, where the offences were to be expiable and the scale of that expiation of those offences. I put that forward for the Minister to perhaps take on board at a later stage with her colleagues.

Also, I ask for the Minister's assurance that the regime of expiation will be not less favourable than that set down in the Expiation of Offences Act, which provides for 60 days to pay, for the withdrawal of notices by the Chief Executive Officer, and so on. I seek the Minister's assurances that any scheme set out in regulations will be not less favourable than those in that Act.

The Hon. S.M. LENEHAN: That will be the case; they will not be any less favourable than they are under the current Expiation of Offences Act. I give an assurance to the honourable member that I will take up the issues that he has raised with my colleague the Attorney-General, and look at these matters some time down the track. I thank the honourable member for raising them tonight.

Clause passed.

Schedule.

Mr MEIER: I move:

Page 25, line 10—Leave out all words in this line and insert 'the repealed Act continues to apply (to the exclusion of this Act) to the lease until the day on which it would, but for this clause, expire, as if the amending Act had not been repealed, with'.

This is the first of the three amendments that I have on file and they relate to each other. Their effect is to provide that, on the expiry of existing leases (called 'old system leases'), they will be extended to a continuous term, on terms that are clearly set out in the schedule. Pending expiry, conservation and access provisions are to apply. When the Committee debated clause 17 (and other clauses) there were discussions about old system leases, but that topic was not relevant to that clause.

Clause 17 deals with the granting of leases in the future when the rights or expectations of an old system lessee are irrelevant. In effect, it deals with the leasing of unoccupied Crown land and refers to leasing on an open competitive process. The sort of lease offered on an open competitive process is one thing. The Opposition feels that, to avoid problems, the form of lease should be fixed by the Bill in every case, but the Committee rejected that sensible and practical amendment.

What happens under the schedule is another matter. Division II of the schedule contains probably the most outrageous provision that has ever been introduced in the history of this Parliament. It is worthy of banana republic status. Some pastoral leases extend to 2023, but the vast majority expire in about 2005. All have a likely expectation of renewal under section 46 of the Pastoral Act, under which the Minister could not refuse one lease on the grounds of general policy, namely, that those whom the Government is wooing do not like the Act, without refusing them all. The pastoral country has been settled for about 100 years. It is only an accident of tenure that the occupants have Crown leases. They have as much right to remain there as members opposite have to remain in their suburban houses.

The schedule strikes down those leases and provides for the substitution of something less in the distant future. The assessment may have to be corrected in six years but nothing has been said about when the leases will be granted, the terms of which are left locked in the bosom of the board. The Minister says that pastoralists requested that leases be converted within a five-year period. This is not true or, at best, it is grossly misleading, and I referred earlier to the UF&S submission on these points.

The schedule strikes down these leases with a Clayton's offer which members opposite and the Minister herself may not understand. When the matter was debated previously, the Minister could not answer the member for Victoria when he closely questioned her. The Minister grossly misled Parliament in calling the procedure an offer. What is the Clayton's offer? Under the Bill, eventually one may be offered a lease. If one accepts, so be it. If one does not accept, one still has the new lease when the time for appeal against the conditions runs out; or, if one appeals, when the appeal is determined. One could say that this is Alice in Wonderland stuff, 'Bannon in Blunderland' stuff or 'Susan in Insanity' stuff. It is as though I were to offer someone an unbuilt house for $100 000: whether or not you want it, you have it, and you lose your existing house, to boot.

Members must think before they pass this measure. No-one will want to invest in this State if it simply abrogates contracts by Act of Parliament. What of the unfortunate lessees whose investment is reduced in value? If the value drops below his mortgage commitments, he will end up like Mr Holmes A'Court. A mortgagee faced with such uncertainty would probably want to escape. The Bill does not render the new lease subject to existing mortgages. Furthermore, the property would become more or less unsaleable.

Let us look for the moment at the lessee who, after the proposed 12-month review, does not get a new lease. When his lease expires, he is to get only the value of his improvements to an incoming lessee—an odd proposition because there will not be one. Until recently, the word was that few leases were involved. In his letter to the *Advertiser* on Thursday 2 March, Mr Marcus Beresford clearly believes that.

If that is true, it is all the more reason why the people concerned should be properly compensated. It may be that they should have the right at any time prior to the expiry of the lease to take full compensation and go. The inequity of their treatment would be all the more blatant because they are so few in number.

Despite submissions, the Government resolutely refuses to acknowledge that fair treatment should be accorded to the victims of its ideology. It is now rumoured that a large number of lessess are involved, and that the Government has a secret commitment to hand over large areas of pastoral leasehold to Aborigines. Unfortunately, time did not permit debate on that aspect of the Bill, and we could not look at the proposed treaty. That is another debate in itself, and I hope that in another place there might be further scope for debate.

No wonder the Government faced otherwise with a large bill for compensation prefers paucity to fair dealing. This Bill is a travesty of everything for which the Government stands. It was begotten in panic in a mad vote-seeking scramble. It is one of the last twitches of a decadent Government. I could go on, but the voters of this State later in the year will have their opportunity to decide for themselves and, if the feeling that I pick up in the community is any indication, the results will be fairly clear. No wonder members opposite are looking nervous. Certainly, the Minister appreciates that much of the Bill has been ill prepared and should not have come before us but should have gone to a select committee. Wherever possible, the Minister has tried to cover up.

Members interjecting:

Mr MEIER: It is all in relation to the schedule, which is one of the most important provisions of the Bill, as the Minister realises. What the pastoralists wanted was immediate conversion of their existing leases on acceptable terms. They were willing to accept 42-year terms with 14-year rollovers if their other submissions were accepted. That was not mentioned by the Minister when she said that pastoralists were quite happy. They would accept that provision if their other submissions were accepted, particularly if the variation provision was omitted. According to my information, the Minister agreed to that. The property plan provisions were to apply only when the lessee was in breach of duty. The Minister agreed to that, yet the Committee can see how the wording of the property plan is such that anyone could be put under that provision.

The present rental system was to be retained, but that again has been changed. Pastoralists said that capital gains tax problems involved in terminating tenure must be overcome. A continuous tenure presents no problems and the Minister had the chance to fix the capital gains tax problem when a letter was delivered to her office on 16 November last year. The matter was explained carefully to her secretary. According to my information the Minister failed to move and the opportunity was lost.

The Hon. S.M. Lenehan interjecting:

Mr MEIER: If you are seeking to divert me—

The CHAIRMAN: Order! The member for Goyder must not refer to the Minister as 'you'.

Mr MEIER: Thank you. If the Minister did not interject, it would help. Further, the Minister gave a misleading explanation on this topic to the House in the debate on 23 February. When did the Minister write to the Premier on the capital gains tax issue, about which she commented? We find the action in trying to overcome the capital gains tax issue last year was too late to solve the problem and, although the Minister has tried to allude to overcoming it now, there is no clear indication that the problem has been solved.

The industry has carried on negotiations with the Minister with the trust that farmers and pastoralists have in others. The industry now realises that the Minister cannot be trusted. It now discovers that a huge increase in rent is part of the hidden agenda. The Minister can laugh, but the coming years will soon tell whether she is right.

The CHAIRMAN: The honourable member should link his remarks to his amendments to the schedule.

Mr MEIER: I will finish my remarks by saying that the amendments I propose completely solve the dilemma of the Government and the pastoralists. The Government can proceed with review and assessment procedures at leisure and make all necessary decisions at the proper time instead of making them in indecent and expensive haste. Pastoralists will have security of tenure, assuming that the variation provision is ultimately dropped in accordance with the Minister's promise and the property plans and destocking provisions are appropriately altered. Pastoralists who are to be dispossessed will be properly compensated. In the interim, pending lease expiry, conservation provisions will apply.

The amendments I have moved are critical to this Bill, which deals with the existing lessees and virtually everyone who is, or will be, in the industry. Why should we allow leases to be suddenly terminated? The Minister's conditions do not give anyone any hope. No specific conditions are

laid down. What will happen will be determined outside of this Bill.

The Hon. S.M. LENEHAN: That sounded more like a third reading speech than a discussion of an amendment. I do not intend to accept his amendments. I think it is rather sad that somebody outside this place would write such personal comments about me when they have never even met me. If that is the way the Opposition has to operate, I think it is tragic.

Mr Meier interjecting:

The Hon. S.M. LENEHAN: You did not write that and you know it. I would like to answer a couple of the points raised by the honourable member because I think some of them were outrageous. First, pastoralists sought an assurance about what would happen to them in the future. This schedule of transitional provisions provides them with that assurance.

I do not know how many times I will have to say in this Parliament that, under the new Bill pastoralists will not get less than they have now. They will get a lot more under the new Bill than they have now. What the pastoralists have now—and I will say it again—is a terminating 42-year lease. It was proposed in the draft Bill to have a rollover lease and an assessment would take place within the first 14 years before that lease was extended or topped up to the 42-year lease.

Representations were made to my staff that pastoralists wanted to have that process speeded up. I am not on the public record as saying—and I have never said—that pastoralists asked for five years. My department took into account pastoralists' requests for information about an assurance of what would happen to them. We then met those concerns and, instead of having a 14-year period in which each lease would be assessed, the department said that it would put on extra resources to do two things: first, it would do a desk top study of every pastoral lease in this State within the first 12 month period so that every single pastoralist would know whether or not he would be offered a new lease under the new legislation. How that can be interpreted as somehow keeping pastoralists dangling on a string for six years, as has been said by the Opposition continuously in this debate, I do not know, because at the end of that period of 12 months—and indeed during that period—every pastoralist will know whether they will be offered a new lease under this Bill. I am saddened that despite my assurances to the contrary the fear and scare has started that lots of leases will not be renewed under the new Bill. That is a nonsense and the Opposition knows it.

The member for Goyder has referred to the whole question of rental provisions. I have never given an assurance that we would continue with the current rental provisions, because discussions between the UF&S and officers of my department indicated that pastoralists (through the UF&S) were prepared to move to fair market rentals. Where is the evidence to suggest that I gave some sort of commitment to pastoralists that we would stick with the seven year fixed rental proposal? I can assure members that I have never given such an assurance.

