HOUSE OF ASSEMBLY

Thursday 5 April 1990

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

LAND TAX

Mr INGERSON (Bragg): I move:

That this House condemns the Government for its decision to reject calls for a CPI limit on land tax and for its insensitivity to the huge number of businesses forced to pay these excesses particularly having stated that increases would be kept below the inflation rate.

I have received a huge number of representations from members of the business community about this issue. Although questions have been asked in the House, the Premier has brushed off this problem as one that affects only a few businesses. Some 30 per cent of businesses in this State have had increases in land tax in excess of the CPI. This Government is in office on a minority basis, yet it turns its back on a significant minority of people in our State.

Principally, the increases have been in the CBD area and they have ranged from 10 per cent to over 1 000 per cent in land tax. Most of those businesses are small businesses. This Government does not seem to care one iota about business costs, particularly as they relate to the small business community. We saw an example last night, in which the Government ignored a plea for the concern of small business in relation to increases in the cost of workers compensation, and here today I would like to put these concerns on the record and some examples of many small businesses and their problems in trying to cope with land tax.

One of the issues in this whole area was the holding up of accounts; exactly the same situation as we saw when discussing workers compensation. The details have been held back. We clearly pointed out during and prior to the election that these bills were traditionally sent out in October but what happened this year? They hit the deck in December. There were massive costs increases to small business when they were sent out in December.

Mr S.G. Evans interjecting:

Mr INGERSON: I wonder, as the member for Davenport asks me, whether it was a deliberate attempt by the Government to cover up these massive increases in cost for small business. The member for Napier waves and nods his head. He knows full well it was a deliberate attempt by the Government to hold back these charges. He knows full well that these charges were held back because they were an electoral disadvantage for the Government.

Let us look at those charges. One bill started off at $1 300 last year and ended up at $2 600 this year. Another started at $620 and ended up at $1 338 this year. Another example shows a land tax increase in the Glenelg area from $1 410 last year to $2 715 this year. That is a massive increase.

Mr Ferguson interjecting:

Mr INGERSON: That was one property. The member for Henley and Grange interjects—

Mr FERGUSON: On a point of order, Mr Speaker, my correct title is 'the member for Henley Beach' and I should be addressed in that way.

Mr INGERSON: I apologise to the member for Henley Beach but I know he likes a bit of Grange so it does not hurt. That increase from $1 410 to $2 715 was a $1 300 increase. This Government believes that small business can continue to pay. There are hundreds of examples of massive increases. Another one, $135 to $206, is a 52 per cent increase in one year. The Government expects small business continually to pick up this sort of expense and increase. Another example, $3 111 to $6 200, is a $3 000 increase, with no time to pay. They copped the bill in December and had to pay it in January. All the Government can say is, 'We know that is a bit of a problem; perhaps we will let you have two or three months (60 days) extra to pay'. However, if they have not got the money to start off with, how can they pay it in 60 days?

Mr S.G. Evans interjecting:

Mr INGERSON: As the member for Davenport says, all this Government wants is for everyone to borrow at 24 per cent to pay their bill. These are scandalous increases in land tax and all the Premier can say is that 70 per cent of them are okay. However, what about the other 30 per cent? They employ about 50 000 employees in this State. We hear this Government say that we must look after the employees when they are disadvantaged. If employers do not have the dollars to pay the bills, unemployment in this State will increase. Here is another example of this Government not caring at all about small business and, in particular, the employment of people in the small business sector.

There are further examples: $22 to $412—what a massive increase; $877 last year, $4 800 this year—a massive increase of nearly $4 000. How could this Government expect small business to budget for these increases? It is absolutely absurd and small business cannot be expected to cope with that. Here is another example: $2 108 to $4 074—a $2 000 increase. This Government has not realised yet that small business employs nearly 70 per cent of the total work force in this State, and it does not care about the problems in the small business sector because here are examples where nothing has been done. All the Premier says is, 'We will have a review. We will get a tired old politician to have a look and hopefully we will come up with something down the track.'