If there is time during the third reading stage I will address the question of capital gains, on which I have some excellent news, and I am also prepared to address the question of a tax concession with respect to pastoralists being able to write off the costs of further bores on their property. In response to the member for Eyre, I point out that I have given notice already that I am considering the need for incorporating a standard lease document in the schedule. I shall be happy to do that in another place.

I do not wish to take up time in debating this schedule. I am not prepared to accept the amendments and, if there is time during the third reading stage, I shall be happy to pick up some of the points raised in Committee and in the debate.

Mr MEIER: I am very disappointed in the Minister's response. She made certain statements that I do not think hold water, but I will not repeat what I have already said. The amendments are fair and equitable, and would give certainty to the pastoral industry. I do not believe that the existing provisions do that. The Minister should at least acknowledge this. It is clear that time and time again the pastoralists are being given the last priority. South Australian pastoralists' confidence will be lowered because they will not see why they should be, literally, employees of the Government and subject to all the rules and regulations this Bill imposes on them.

Amendment negatived.

Mr MEIER: I move:

Page 25, line 12—Leave out subparagraph (i).

After line 20—Insert new subparagraph and subclause as follows:

(v) the following sections of this Act apply to and in relation to the lease:
(A) section 6;
(B) section 36.

(2) On and from the day on which an old system lease would otherwise expire—

(a) the lease is, by virtue of this subclause, extended for a period of 42 years;

(b) the lease will be taken to be a pastoral lease granted under this Act;

(c) this Act (except for section 20) will apply to and in relation to the lease;

(d) the provisions of the repealed Act relating to rent will, notwithstanding its repeal, continue to apply to and in relation to the lease;

(e) the reservations in the lease relating to timber, Aboriginal persons and access will be taken to have been revoked;

(f) all the covenants of the lease will be taken to have been revoked and the following covenants substituted:
(i) the lessee must pay the rent;
(ii) the lessee must not, except with the consent of the Minister, carry sheep or cattle on the land in excess of the maximum stock levels specified in the lease immediately prior to the implied revocation effected by this subclause;
(iii) the lessee must not, except with the consent of the Minister, use the land for any purpose other than pastoral purposes;
(iv) the lessee must comply with the obligations imposed on the lessee by the Pastoral Land Management and Conservation Act 1989;
(v) the lessee must comply with the obligations imposed by the lessee by any other Act.

As I indicated before, this is all consequential.

Amendments negatived.

Mr MEIER: I move:

Page 25, lines 21 to 54 and page 26, lines 1 to 4—Leave out clauses 4 and 5.

Amendment negatived.

Mr D.S. BAKER: The misunderstanding of the Minister through most of this debate, that the pastoralists themselves are looking forward to this new system of leases, grieves me. The most important thing to realise is that at present, with the current leases under the old Act, the pastoralists have a contract with the Crown.

The pastoralists' leases have varying periods to run ranging from 1989 to 2027. That legal and binding contract with the Crown (and the rent schedule is very clearly and succinctly stated in the old Act) is about to be broken by the Minister. On many occasions the Minister has said, 'We will let those leases that we require expire and all the other pastoralists are happy with the new situation.' We therefore have two classes of people. We have pastoralists whose land

is being removed and who will be allowed to stay on their lease with a rent schedule which is set down very clearly under the old Act. On the other hand, we have pastoralists whose leases will be terminated by the Crown. A legally binding contract will be broken and they will pay a rent schedule at completely different rates but not enunciated under this Act. That schedule will be set up by the Valuer-General on terms and conditions about which they know nothing.

Because those people and Parliament are all powerful, pastoralists do not have any legal redress. If the terms and conditions of the financial arrangements of any other contract in any other area were broken, there would be no question about legal redress. This Bill forces pastoralists into two classes—those who will have their leases removed and who will be allowed to continue paying the old rents and those whose contracts will be broken and who will pay a much higher rent. I do not think the Minister realises the ramifications of what is happening. I think she was falsely led to believe that this is what the pastoralists want. I am told that I have to wind up my remarks, because the guillotine is about to be brought in.

Mr Tyler: You have until 10 o'clock if you want it.

The CHAIRMAN: Order! I ask the member for Victoria not to worry about the interjections.

Mr D.S. BAKER: It was quite relevant.

The Hon. S.M. Lenehan: It was an agreement.

Mr D.S. BAKER: You did it; it was not an agreement.

The CHAIRMAN: Order!

Mr D.S. BAKER: The Minister stands up now and says it was an agreement. It was not an agreement. I wind up my remarks—

Members interjecting:

The CHAIRMAN: Order! I ask the honourable member for Victoria to address the subject before the Chair.

Mr D.S. BAKER: I will. The ramifications of this Bill will not go away because it has been guillotined in this Committee. I hope that those members in the other place who believe in justice and fair play will have a lot more to say about this Bill and that they will get a lot more response to the amendments than this Minister has been prepared to give.

Schedule passed.

Title passed.

Mr GUNN: On a point of order. In accordance with Joint Standing Order 2, this Bill should have been referred to a select committee. I therefore ask you, Sir, to rule whether it is appropriate for the third reading to take place because, in accordance with the Standing Orders, it would appear to be inappropriate. A reference to Erskine May clearly indicates—

The DEPUTY SPEAKER: Order! I ask the honourable member to take his seat. The Speaker has already given a ruling on this proposition, and I am bound by that ruling.

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

That this Bill be now read a third time.

Mr MEIER (Goyder): Many of the points have been made regarding what should be said at the third reading stage. In summary, the Bill comes out of Committee in virtually as poor a state as it went in, and that is a great tragedy for the pastoral industry in the State. The economic conditions that these people will have to suffer will show accordingly. The Opposition realises that the pastoral lands must be managed and looked after. That point has not been argued against at all, but the way in which this Government is trying to do it will lead to disaster. We have pointed that out continually during the Committee stages. I urge all members to oppose the third reading.

Mr GUNN (Eyre): I place clearly on record that I look forward, in the relatively near future, to this measure being brought back to this place, when appropriate and necessary amendments will be made to rectify the unsatisfactory arrangements that will apply to the pastoral industry in this State. I have had the opportunity of sitting in this place for a number of years and seeing legislation bulldozed through without adequate consultation or due regard for the rights of all citizens and without Parliament taking the appropriate and most reasonable course of referring matters to a select committee. An incoming Government will be bound to do what is right, namely, drastically rewrite all this legislation and remove the regulations and the proclamation so that all concerned can get a fair go. I therefore oppose the third reading.

The House divided on the third reading:

Ayes (24)—Mr Abbott, Mrs Appleby, Messrs L.M.F. Arnold, Blevins, Crafter, De Laine, Duigan, M.J. Evans, and Ferguson, Ms Gayler, Messrs Gregory, Groom, Hamilton, Hemmings, Keneally, and Klunder, Ms Lenehan (teller), Messrs McRae, Mayes, Payne, Rann, Robertson, Slater, and Tyler.

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

Pair—Aye—The Hon. J.C. Bannon. No—The Hon. D.C. Wotton.

Majority of 8 for the Ayes.

Third reading thus carried.

PRISONERS (INTERSTATE TRANSFER) ACT AMENDMENT BILL

Received from the Legislative Council and read a first time.

STAMP DUTIES ACT AMENDMENT BILL

Returned from the Legislative Council without amendment.

ADJOURNMENT

The Hon. G.F. KENEALLY (Minister of Transport): I move:

That the House do now adjourn.

The Hon. E.R. GOLDSWORTHY (Deputy Leader of the Opposition): I wish to raise a matter of some significance to one of my constituents—the operations of the Department for Community Welfare. The Minister who has just had on her Department of Lands hat may now don her Department for Community Welfare hat. This matter relates to an incident which occurred on 15 November last year when the daughter of one of my constituents went to school during the matriculation exams, I think, and her father had had occasion to discipline her the evening before for using the family car against his wishes. This also led to a reprimand for another son who had accompanied her on this occasion.

While at school on this day, a male teacher who, I gather, had spent some time teaching her to drive a car asked her what was wrong, as she appeared to be upset. She intimated to him that she had been chastised by her father, and it was alleged that he had struck her three times. I might say that this particular allegation is contested. Unbeknown to the parents or the family, the teacher reported the incident to the school counsellor who, in turn, reported it to the Department for Community Welfare at Mount Barker. Still completely unbeknown to the family, the father was accused of child abuse, and the department set the wheels in motion and made arrangements for him and his wife to be counselled by the Department for Community Welfare for this alleged child abuse. Apparently there were no bruises or visible signs on this girl to give any credence to the allegation that she had been struck three times by her father. As I say, that detail is hotly contested.

My constituent was understandably upset at suddenly being confronted with a request to present himself and his wife to the Department for Community Welfare for counselling for this alleged child abuse. He then consulted his lawyer who wrote a letter to the school principal protesting at the series of events.

The upshot is that the Department for Community Welfare is backing off. This man and his wife are not required to present themselves for counselling. Indeed, he showed me a letter that he received from the Minister, the Hon. S.M. Lenehan, which seemed to have delved into some of the family history. Where the department got it from I do not know. Anyway, the department considers the punishment excessive.

My constituent is naturally still highly disturbed at this series of events. He does not believe—neither do I—that he was guilty of child abuse and he wishes the allegation that he was guilty of child abuse expunged and the files destroyed. However, the department is not prepared to do that or to admit that it was wrong.

This is the nanny State gone absolutely mad. Here is a father who chastised his child. Whether or not he struck her three times seems not to be significant. If he did, there was no sign of it. He declares that he did not. But here is the nanny State gone quite crazy.

An honourable member: So if it does not hurt it does not matter.

The Hon. E.R. GOLDSWORTHY: I am saying that if the State intrudes to the extent—

An honourable member interjecting:

The Hon. E.R. GOLDSWORTHY: Rubbish! Listen to what I am saying! If the State is to intrude to the extent where an over-zealous school teacher, who has had some association with a child, seeks, off his own bat, to inquire whether something is wrong and then complains to the school counsellor, who goes to the Department for Community Welfare, without any inquiry being made of the parents, and makes arrangements for the husband and wife to be counselled for child abuse, all I can say is that society has gone round the bend or the Department for Community Welfare and the people involved in this incident must be round the bend.

An honourable member interjecting:

The Hon. E.R. GOLDSWORTHY: I could talk about some of the personalities involved and their lifestyles, but I choose not to do so.

Members interjecting:

The Hon. E.R. GOLDSWORTHY: Well, that was the result of an interjection. I could recount one or two things that made my curly hair stand on end once or twice when considering the lifestyles of some people who are charged with keeping families together and looking after their welfare. I do not care what it is. I could cite the cases here, except that names involved in incidents have been suppressed in court. I could name them and it would give me a great deal of pleasure to do so, but I feel constrained by court orders not to do so.

I simply state that, in my view, the father of this child has a legitimate complaint, this series of events having led to this unfortunate situation. Understandably, he is outraged. The department has backed off, but only part way. It wants to save face. It has backed off to the extent that it is not forcing the parents to be counselled. Without knowing or determining the facts of the case, it has come to the conclusion that the punishment was excessive. What sort of a community do we live in when the chain of events that I have outlined can take place?

This man has been following up this matter since November. If he were to take it to court, it would cost him a lot of money. However, he believes that these records, including a report which accuses him of child abuse, should be destroyed. That is not an unreasonable request and the department is not pushing it any further. It has had the good sense to back off that far. I suggest that it back right off, because this whole series of events is highly disturbing. I would say that it is a classic case of a storm in a teacup. A domestic incident took place, a meddlesome teacher made a complaint, the matter was taken up, quite unbeknown to the family, and arrangements were made for these parents to be counselled.

This indicates how far down the track we have gone in meddling with what one would consider a normal family situation. I put that on the record and I support the parent in his request that that complaint be expunged from departmental records.

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

Mr PLUNKETT (Peake): I want to take this opportunity in Parliament tonight to pay tribute to an outstanding public servant and to an officer who has gone beyond the call of duty in serving this Parliament. I refer, of course, to Mr Lloyd Hourigan, the Secretary of the Public Works Standing Committee. On 1 March this year Lloyd retired from this position and from the South Australian Public Service. In doing so he has completed 48 years of continuous service, except for his war service and training.

I want to refer first to that war service. Mr Hourigan was a bomber pilot and flew in extremely dangerous bombing missions from Great Britain to Germany. It was a form of war service that promised pilots the very shortest of life spans. But Mr Hourigan served his country with distinction and courage. From 1949 to 1959 Lloyd Hourigan served in the State Audit Department. In that capacity he assisted with audits of many Government departments. During this period he also assisted the Auditor-General with two major investigations that were to have a great impact on our State. One of those investigations looked at why ships berthing at Port Adelaide were taking so long to turn around. The other involved the future direction and development of the Adelaide metropolitan transport system.

During his time as an auditor Mr Hourigan also served for 18 months in the State Supply Department on major contract investigations designed to put the lid on price rises that were just as much a problem then as they are today. One of his areas of inquiry concerned price variations in the Mannum to Adelaide pipeline.

In 1959 Lloyd Hourigan moved to Parliament House to take up a new position as secretary to the Leader of the

Opposition. He provided loyal service to the former Leader of the Labor Party, Mick O'Halloran. Later he worked for Mick O'Halloran's successor, Frank Walsh. There are many members in this House, on both sides of politics, who know how difficult and frustrating Opposition can be. Members opposite will know what I mean and I am sure that frustration will grow in coming years. I think it is significant that Lloyd Hourigan's term as secretary to the Leader of the Opposition saw the ALP achieve government after decades in the wilderness. Lloyd Hourigan's devotion to work and to detail helped prepare Labor for government. In a professional sense he was a key part of a winning team.

In 1965, after a few months in the Premier's Department, Lloyd was appointed Secretary of the Public Works Standing Committee. He has held that position for 23 years and has served six separate committees and seven separate Chairmen. I believe I speak for every Chairman and every member in paying tribute to Lloyd Hourigan's commitment to his work and to serving members well, regardless of political persuasion. I have been a member of the Public Works Standing Committee since 1982 and Chairman since 1986. Lloyd Hourigan's professionalism has impressed both the members of the committee, the senior public servants, the witnesses and the members of the public with whom he has to deal. He is thorough, fair and absolutely impartial. He pays enormous attention to detail and has been an essential part of a team that questions the justification of major public works projects.

On countless occasions Lloyd Hourigan's advice has resulted in major savings for the State Government. His scrutiny has also resulted in Government departments becoming more accountable and cost conscious. He has helped members put departments on their toes and become more efficient.

Obviously, it would be impossible to calculate how much the Public Works Standing Committee saves the taxpayer each year. However, I would like to mention two specific examples of how Lloyd Hourigan has helped the Public Works Standing Committee save this State millions of dollars. The first concerns the floodwater drainage of the low lying areas of metropolitan Adelaide. Members of this House would be aware that the State Government for years had to shoulder the responsibility for the full cost of all drains. The committee brought about major changes by recommending that Governments be made responsible only for main drains. This change meant that councils and, in some cases, developers were responsible for subsidiary or minor drains. This might not sound important or exciting but, when taken over the whole of Adelaide, this committee recommendation has saved the State Government around $73 million.

My second example is even more impressive. About 10 years ago some major public works projects ran way over cost. On some occasions projects ended up costing two or three times the estimate. For years committees recommended changes to procedures to ensure that there were no soft options when it came to budget blow-outs. Eventually amendments were made to legislation to tighten up procedures. Under the present Government a Premier's Department circular was issued as a guideline to all Government departments and authorities. As a result of changes recommended by the Public Works Standing Committee, departments and planners are required to remain within the normal CPI price escalation plus or minus 10 per cent. This new rule puts departments on their mettle. On present day prices, savings would be around $60 million a year and could even range as high as $200 million a year.

These are only two examples of how Lloyd Hourigan has assisted the committee in helping this State. He has left a real 'golden handshake' to South Australia in terms of massive savings. Lloyd Hourigan has been not only a faithful and diligent adviser to our committee but also a loyal friend to each Chairman and to every member. Lloyd has accompanied us on our many trips around this State, setting up appointments and hearings. He has been good humoured and has worked quietly and in a friendly way to keep the committee on the right track, on and off duty.

During the past 12 months the committee has dealt with a record number of projects. Despite the workload, Lloyd's enthusiasm for his job has not dimmed. He will be missed and will be hard to replace. I am sure that members of this Parliament will wish him and his family well in a long retirement. Personally, I wish Lloyd and his wife a long, healthy retirement.

Honourable members: Hear, hear!

Mr S.G. EVANS (Davenport): With respect to the Public Works Standing Committee, I recall (during Mr Lloyd Hourigan's term as Secretary) a project involving the Craigburn Primary School oval. As the local member, I was invited to the inspection and I told the committee that, if the oval was reasonably level, it would create major drainage problems. I suggested that it should have a substantial slope to be fully effective as a playing field. Now the school will have to spend $20 000 or $30 000 of its own money to correct the problems. At taxpayers' expense, more than was needed was excavated, and the result was a shoddy job. That is what happens when so-called experts and Government departments do not stop and think about the practical aspects of building certain projects. Similar experiences at other ovals in the Hills should have warned them that that would happen. Most of the community grounds in the Hills are built with a slope because it is the only way to get a reasonable playing surface in a region with such a high rainfall and with poor subsoil. It does not matter how many drains have been put in.

The Belair Recreation Park, as it is now known, was the second national park named in Australia. Without my support, Parliament chose to change its name in the 1970s. Quite a reasonable golf course within the grounds of the park is leased to a private operator. One of the conditions of the lease is that the park must remain open for public use at similar rates to those which apply at other public golf courses. In recent times a Malaysian group has attempted to take over the lease and much of the local community is disturbed about that. The group appears to have some Government support because no statement expressing concern about the suggested takeover has been made by any of the Government's Ministers.

In Hawaii and other places where foreigners have taken over golf courses, people have to wait for a week to get a game and the prices have gone through the roof. Approximately 50 000 people use the Belair golf course in a year, paying moderate fees for a round. It would be very easy for other public golf courses to be taken over by overseas interests, whether they be Malaysian or New Zealand. That may result in an increase in price at all supposedly public golf courses, effectively pricing locals out of the game. A lot of concern has been expressed about the proposal, and I hope that it is dead.

Part of the park's water supply comes from an old railway dam, which was constructed approximately 100 years ago and has never been cleaned. The dam has lost about half its capacity. If the Minister was prepared to spend $30 000

to have the dam cleaned, some excellent soil could be used on the ovals and soccer fields within the park.

In fact, I would go so far and say that, if he did not wish to keep the soil, he would probably be able to sell it to the local garden supply businesses at a cost similar to that of cleaning the dam. Nobody seems to have the damned commonsense to do it—they ignore it.

At the same time, in the hills we have the Craigburn Farm. For some reason the Government is reluctant to release the report relating to this area. In reply to a question on notice the Minister told me recently that it was several months away. In May 1988—

The SPEAKER: Order! There is too much audible conversation in the Chamber.

Mr S.G. EVANS: —Minda Incorporated submitted a plan of subdivision to preserve its rights. The Minister for Environment and Planning moved a motion to use section 50 to prevent that plan going ahead, or to prevent it being authorised or even considered. Minda took legal proceedings to make the Minister answerable for his actions. The Minister then went to Minda and said, 'Look, I would like another committee to look at it and I give you a guarantee that the report will be handed down in 22 weeks.' I do not know whether or not those were his exact words, but it was supposed to be handed down by no later than the end of October. It may not have been all the Minister's fault that the report was not completed by that time, but that was the arrangement and the buck stops with him.

It is now March and I have a gut feeling that the reason why it was not made available was that the Government wants it to be published after the next election, because this area has a common boundary with my electorate and the electorate of the member for Fisher. The Minister does not want the embarrassment of a report which would show that, in my view, he has been forced to accept a subdivision proposition for at least part of that property, or to buy the whole lot at a cost of $15 million or $16 million.

I have since suggested to the Minister that, instead of relocating the Northfield Research Centre to the Waite area, Craigburn should be considered as an alternative. In relation to the relocation of the Northfield Research Centre, 735 people have signed a petition against such a move and many letters of complaint have been received, including complaints from academics who want it at Waite or somewhere near the city. They do not want to be transferred to Roseworthy.

Craigburn is large enough to leave the residential section located there. The area has an existing use piggery which I do not think should remain and that could be relocated to Roseworthy. It also has a poultry farm, a market garden, a nursery and a packing shed where some of the residents of Minda pack for commercial purposes. Minda residents would be able to do a lot of the manual work, which would be a service to them and to the State.