The Hon. T.H. Hemmings: That is a reflection on a past member.

Mr INGERSON: In that case, I withdraw, but an old politician—

The SPEAKER: Order! The Chair is in control of this House, at the wish of the members, and I draw members' attention to that fact.

Mr Lewis: Sack him! Throw him out!

The SPEAKER: Order!

Mr INGERSON: I apologise, Mr Speaker; I thought you nodded that I should withdraw.

The SPEAKER: The Chair will let the honourable member know when action is to be taken.

Mr INGERSON: Well, a tired old politician has been put in charge of this review and let us hope that this ex-politician who has been put in charge will recognise that small business has a major problem in this area. I could go on with examples of small business being hit to leg because this Government does not care at all. What should be done? I have been accused in recent days of not putting down what should be done. The Government should set the maximum limit of increase for any taxation in this State at CPI, as it said and as it has been putting to the people of South Australia in the past two election campaigns. We have heard the Premier say that taxation will not increase in this State by more than inflation. Here is another example in which direct tax—land tax—is increasing for 30 per cent of the business community in this State by more than CPI. That fact is admitted by the Premier, but he is doing nothing about it. As usual, the Premier walks away from any hard decisions that have to be made. Thus 30 per cent of the

business sector in this State is being hit to leg, and the Government is doing absolutely nothing about it.

I wonder what the Premier will do about the small business people who write to him and say that they can afford to pay only the CPI increase, and send in that sum only. He said in the Parliament the other day that, if they have broken the law, they will be prosecuted. Let us see what he will do, whether he will be prepared to send those businesses to the wall or, more importantly, put a lot of employees out in the street. Let us see whether the Premier will do that or whether commonsense prevails and there is support for the whole small business sector. I condemn the Government for the action it has taken in increasing the level of land tax beyond CPI. I further condemn it for not caring or doing anything about the 30 per cent of small businesses that are being directly affected.

The Hon. T.H. HEMMINGS secured the adjournment of the debate.

MARINO ROCKS MARINA

Mr MATTHEW (Bright): I move:

That this House notes the concerns of 285 signatories to a document requesting the Government to proceed no further with the Marino Rocks marina until there is a commitment to a full environmental impact statement on this project.

On 20 February 1990 I presented to this House 749 signatures on a petition regarding the proposed marina development at Marino Rocks. Those petitioners prayed that this House would recognise Marino Rocks as an important natural resource for the people of South Australia and take action to prevent alteration and elimination of access to the foreshore and the destruction of the hills face zone. The petitioners called for detailed information of the proposed project to be made public and also for an environmental impact statement to be prepared.

On the same day that I was given the petition with 749 signatures to present to this House, I was also given a further document with 285 signatures which clearly expressed a view but which was not in a format that could be presented to this House as a petition. The signatories to that document stated:

We, the undersigned, respectfully request the State Government of South Australia to proceed no further with the Marino Rocks marina until there is a commitment to a full environmental impact study on this project.

These 285 signatures, added to the 749 on the petition that I presented to this House, represent a total of 1 034 people who have signed documents to express their concern about the Marino Rocks marina development and to call on the State Government to prepare an environmental impact statement—1 034 signatures collected in a period of just a few weeks. When one examines the State Government's disgraceful record of mismanagement of this project, one asks, 'Is it any wonder that it has caused local residents considerable concern?'

I wish to outline briefly the scenarios that have led to such strong expressions of concern from this number of residents of South Australia, most of whom live in my electorate. With much fanfare, in a joint statement by the Premier and the Minister for Environment and Planning, on 20 September 1989 the State Government released details of a marina housing development at Marino Rocks. The statement had been hastily cobbled together near the eve of the State election in a desperate bid to portray South Australia as a State for development projects. The public was told that amongst other things the project would include a new easterly connector road which would improve access to the coast for local residents and which would result in less traffic on Cove Road, and approximately 1 000 housing units near the marina and east of Cove Road.