Those people could also work at the transferred Macclesfield dairy. The riding for disabled people facility could be retained on the site. Areas could be made available for the bowling club and churches, because a number of churches want sites made available. Equestrian people could still use the site. We could then see it as part of a second generation open space. Buildings and glasshouses could be constructed so that they would not intrude upon the residential area. I am sure that the people in the member for Fisher's electorate would agree with such a proposition as would those in my electorate. It would solve the problem of the threat of subdivision and Minda Incorporated could retain what it wanted to keep while the balance could be retained for a useful purpose.

I hope that the Government does not hold up reports, such as the one dealing with Craigburn, the proposition on the Blackwood forest reserve and, in particular, the local government boundary review report which is held up because of the situation at Mitcham. I hope that the Government will stir up the commission to make its report available as soon as possible because I have the gut feeling that for some reason the boundary review report has been held back until after the next State election. We will wait and see whether I am right or wrong.

Mr Tyler: You're wrong.

Mr S.G. EVANS: We will wait and see.

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

Motion carried.

At 10.31 p.m. the House adjourned until Wednesday 8 March at 2 p.m.

HOUSE OF ASSEMBLY

Tuesday 7 March 1989

QUESTIONS ON NOTICE

HOUSING INTEREST RATES

105. **Mr BECKER (Hanson)**, on notice, asked the Minister of Housing and Construction:

1. What action will the Minister take to improve private residential construction activity in the face of economic uncertainty and the expectation that housing interest rates may increase (Program Estimates and Information, page 312)?

2. What action is being taken to obtain large sums of affordable housing finance at significantly reduced interest rates to assist with home ownership?

The Hon. T.H. HEMMINGS: The replies are as follows:

1. At the present time, residential construction activity is at an adequate level in South Australia. The following ABS statistics and IPC forecasts indicate that no action from the Government is required:

Private new home approvals have increased 39 per cent during December 1988, compared to the same period last year.
Private sector home approvals during the three months ended October 1988 were 51 per cent above those for the same period in 1987.
Total home approvals during the three months to October 1988 were 42 per cent above those for the same period in 1987.
The Indicative Planning Council forecasts a total of 10 100 dwelling commencements in South Australia in the 1988-89 financial year. This is a 20 per cent increase in private dwelling commencements over the previous year. Current ABS figures indicate that this target is being achieved.

However, careful monitoring of the industry will always occur and, if increases in interest rates significantly change commencements forecasts, the Minister will act accordingly.

2. SAFA is presently being used by this Government to provide cheaper interest rate funds for the HOME Concessional Loan Program.

CRAIGBURN FARM

175. **Mr S.G. EVANS (Davenport)**, on notice, asked the Minister for Environment and Planning: When will the report into Craigburn Farm be completed, will it be released for public comment and, if so, when and, if not, why not?

The Hon. D.J. HOPGOOD: The preliminary report into the Craigburn Farm will be completed in the next few months. Release of the report for public comment will be considered following the completion date.

NULLARBOR UNDERGROUND WATER

177. **Mr BECKER (Hanson)**, on notice, asked the Minister of Water Resources:

1. What investigations have been made in the past five years into the quality and amount of Nullarbor underground water and, if none, will the Minister have such a survey undertaken and, if not, why not?

2. Is it viable for this water to be pumped to the surface for irrigation or domestic use and, if not, why not?

The Hon. S.M. LENEHAN: The replies are as follows:

1. No investigations have been undertaken in the Nullarbor region by the Engineering and Water Supply Department in the past five years. Earlier investigations by the Department of Mines and Energy have demonstrated that, with the exception of very localised areas, groundwater in the region is generally saline. In view of this no further investigations are proposed.

2. The salinity of the available groundwater militates against the development of large scale irrigation schemes. The local occurrences of better quality water do support some stock and domestic requirements.

ACCESS CABS

179. **Mr BECKER (Hanson)**, on notice, asked the Minister of Transport:

1. Are Access Cabs considering charging prior to the passenger entering the vehicle?

2. Are the meters left running in Access Cabs until the passenger has been unloaded and, if so, why?

3. What arrangements do Access Cabs' clients have for the use of Handi-Bus and, if none, why not?

4. What can be done to ensure maximum cooperation between the Access Cabs and Handi-Bus operations?

The Hon. G.F. KENEALLY: The replies are as follows:

1. Passengers in wheelchairs are deemed to have hired the taxi prior to loading in which case the meter may or may not be set. In the case of ambulant passengers the meter is set when the passenger is seated.

2. Yes, the vehicle is still under hire.

3. Arrangements can, in some cases, be made for scheme members to travel by Handi-Bus.

4. Handi-Bus could accept an offer by Access Cabs to share their radio network.

AGRICULTURE ADVISORY BOARD

186. **Mr OLSEN (Leader of the Opposition)**, on notice, asked the Minister of Agriculture:

1. Who are the members of the Advisory Board on Agriculture?

2. On what date was each member appointed and on what date does each appointment expire?

3. What allowances and expenses are payable to the members and, if any, how much was paid to each member in 1987-88?

The Hon. M.K. MAYES: The replies are as follows:

1. The members of the Advisory Board on Agriculture are:

1.1 J. Arney, Chairman; representing the Upper South East
1.2 J. Pearson, Deputy Chairman; representing Lower Eyre Peninsula
1.3 T. Fulton; representing the Far West and Central Eyre
1.4 M. Greenfield; representing the Lower South East
1.5 A. Habner; representing Eastern Eyre
1.6 D. Mitchell; representing Barossa and Districts
1.7 D. Molineux; representing Lower North
1.8 G. Schulz; representing Yorke Peninsula
1.9 R. Smyth; representing Murraylands
1.10 G. Thornton; representing Riverland
1.11 I. Turner; representing Kangaroo Island
1.12 I. Venning; representing Mid North
1.13 B. Vickers; representing Adelaide Hills
1.14 P. Vivian; representing Southern Hills

2. Dates of appointment and dates on which each appointment expires—

	Name	Appointment Date	Date Term Expires
2.1	J. Arney	1.9.87	31.8.89
2.2	J. Pearson	1.9.88	31.8.90
2.3	T. Fulton	1.9.88	31.8.90
2.4	M. Greenfield	1.9.87	31.8.89
2.5	A. Habner	1.9.88	31.8.90
2.6	D. Mitchell	1.9.88	31.8.90
2.7	D. Molineux	1.9.87	31.8.89
2.8	G. Schulz	1.9.88	31.8.90
2.9	R. Smyth	1.9.87	31.8.89
2.10	G. Thornton	1.9.88	31.8.90
2.11	I. Turner	1.9.88	31.8.90
2.12	I. Venning	1.9.88	31.8.90
2.13	B. Vickers	1.9.87	31.8.89
2.14	P. Vivian	1.9.88	31.8.90

3. The members of the Advisory Board of Agriculture receive a sitting fee and are eligible to claim cost of travel and accommodation in accordance with Government regulations. The following payments were made to each member in 1987-88 financial year.

3.1	J. Arney	$1 979
3.2	J. Pearson	$1 798
3.3	T. Fulton	$2 694
3.4	M. Greenfield	$1 950
3.5	A. Habner	$2 221
3.6	D. Mitchell	$1 153
3.7	D. Molineux	$1 446
3.8	G. Schulz	$2 136
3.9	R. Smyth	$2 065
3.10	G. Thornton (Mr Thornton replaced Mr Seekamp who in 1987-88 was paid $1 984)	Nil
3.11	I. Turner (Mr Turner replaced Mr Symons who in 1987-88 was paid $1 101)	Nil
3.12	I. Venning	$2 352
3.13	B. Vickers	$869
3.14	P. Vivian	$1 673

SOUTH AUSTRALIAN RURAL ADVISORY COUNCIL

188. **Mr OLSEN (Leader of the Opposition)**, on notice, asked the Minister of Agriculture:

1. Who are the members of the South Australian Rural Advisory Council?

2. On what date was each member appointed and on what date does each appointment expire?

3. On how many occasions did the council meet in 1987-88?

4. What allowances and expenses are payable to the members and, if any, how much was paid to each member in 1987-88?

The Hon. M.K. MAYES: The replies are as follows:

1. The members of the South Australian Rural Advisory Council are:

1.1 Mrs D. Penniment, Chairperson, representing the Women's Agricultural Bureau;
1.2 Mr I. Venning, Deputy Chairperson, representing the Agricultural Bureau;
1.3 Mrs K. Cliff, representing the Rural Youth;
1.4 Mrs J. Harder, representing the Women's Agricultural Bureau;
1.5 Mr D. Mitchell, representing the Women's Agricultural Bureau; and
1.6 Mrs T. Zippel, representing the Rural Youth.

2. Dates of appointment and dates on which each appointment expires—

Name	Appointment Date	Date Term Expires
2.1 Mrs D. Penniment	1.7.88	30.6.90
2.2 Mr I. Venning	1.7.88	30.6.90
2.3 Mrs K. Cliff	1.7.88	30.6.90
2.4 Mrs J. Harder	1.7.87	30.6.89
2.5 Mr D. Mitchell	1.7.87	30.6.89
2.6 Mrs T. Zippel	1.7.87	30.6.89

3. The South Australian Rural Advisory Committee met on four occasions in 1987-88.

4. Members of the South Australian Rural Advisory Committee receive a sitting fee for meetings and are eligible to claim cost of travel and accommodation in accordance with Government regulations.

The following payments were made to each member in 1987-88 financial year:

4.1	Mrs D. Penniment	$1 549
4.2	Mrs I. Venning	$1 788
4.3	Mrs K. Cliff (Mrs Cliff replaced Mrs Hart who in 1987-88 was paid $1 046)	Nil
4.4	Mrs J. Harder	$2 498
4.5	Mr D. Mitchell	$1 114
4.6	Mrs T. Zippel	$1 625

WOMEN'S ADVISER

189. **Mr OLSEN (Leader of the Opposition)**, on notice, asked the Minister of Labour:

1. Who holds the position of Women's Adviser in the Department of Labour?

2. When was the position last vacated?

3. On that occasion, was the position advertised outside the Public Service and, if not, why not?

4. How many applicants were there for the position?

5. What annual salary is payable for the position?

The Hon. R.J. GREGORY: The replies are as follows:

1. Ms Mary Gabrielle Thompson.

2. 13 November 1987.

3. The position was advertised within the Public Service in the first instance in February 1988 and subsequently outside the Public Service in April 1988.

4. 40.

5. $42 389—$43 657 (AO-4).

190. **Mr OLSEN (Leader of the Opposition)**, on notice, asked the Minister of Health: Is a women's adviser employed in any of the portfolios for which the Minister has responsibility and, if so, who holds each position and what is the annual salary payable?

The Hon. F.T. BLEVINS: No.

HOUSING DIVISION DIRECTOR

191. **Mr OLSEN (Leader of the Opposition)**, on notice, asked the Minister of Housing and Construction:

1. Who holds the position of Housing Division Director in the Department of Housing and Construction?

2. When was that person appointed?

3. On the occasion the position was last vacated, was it advertised outside the Public Service and, if not, why not?

4. How many applicants were there for the position?

5. What annual salary is payable for the position?

The Hon. T.H. HEMMINGS: The replies are as follows:

1. Mr John Luckens.

2. 20 January 1988.

3. The position was advertised outside the Public Service.

4. Sixteen.
5. $58 208.

POLICY AND PLANNING DIRECTOR

192. **Mr OLSEN (Leader of the Opposition)**, on notice, asked the Minister of Agriculture:

1. Who holds the position of Director of Policy and Planning in the Department of Agriculture?
2. When was that person appointed?
3. On the occasion the position was last vacated, was it advertised outside the Public Service and, if not, why not?
4. How many applicants were there for the position?
5. What annual salary is payable for the position?

The Hon. M.K. MAYES: The replies are as follows:

1. The position of Director of Policy and Planning in the Department of Agriculture is held by Ms A. Bunning.

2. Ms Bunning was appointed to the position on 7 September 1987 following a comprehensive selection process.

3. The position of Director of Policy and Planning was advertised in the Public Service Board Notice of Vacancies on 22 April 1987 as Vacancy No. 503/87. At the same time the department also advertised the positions of Director, Animal Services Division, and Director, Plant Services Division. Commissioner for Public Employment Circular No. 6 dated 1 July 1986 outlines that all vacant positions be advertised in the weekly Notice of Vacancies in the first instance. In addition to calling positions in the notice, Chief Executive Officers may request the Commissioner to arrange to advertise positions in the outside press where it has been established that there is an insufficient number of applicants with the required attributes available from within the Public Service to enable an effective comparison and selection to be made. In this instance it was not considered necessary to advertise in the outside press for any of the three positions advertised at that time.

4. Thirteen applications were received for the position of Director of Policy and Planning including one applicant from outside the service. Seven applicants were shortlisted for further consideration but two of these subsequently withdrew their applications.

5. The position of Director of Policy and Planning is classified at the EO-2 Level with an annual salary of $58 208.

HEALTH DEVELOPMENT FOUNDATION

195. **Mr OLSEN (Leader of the Opposition)**, on notice, asked the Minister of Recreation and Sport: Was any part of the grant of $90 000 provided by the Department of Recreation and Sport to the Health Development Foundation in 1987-88 used to lease premises and, if so, where and was any part used to purchase gymnasium equipment and, if so, from whom?

The Hon. M.K. MAYES: No. In 1987-88 the Health Development Foundation was funded to the value of $98 450, the grants being made for the following services:

Worksite Services—$60 000
Exercise Brochures—$7 500
Printing of Women and Exercise Participation Report—$950
Correctional Services Evaluation Project—$14 000
Fitness Responsibilities—$11 000.

The report prepared by the foundation and presented to the South Australian Recreation Institute on 29 June 1988, indicates that no money was spent on the purchase of gymnasium equipment. The money provided by the Department of Recreation and Sport was allocated for salaries and programs as above.

MARITAL BREAKDOWNS

196. **Mr BECKER (Hanson)**, on notice, asked the Minister of Education, representing the Attorney-General: Will the Government support the recognition of the separation of a legally married couple who are separated for 12 months or more and the requirement that the assets of both partners should be divided equally between them and, if not, why not?

The Hon. G.J. CRAFTER: The reply is as follows:

1. It is difficult to know precisely what the honourable member means by his question as it appears to mingle separate legal ideas. However, an attempt will be made to divine the intent behind it.

2. If a legally married couple have separated for a continuous period of 12 months or more, either party is entitled to make an application to the Family Court for an order dissolving the marriage.

3. If Family Court proceedings are taken, the question of division of the property of the marriage arises for consideration.

4. Under the Commonwealth Family Law Act 1975, the question of what is each party's entitlement to property of the marriage is one for the exercise of a judicial discretion based on and following a detailed consideration of all relevant facts and circumstances.

5. In considering what order should be made under the Act, the court must take into account the matters listed in it. The principal matters to be considered may be summarised as follows:

contributions by the parties to the acquisition, conservation and improvement of their assets and to the welfare of the family;
the effect of any order on the earning capacity of either party;
any other order under the Act affecting a party or a child;
the age, health, financial circumstances, earning capacity and responsibilities of each party and what is a reasonable standard of living after separation; and
any fact or circumstance which the justice of the case requires to be taken into account.

The Act provides no guidance on the relative weight of the listed matters, nor on how a conflict between opposing factors should be resolved. All this is left to the court's discretion. The court need not follow any particular process in reaching a decision, so long as the listed matters are seen to be taken into account.

6. A dilemma is inherent in a discretionary jurisdiction of the kind created by the Act. The rationale is that each marriage is unique, and the judge must reach a just and equitable result solely by applying the evidence to the factors prescribed by the Act, determining the relative weight of the factors and resolving any conflict between them. Yet it can be argued that one quality of a just and equitable decision is that it should be seen as the product of a judicial system in which there is a general consistency of approach. Otherwise, the law would abdicate the resolution of property disputes to the conscience of the individual judge, and the process would appear to be unduly dependent on chance.

The weighing of the factors listed involves value judgments, on which opinions may differ among judges as well as among people generally. How should financial contributions be weighed against non financial contributions as a homemaker and parent? Does work by one spouse as a homemaker and parent contribute only to the acquisition of assets for domestic use, or to all assets acquired by the other spouse, including business assets? How should the future needs of the custodial parent be balanced against the spouses' respective contributions during the marriage?

7. In its 1987 Report No. 39, "Matrimonial Property" the Australian Law Reform Commission devoted consid-

erable time and expertise to these problems. It observes (at pp. 119-120):

In comparing the merits of systems such as these with those of the Family Law Act, the major question is not whether the law of property allocation on divorce should be formally based on judicial discretion or on legislatively prescribed entitlements. It is whether the post-separation circumstances of the spouses and their children should be taken into account in the allocation of property, or whether these circumstances are primarily matters for the law of spousal and child maintenance and social security. Which approach offers the more appropriate means of reconciling the equal status of husband and wife with the reality . . . of widely varying economic consequences of marriage breakdown for separating spouses, due primarily to the differing effects of marriage and child rearing upon the earning capacity of men and women?

The commission's research and consultations have led it to conclude that the post-separation circumstances of the parties and their children must continue to be a factor in the allocation of property. This matter is of such importance as to be decisive in the determination of the way in which the law should strike a balance between flexibility and predictability. The need to take account of post-separation circumstances makes a high degree of flexibility essential. An assessment of the economic effects of marriage and its breakdown upon each of the parties and their children must be based on the particular facts of each case. It cannot be precise and it cannot be controlled by a general legislative formula.

The equal status in marriage of husbands and wives would not be adequately reflected in a regime which adopted a general rule of equal sharing of property at the end of the marriage without regard to the spouses' post-separation circumstances. As noted earlier, the introduction of such a regime in recent reforming measures overseas was seen as an advance from the previous law in those jurisdictions in the protection of financially vulnerable women. In contrast, the findings of the research projects . . . show that the introduction of such a regime in Australia would aggravate the economic inequality that often arises from the differing effects of marriage and child rearing upon the spouses. It would substantially change the outcome of many cases from that reached under the Family Law Act, primarily to the detriment of custodial parents and women whose earning capacity has been impaired by their marriage. Such a change would also conflict with the overwhelming weight of public opinion, as revealed in submissions to the commission . . . A preference was expressed by 80 per cent of women and 66 per cent of men for a system which takes account of 'the particular situation of the couple concerned, even if that means uncertainty and some extra cost or delay', over a fixed entitlement system.

8. The ALRC concludes (p. 120):

All the evidence leads to the conclusion that equal sharing of property at the end of a marriage is not necessarily fair sharing. A just sharing of property should be based upon a practical, rather than a merely formal, view of the equal status of husbands and wives within marriage. Their equal status entails that they should bear equal responsibility for the acquisition and management of income and property, the nurture of their children and the management of their household. If the allocation of these functions between them during the marriage places one of them at a disadvantage in relation to the other after they separate, this should be taken into account in the sharing of their property. Thus, a just sharing of property should take into account any disparity arising from the marriage in the standards of living reasonably attainable by the parties after separation.

9. The State Government has not adopted any formal position on these conclusions. Their implementation is obviously a policy question for the Commonwealth Government.

FOREST HECTARES

199. **Mr GUNN (Eyre)**, on notice, asked the Minister of Forests: How many hectares of land does the Department of Woods and Forests intend purchasing in this financial year to plant new forests?

The Hon. J.H.C. KLUNDER: This financial year the Woods and Forests Department has purchased 280 hectares of land for planting into new forest in the South-East. It is currently assessing 27 hectares in the central region with a view to purchase. No other land is currently on offer but, if further suitable land up to around 200 hectares became available in the South-East, the department would be interested. This is unlikely before the end of this financial year.

WATER RETICULATION SYSTEMS

200. **Mr GUNN (Eyre)**, on notice, asked the Minister of Water Resources: How many uneconomic water reticulation systems does the Engineering and Water Supply Department have on its books, where are they, what is the individual cost of each and is the Government making special arrangements to provide extra funds to complete the most urgent of these projects?

The Hon. S.M. LENEHAN: The Engineering and Water Supply Department maintains a list of areas for which representations have been received for the provision of a reticulated water supply (refer to attached list). The list is an alphabetical listing and no order of priority is implied. Although individual cost estimates are not maintained an approximate estimated cost to construct these schemes is $65 million. Having regard to the current constraints on capital expenditure, it is unlikely that any of these schemes could be constructed, using State funds alone, in the foreseeable future.

Schemes to provide reticulated water to an area can sometimes be considered as a candidate for part funding from the Federal Government under the Country Towns Water Supply Improvement Program (COWSIP). The funds available under the COWSIP program are limited and are restricted to water supply schemes for country towns with populations of less than 5 000. In South Australia, funding for COWSIP schemes is generally derived from approximately equal contributions from the Federal Government COWSIP grant, the State Government (Engineering and Water Supply Department loan funds) and the appropriate district council or private source.

Submissions for COWSIP funding are made for eligible projects when confirmation of funding by the third party is received. At the planning stage, the Engineering and Water Supply Department approaches the district council and/or developer(s) concerned to ascertain their interest in the project. Such schemes are pursued only if a favourable response is received from these sources. Using COWSIP, water supplies to the townships of Mount Compass, Blanchetown, Penneshaw and Port Victoria have been constructed. Negotiations for COWSIP schemes are currently at various stages of completion for the townships of Smoky Bay, Port Vincent, Ardrossan, Port Parham and Webb Beach.

Areas Without a Government Water Supply Scheme

1. American River (Part Scheme)
2. American River (Full Scheme)
3. Balgowan
4. Callington-Strathalbyn (Part Scheme)
5. Callington-Strathalbyn (Full Scheme)
6. Carpenter Rocks
7. Cox Hill Road
8. Denial Bay
9. Dutton
*10. Echunga
11. Emu Bay
12. Forreston
13. Green Hill Estate
14. Greenhills-Victor Harbor
15. Hooper/Ettrick, Hundred of
16. Kangarilla
*17. Keyneton
*18. Kingston South (Part Scheme)
*19. Kingston South (Full Scheme)
*20. Macclesfield
21. Manoora-Waterloo
*22. Meadows

23. Middle Beach
*24. Mundalla
25. Notts Well
26. Port Kenny-Venus Bay
27. Port Parham
28. Southend
29. Upper Hermitage
*30. Upper Sturt
31. Watervale

Note: The above list is in alphabetical order and no order of priority is implied.

* Denotes approach made to respective district councils who declined to participate in part funding of scheme under COWSIP program.

GEPPS CROSS MARKET

202. **Mr GUNN (Eyre)**, on notice, asked the Minister of Agriculture:

1. How many hectares of land does Samcor own at Gepps Cross and are there any plans to dispose of or sell the land?

2. Are there any plans to relocate the existing cattle market from Gepps Cross?

3. Is the Government involved in negotiations for the selection of a suitable site for a new sheep saleyard to replace the existing facilities at Gepps Cross and, if so, will the Government provide any financial assistance for the project?

The Hon. M.K. MAYES: The replies are as follows:

1. Samcor owns approximately 50 hectares of land at Gepps Cross and the Samcor board has no plans to sell further land.

2. The Samcor board has no plans to relocate the existing cattle market from Gepps Cross.

3. Through a Department of Agriculture officer, the Government was represented on the committee, established by industry, to select a suitable site for a new sheep saleyard. The Government will not provide financial assistance for any such resulting project.

TB AND BRUCELLOSIS

204. **Mr GUNN (Eyre)**, on notice, asked the Minister of Agriculture: Is the Government still carrying out extensive monitoring of cattle herds under the TB and brucellosis eradication program and, if so, how many people are involved in the project and what is the anticipated cost for this financial year?

The Hon. M.K. MAYES: Monitoring of all cattle herds in South Australia for brucellosis and tuberculosis is still being carried out to comply with the National Brucellosis and Tuberculosis Eradication Campaign. All cattle slaughtered are examined for tuberculosis and all mature slaughter cattle are tested for brucellosis. Aborting cattle reported by owners are tested for brucellosis as are milk samples from all dairy herds. Individual herds at high risk of disease are tested and individual cattle at saleyards are examined to ensure compliance with tail-tagging requirements. A total of 16 departmental staff and 8 meat inspectors are deployed to conduct the campaign in South Australia in 1988-89. The total expenditure, including monitoring, is budgeted to be $2.2 million.

NORTHFIELD RESEARCH CENTRE

206. **Mr GUNN (Eyre)**, on notice, asked the Minister of Agriculture: How many people are currently employed at the Northfield Research Centre and has there been any reduction in numbers at the centre over the past 12 months?

The Hon. M.K. MAYES: At present there are 128 staff operating from the Northfield Research Centre. However, this can obviously vary slightly from day to day with the normal process of resignation and recruitment. Total staff employed at the centre can vary for several reasons. In particular, the centre houses a number of staff employed on specific research projects and supported by industry funding. This can result in variations in staff numbers, reflecting the number of such projects. In the last year there has been a reduction of eight staff due to the completion of research projects and the subsequent end of the associated industry funding. However, no State funded positions have been lost from the centre over the past 12 months.

DEPARTMENT OF AGRICULTURE

207. **Mr GUNN (Eyre)**, on notice, asked the Minister of Agriculture: How many people are employed in the Department of Agriculture?

The Hon. M.K. MAYES: The latest work force information available to the Department of Agriculture is for the pay period ending 13 January 1989. On that date, the Department of Agriculture had 1020.4 employees measured as full-time equivalents (FTE). The figure of 1020.4 FTE was made up of 778.0 State or joint State/Commonwealth funded FTEs, and 242.4 FTEs funded from other sources, such as Commonwealth quarantine or producer research funds.

RURAL INDUSTRIES ASSISTANCE BRANCH

208. **Mr GUNN (Eyre)**, on notice, asked the Minister of Agriculture:

1. How many applications has the Rural Industries Assistance Branch received during this financial year?

2. How many applications have been granted?

3. How many have been declined or refused and, of these, how many, after further application, were successful?

4. How much money has been made available for farm build-up, debt reconstruction or carry-on finance during this financial year?

The Hon. M.K. MAYES: The replies are as follows:

1. RAB has received 238 applications for financial assistance (including 28 applications for rehabilitation grants).

2. RAB has approved 90 applications for financial assistance (including 21 for rehabilitation grants).

3. Part (i) RAB has declined 67 applications for financial assistance including 3 for rehabilitation grants.

Part (ii) Data relevant to this question can be misleading, as information supplied in applications is often supplemented during the assessment process particularly if a decline looks likely. This information may be supplied by the applicant or by his financial institutions, and it can be supplemented by further assistance from other family members to improve the situation, thus making approval more likely.

RAB policy is to visit those farmers who require that their declined application be reassessed. There have been approximately 8 such cases this financial year. Three have been reversed, but each one supplied extra information or extra finance from other sources which substantially affected the assessment.

4. RAB has approved loans for $5.02 million for farm build-up, and $2.352 million for debt reconstruction (including carry-on finance).

Supplementary Information

RAB expects substantially increased amounts of financial assistance to be approved in February, March and April compared with the first half of the year. This is the normal pattern because cereal farmers review their annual finances in this period.

RAB has received 70 applications this month up to 17 February.

ARTESIAN BORE CAPPING

212. **Mr GUNN (Eyre)**, on notice, asked the Minister of Mines and Energy: Is the Department of Mines and Energy still carrying out a program of capping artesian bores in the Great Artesian Basin and, if so, how many does it plan to cap in this financial year?

The Hon. J.H.C. KLUNDER: The program of rehabilitation of flowing wells by the Department of Mines and Energy in the Great Artesian Basin is being continued this financial year. From July 1988 to the end of December 1988, the following work was completed before major flooding curtailed the program:

Relined with fibreglass casing	1 well
Plugged and abandoned (well not required)	1 well
Preliminary earthworks and investigation of downhole conditions	1 well
Planned work remaining for 1988-89:	
Plug and abandon old well (replacement well completed February 1988)	1 well
Reline with fibreglass casing	4 wells
Drill new wells and abandon old wells beyond remedial work	4 wells
Remedial work on existing wells (to improve reliability of supply)	2 wells

The program will then continue through 1989-90.

DOG FENCE LEVY

214. **Mr GUNN (Eyre)**, on notice, asked the Minister of Lands: Does the Government plan to place a levy on all landholders in the State to finance the upkeep of the dog fence and, if so, when, how much and how will the levy be calculated?

The Hon. S.M. LENEHAN: Yes. The levy will apply to all rural holdings below the dog fence which are over 10 square kilometres in area, excluding Kangaroo Island. The rate to be applied will be uniform throughout the rateable area and will incorporate a minimum rate payable by any one landholder. As is usual practice, the amount of rate set and the amount of minimum rate payable will be decided by Dog Fence Board determination during the first month of the new financial year.

FOREIGN OWNERSHIP OF LAND

215. **Mr GUNN (Eyre)**, on notice, asked the Minister of Lands: Does the Department of Lands monitor and record the amount of foreign ownership of agricultural and pastoral land and of commercial and residential land, and, if so, how long has this been taking place and what is the level of foreign ownership of agricultural, pastoral, residential and commercial land in South Australia?

The Hon. S.M. LENEHAN: As the member would be aware, the Australian Government requires notification of proposed foreign investment in real estate. The State Land Titles Registration Office does not maintain any separate register of foreign land ownership of either freehold or Crown land; however, dealings disclosing an overseas address are recorded on the certificate of title or Crown lease.

SHACK DEVELOPMENT

216. **Mr GUNN (Eyre)**, on notice, asked the Minister of Lands: Is the Government considering setting aside new areas for shack development to take the place of those areas currently designated as unacceptable?

The Hon. S.M. LENEHAN: Yes.

PASTORAL LEASES

217. **Mr GUNN (Eyre)**, on notice, asked the Minister of Lands:

1. How many pastoral leases are currently in force and approximately how many square kilometres are included?

2. When were the pastoral lease rents last increased and by what percentage?

3. What is the total amount of revenue collected annually on pastoral leases?

The Hon. S.M. LENEHAN: The replies are as follows:

1. There are currently 342 pastoral leases. The total area of occupation is approximately 430 000 square kilometres.

2. The fourth seven-year period of rental revaluation commenced in February 1983. Rents were increased in each instance by 50 per cent on the rental applying to the preceding seven years.

3. $629 926 per annum.

NEW BITUMEN ROADS

218. **Mr GUNN (Eyre)**, on notice, asked the Minister of Transport: How many kilometres of new bitumen roads will be completed by the Highways Department in 1988-89?

The Hon. G.F. KENEALLY: Approximately 50 kilometres.

RURAL ARTERIAL ROADS

219. **Mr GUNN (Eyre)**, on notice, asked the Minister of Transport:

1. How much money is programmed to be spent on rural arterial roads for the year 1988-89?

2. Is it the intention of the Government to increase the amount of money for rural arterial roads?

3. How many kilometres of rural arterial roads will be sealed during 1988-89?

The Hon. G.F. KENEALLY: The replies are as follows:

1. Approximately $56 million.

2. This matter will be addressed in due course as part of the budget process.

3. Approximately 35 kilometres of new seal and approximately 71 kilometres of previously sealed roads which have been reconstructed.

TWO WELLS-PORT WAKEFIELD HIGHWAY

220. **Mr GUNN (Eyre)**, on notice, asked the Minister of Transport: Does the Highways Department have plans to build a dual highway from Two Wells to Port Wakefield and, if so, when, what is the estimated cost and how long will it take?

The Hon. G.F. KENEALLY: The Highways Department does have plans to build a dual highway from Two Wells to Port Wakefield. However, this is subject to the availability of federal funds.

ELECTORATE OFFICE COMPUTERS

221. **Mr LEWIS (Murray-Mallee)**, on notice, asked the Minister of Housing and Construction:

1. Which Australian Labor Party members of Parliament of both Houses have computer/word processors provided by the Government in their electorate offices?

2. What kind of equipment is it in each case (indicating names of manufacturers, size of ROM and RAM, whether the keyboard can be used concurrently with printer in operation or not, speed of printer, number of floppy disk drives, number of hard disk drives, type of phone modem, single or multi-colour VDU)?

3. What software has been provided to use with the equipment?

4. What was the date of installation of the equipment in each case?

5. Is there any plan to instal more such equipment in ALP members' electorate offices during the remainder of 1989 and, if so, in which offices, when, and what type of equipment (in the form requested in part 2)?

6. What photocopying equipment has been installed in the past 12 months or is planned to be installed by the end of 1989 in any ALP members' offices and what type is it, when was it or when will it be installed, and is the new equipment a replacement of, or to be a replacement of, an existing photocopier?

7. What FAX equipment was installed in the past 12 months or is planned to be installed by the end of 1989 in any ALP members' electorate offices and when was it or when will it be installed?

8. Which Ministers have any of the equipment referred to in their ministerial offices, when was such equipment installed, is it planned to replace any such equipment by the end of 1989 and, if so, with what types?

The Hon. T.H. HEMMINGS: The replies are as follows:

1. Computer/Word processing facilities have been provided to the following ALP electorate offices:

Computers	Word processors
Adelaide	Florey
Bright	Gilles
Fisher	Hayward
Newland	Henley Beach
Norwood	Mawson
Todd	Walsh
Unley	

These facilities were allocated on the basis of the number of seats held by each major party. Accordingly, out of the 12 personal computers, 5 were allocated to the Liberal Party and 7 to the ALP. In the case of the 10 Glass typewriters, 4 were allocated to the Liberal Party and 6 to the ALP.

2. The specifications of the equipment provided are as follows:

Computers

Item	Manufacturer
IBM PC-AT Compatible Blue Chip Compact 286 Personal Computer with 640K memory	Blue Chip Electronics
20 MB hard disk drive and controller	Miniscribe
1.2 MB + 360K floppy diskette drive and controller	Mitsubishi
Hi-resolution Monochrome monitor and adapter	OMT
BJ 130 Bubble Jet Printer	Canon

Keyboard
Can be used concurrently with printer in operation.
Printer Speed
260 characters per second—draft
200 characters per second—letter
Telephone Modems
No modems have been provided.
Word Processors

Item	Manufacturer
GT 1000 Glass typewriter with 800K disk storage and dual disk drives	Micro Byte Systems

Glass typewriters were interfaced with the Canon AP310 typewriter previously supplied to electorate offices.
Keyboard
Cannot be used concurrently with typewriter (printer) in operation.
Telephone Modems
No modems have been provided.

3. Software for the equipment includes:
Computers—Microsoft 401
Word perfect 5.0 (includes self-tutorial)
Word processors—version 4.2 (upgradable)

4. The computer equipment was installed in January 1989. Word processing equipment was installed in Adelaide, Fisher, Henley Beach, Mawson, Newland and Todd electorate offices in June 1987. The word processors currently used by Adelaide, Fisher, Newland and Todd electorate offices will be transferred to Florey, Gilles, Hayward and Walsh offices in the near future following the completion of the computer training program.

5. There are no plans to instal any more computer or word processing equipment in any electorate office during the remainder of 1989.

6. 10 Canon model NP 3225 photocopiers have been installed in ALP electorate offices and 9 in Liberal electorate offices in the past 12 months as part of an ongoing replacement program. It is anticipated that further funds will be allocated in the 1989-90 financial year to complete the program.

7. The South Australian Department of Housing and Construction has not purchased facsimile equipment for use in any State electorate office. It is not planned to provide facsimile equipment to electorate offices by the end of 1989.

Any facsimile equipment currently used by electorate offices has been provided at the member's own expense.

8. The electorate office budget does not cover work in ministerial offices. Responsibility for this work lies with the respective administrative department for each Minister.

HOUSING TRUST LOANS

223. **Mr M.J. EVANS (Elizabeth)**, on notice, asked the Minister of Housing and Construction:

1. What provision, if any, is being made by the South Australian Housing Trust for the repayment of the non-concessional loans to the trust by SAFA?

2. What amount is expected to be available to the trust in the year 1989-90 by way of loans at concessional interest rates?

3. What amount does the trust expect to borrow in the 1989-90 financial year at non-concessional interest rates, and what is the anticipated average interest rate for these funds?

4. Of the outstanding SAFA concessional rate loans, is there a guarantee that the interest rate payable by the trust to SAFA will remain fixed for the term of the loan and, if not, under what circumstances will the effective rate payable by the trust increase?

The Hon. T.H. HEMMINGS: The replies are as follows:

1. No provision is made for the repayment of non-concessional SAFA loans. These loans are interest only; principal is non-repayable.

2. This amount has not yet been determined by Loans Council, the Commonwealth Government, and the State Government as the 1989-90 budget process is still underway. The State Government would like an increase on the $51.8 million available to the trust in 1988-89.

3. The anticipated level of borrowings for 1989-90 at non-concessional rates has not yet been determined and is dependent on the level of moneys supplied at concessional rates.

The anticipated average interest rate advised by Treasury is currently 13.6 per cent, but it is too early to determine accurate average interest rates for next financial year.

4. The question of whether the rate will remain fixed is determined by the honourable Treasurer. The current position is that the State has borrowed at a fixed interest rate and has chosen to date to lend those funds to the trust at the same interest rate. Any change to these rates is at the discretion of the honourable Treasurer and could be subject to variation if funding from the Commonwealth altered significantly.

HOUSING TRUST RENTAL PROPERTIES

224. **Mr M.J. EVANS (Elizabeth)**, on notice, asked the Minister of Housing and Construction: What is the annual depreciation rate used by the South Australian Housing Trust with respect to domestic rental properties?

The Hon. T.H. HEMMINGS: All residential properties are depreciated over a 75 year span on a straight line basis, using the historical cost of the improvements.

JUBILEE POINT

231. **Mr BECKER (Hanson)**, on notice, asked the Premier: What was the amount of money expended by the Government in assisting and negotiating with developers and making assessments in relation to the Jubilee Point project?

The Hon. J.C. BANNON: The Jubilee Point proposal was first raised with Government in 1984. Following refinement and definition of the initial proposal, a formal development submission was made in late 1984, and the proponents informed by the Minister for Environment and Planning of the need for the preparation of an Environmental Impact Statement (EIS). Guidelines for the EIS were issued in November 1984.

The draft EIS was prepared by the proponents in January 1986, and subsequently a supplement issued in September 1986 following public comments, and an addendum issued in October 1986. Following these documents an assessment report, prepared by the Department of Environment and Planning, was released in February 1987. Subsequently the Minister gave formal recognition to the EIS.

In following this course of assessment for Jubilee Point, the project was handled within Government in the same way as all development proposals. As such there were no specific allocations of funds. In a project as complex as Jubilee Point a wide range of Government agencies and departments were involved in consultations, negotiations and assessments. As such, to discern specific expenditure would be impractical and cannot be seen as anything other than normal operational expenditure of Government.

In September 1987, Government established a specific review committee, chaired by Mr B. Hayes, QC. This committee of review produced a review report in November 1987. The funds allocated to this committee totalled $35 000, of which $31 610 was expended.

ELECTRONMICROSCOPE

233. **Mr BECKER (Hanson)**, on notice, asked the Minister of Health: Will the South Australian Health Commission acquire a new electronmicroscope for the Institute of Medical and Veterinary Science and, if so, when and what is the estimated cost; and, if not, why not?

The Hon. F.T. BLEVINS: Recommendations regarding the funding of an electronmiscroscope for the IMVS at the estimated cost of $500 000 will be made by the South Australian Health Commission in consultation with the Medical Equipment Priorities Committee as part of the 1989-90 budget process. The Medical Equipment Priorities Committee comprises representatives of major metropolitan hospitals, IMVS and the Australian Medical Association.

MYALGIC ENCEPHALOMYELITIS

234. **Mr BECKER (Hanson)**, on notice, asked the Minister of Health:

1. How many South Australians have been diagnosed as having myalgic encephalomyelitis?

2. What is the recognised cause of such disability and what research is being undertaken and by whom in South Australia?

The Hon. F.T. BLEVINS: The replies are as follows:

1. The ME Syndrome Society Inc., SA Support Group has indicated that there are more than 6000 poeple in South Australia with ME, also referred to as chronic fatigue syndrome.

2. The cause of ME is unknown and researchers around the world are attempting to identify, isolate and ultimately cure ME. The IMVS has advised that it is not undertaking any research on ME at the moment.

WORD PROCESSOR TENDERS

235. **Mr BECKER (Hanson)**, on notice, asked the Minister of Housing and Construction:

1. Were tenders called for the supply of 12 word processors for electorate offices and, if so, when, where and what was the amount of the successful tenderer, and, if not, why not?

2. Why was Micro Byte of Camden Park not consulted to provide a South Australian designed and manufactured word processor?

The Hon. T.H. HEMMINGS: The replies are as follows:

1. On Monday, 28 November 1988, tenders were called for the supply of 12 IBM compatible personal computers, peripherals, word processing package and training, in the tenders and contracts section of the *Advertiser*. The amount of the successful tenderer was $7 688. This cost also included training.

2. In line with Government policy the Department of State Supply went to public tender call for the 12 computers. This call was open to all businesses to respond. Micro Byte systems did not offer a tender in response to the call.

SCALE FISHERY

238. **Mr GUNN (Eyre)**, on notice, asked the Minister of Fisheries:

1. How many fishermen are licensed in the scale fishery?
2. How many fishermen are licensed to use nets?
3. Are there any plans to introduce a buy back scheme in the scale fishery or any alterations to the licences which will restrict the activities of scale fishermen?

The Hon. M.K. MAYES: The replies are as follows:

1. Marine Scalefish Fishery—532
   Restricted Marine Scalefish Fishery—173.
2. Marine Scalefish Fishery—220
   Restricted Marine Scalefish Fishery—4
3. There are no specific proposals currently before Government to introduce a buy back scheme or to amend the management arrangements within the Marine Scalefish Fishery, the net sector in particular. In response to the ongoing debate within the community on fisheries resource allocation and increasing effort levels by all sectors, the Department of Fisheries is preparing an extensive review of this fishery to be released in mid 1989. This review will present the biological and stock status of all commercially and recreationally important species in the fishery, estimates of the impact of fishing of these stocks, the various demands for access by competing recreational and commercial sectors and options that should be considered in the future management of the fishery. The review will be released as a green paper for public comment. On receipt of these comments the department will assess the need for any amendments to the current arrangements and, if necessary, make recommendation to myself.

In developing the green paper the department is taking into consideration a large number of views already expressed by sectors of the industry. These include requests/demands for netting closures for recreational/tourism purposes through to the need to restructure and rationalise various sectors of the commercial industry. The commercial industry has been debating rationalisation for some time and the South Australian Fishing Industry Council recently submitted a range of industry options to the Department for consideration in preparing the green paper.

PERSONAL ASSISTANTS

239. **Mr S.J. BAKER (Mitcham)**, on notice, asked the Minister of Housing and Construction: How many employees are there under each of the new classifications for personal assistants in each House of Assembly electorate and for each political Party in the Legislative Council?

The Hon. T.H. HEMMINGS: The reply is as follows:

PERSONAL ASSISTANTS CLASSIFICATIONS FOR EACH HOUSE OF ASSEMBLY ELECTORATE

Electorate	Personal Assistant Grade I (FTE)	Personal Assistant Grade II (FTE)
Adelaide	1.0	—
Albert Park	1.0	—
Alexandra	1.0	—
Baudin	1.0	0.6
Bragg	1.0	—
Briggs	1.0	—
Bright	1.0	—
Chaffey	1.0	—
Coles	1.0	—
Custance	1.0	—
Davenport	1.0	—
Elizabeth	1.0	—
Eyre	2.0	—
Fisher	1.0	—
Flinders	1.6	—
Florey	1.0	0.6
Gilles	1.0	—
Goyder	1.0	—
Hanson	1.0	—
Hartley	1.0	—
Hayward	1.0	—
Henley Beach	1.0	—
Heysen	1.0	—
Kavel	1.0	—
Light	1.0	—
Mawson	1.0	0.6
Mitcham	1.0	—
Mitchell	1.0	—
Morphett	1.0	—
Mount Gambier	1.0	—
Murray-Mallee	1.6	—
Napier	1.0	0.6
Newland	1.0	—
Norwood	1.0	0.6
Peake	1.0	—
Playford	1.0	—
Price	1.0	—
Ramsay	1.0	0.6
Ross Smith	1.0	1.0
Semaphore	1.0	—
Spence	1.0	—
Stuart	1.6	—
Todd	1.0	0.6
Unley	1.0	0.6
Victoria	1.0	—
Walsh	1.0	—
Whyalla	1.0	0.6

PERSONAL ASSISTANTS CLASSIFICATIONS FOR LEGISLATIVE COUNCIL OFFICES

Party	Personal Assistant Grade I (FTE)	Personal Assistant Grade II (FTE)
ALP President	1.0	—
ALP	2.0	—
Liberal	2.0	—
Democrat	1.0	—

Note: In addition to the 2.0 FTE Personal Assistants Grade I the Liberal Party also has 1.0 FTE Ministerial Officer Grade III.

MULTI-FUNCTION POLIS

240. **Mr OLSEN (Leader of the Opposition)**, on notice, asked the Premier: Has the Department of the Premier and Cabinet completed a concept paper on South Australia's response to the multi-function polis proposal for establishing a twenty-first century international complex in Australia and, if so, will the Premier table the paper?

The Hon. J.C. BANNON: A working party is currently preparing a concept paper for submission to the consultants who have been engaged to carry out the feasibility study on the multi-function polis proposal. Copies of the paper will be made available at an appropriate time. In the meantime, I am prepared to arrange for briefing for the honourable Leader of the Opposition by responsible senior officers.

JAPANESE INVESTMENT

241. **Mr OLSEN (Leader of the Opposition)**, on notice, asked the Premier: In relation to the spending of $23 287 in 1987-88 on 'Japanese investment proposals' under Premier's Department Program 8, 'Various Committees of Inquiry Expenses'—

(a) what specific proposals were investigated;
(b) what was the outcome of those investigations; and

(c) will the Premier table any reports he has received following those investigations?

The Hon. J.C. BANNON: The expenditure primarily covers examination of investment proposals concerned with the multi-function polis exercise. Work is continuing on these investigations. No general report has been prepared at this stage.

LIBERAL MEMBERS' OFFICE EQUIPMENT

257. **Ms GAYLER (Newland)**, on notice, asked the Minister of Housing and Construction:

1. Which Liberal Party members of Parliament of both Houses have computer/word processors provided by the Government in their electorate offices?

2. What kind of equipment is it in each case (indicating names of manufacturers, size of ROM and RAM, whether the keyboard can be used concurrently with printer in operation or not, speed of printer, number of floppy disk drives, number of hard disk drives, type of phone modem, single or multi-colour VDU)?

3. What software has been provided to use with the equipment?

4. What was the date of installation of the equipment in each case?

5. Is there any plan to instal more such equipment in Liberal members' electorate offices during the remainder of 1989 and, if so, in which offices, when, and what type of equipment (in the form requested in part 2)?

6. What photocopying equipment has been installed in the past 12 months or is planned to be installed by the end of 1989 in any Liberal members' offices and what type is it, when was it or when will it be installed and is the new equipment a replacement of, or to be a replacement of, an existing photocopier?

7. What FAX equipment was installed in the past 12 months or is planned to be installed by the end of 1989 in any Liberal members' electorate offices and when was it or when will it be installed?

8. Which shadow ministers have any of the equipment referred to in their offices, when was such equipment installed, is it planned to replace any such equipment by the end of 1989 and, if so, with what types?

The Hon. T.H. HEMMINGS: The replies are as follows:

1. Computer/word processing facilities have been provided to the following Liberal electorate offices:

Computers	Word processors
Coles	Goyder
Davenport	Heysen
Hanson	Light
Mitcham	Murray-Mallee
Morphett	

These facilities were allocated on the basis of the number of seats held by each major party. Accordingly, out of the 12 personal computers, 5 were allocated to the Liberal Party and 7 to the ALP. In the case of the 10 Glass typewriters, 4 were allocated to the Liberal Party and 6 to the ALP.

2. The specifications of the equipment provided are as follows:

Computers

Item	Manufacturer
IBM PC-AT Compatible Blue Chip Compact 286 Personal Computer with 640K memory	Blue Chip Electronics
20 MB hard disk drive and controller	Miniscribe
1.2 MB + 360K floppy diskette drive and controller	Mitsubishi
Hi-resolution Monochrome monitor and adapter	OMT
BJ 130 Bubble Jet Printer	Canon

Keyboard
Can be used concurrently with printer in operation.
Printer Speed
260 characters per second—draft
200 characters per second—letter
Telephone Modems
No modems have been provided.
Word Processors

Item	Manufacturer
GT 1000 Glass typewriter with 800K disk storage and dual disk drives	Micro Byte Systems

Glass typewriters were interfaced with the Canon AP310 typewriter previously supplied to electorate offices.
Keyboard
Cannot be used concurrently with typewriter (printer) in operation.
Telephone Modems
No modems have been provided.

3. Software for the equipment includes:
Computers—Microsoft 401
Word perfect 5.0 (includes self-tutorial)
Word processors—version 4.2 (upgradable)

4. The computer equipment was installed in January 1989. Word processing equipment was installed in Coles, Hanson, Heysen and Murray-Mallee electorate offices in June 1987. The word processors currently used by Coles and Hanson electorate offices will be transferred to the Goyder and Light offices in the near future following the completion of the computer training.

5. There are no plans to instal any more computer or word processing equipment in any electorate office during the remainder of 1989.

6. 10 Canon model NP3225 photocopiers have been installed in ALP electorate offices and 9 in Liberal electorate offices in the past 12 months as part of an ongoing replacement program. It is anticipated that further funds will be allocated in the 1989-90 financial year to complete the program.

7. The South Australian Department of Housing and Construction has not purchased facsimile equipment for use in any State electorate office. It is not planned to provide facsimile equipment to electorate offices by the end of 1989. Any facsimile equipment currently used by electorate offices has been provided at the member's own expense.

8. The South Australian Department of Housing and Construction has provided the following equipment to shadow ministers with electorate offices:
Computers
Member for Coles—installed January 1989.
Word Processors
Member for Light—to be installed in March-April 1989.
Photocopiers
Member for Coles—new machine installed August 1988.
Member for Custance
Member for Kavel
Member for Victoria
Member for Bragg
Member for Light
It is proposed to replace the existing photocopiers in June 1990.
Facsimile Machine
No facsimile machines have been provided.