The Government announced that, in order to accommodate the housing development, changes to the hills face zone would be involved. An area of 90 hectares of hills face zone was to be reclassified to be used for the housing component. A further 43 hectares of hills face zone was to be re-zoned public open space between the residential areas. In their joint news release, the Premier and the Minister for Environment and Planning said:

No EIS would be required as the environmental questions had already been answered in the marina site study.

The marina site study referred to by the Premier and the Minister is, in fact, a document which is entitled 'Marina site suitability study for the coast between Port Gawler and Cape Jervis' and which was prepared for the Minister for Environment and Planning by the Marina Assessment Advisory Committee in June of 1988. That report identifies four sites: Marino Rocks, Wirrina, the old Maslin quarry and Mutton Cove. The report states in relation to the Marino Rocks site:

There is already a requirement for an EIS to be prepared for a marina development at this site. It is not likely that this requirement would change.

But it seems the requirement has changed, according to the Government, and it quotes this report as being the reason for no EIS being prepared. This is a complete contradiction in terms and members on the other side of the House sit back and accept it quietly. These words differ markedly from the interpretation given by the Premier and his Minister, who said that no EIS would be required as the environmental question had already been answered in the marina site study. This is clearly not so.

The Premier and the Minister for Environment and Planning have been blatantly attempting to mislead the public, and I for one will not stand idly by and allow this to happen. As public pressure began to mount and the election date drew nearer, the Minister hastily cobbled together a package in a desperate bid to pacify an increasingly concerned group of South Australians. The process was called an EIA, or environmental impact assessment, and the development was to be approved under—yes, we hear it again—section 63 of the Planning Act—the fast track section.

The Government then attempted to portray this section 63 scheme, and the accompanying environmental impact assessment, as somehow being equal to, or better than, an environmental impact statement. Clearly this is not the case. Members would be aware that the State Planning Authority determines, first, whether consent should be granted to a development in relation to which an environmental impact statement has been prepared and, if so, the conditions upon which consent should be granted. Section 63, on the other hand requires that the Minister prepare and submit to the Governor 'a scheme involving the acquisiton, development, management or disposal of land by an authority to which this section applies'. In other words, for the information of members opposite, the Minister can make the rules and change the rules as she deems appropriate.

An EIS is considered by the Planning Commission, and a section 63 scheme need only be considered by the Minister; hence its name, the fast track system. Certainly, the City of Marion is unhappy with this approach. Indeed, in last week's *Southern Times*, an article paid for by the City of Marion was published. The article, appearing as part of a regular news feature by Marion City Council known as 'Marion News and Views', was headed 'Council keeps pressure on', and states in part:

Marion council's call for an environmental impact statement on the proposed Marino Rocks marina development has effectively been quashed by the Environment and Planning Minister, Susan Lenehan. In a letter to council last month, Ms Lenehan indicated the Government was unwilling to undertake an EIS because it wanted to make a final decision without undue delay and unnecessary duplication. Marion had earlier asked the Government to defer a supplementary development plan for the proposed marina and residential development at Marino pending an environmental impact statement in order to understand its implications more fully.

The article concludes:

Progress on the draft SDP has been slow and is still awaiting further investigations and information from the project's proponents. In the meantime Marion council will keep pressure on the Government to produce an environmental impact statement.

Bearing these comments in mind, it is interesting to reflect back on two documents released publicly by the Government just prior to the last State election. The first of these documents, entitled 'Assessment process for Marino Rocks marina', was prepared by the major projects assessment branch of the Department for Environment and Planning and was released in September 1989. The document states, in part:

Marion City Council will be closely consulted throughout the whole process.

Clearly, Marion council is not happy with the consultation process. Indeed, many members of council have expressed the view to me that they are being kept in the dark by this Government. A second document, entitled 'Marino Rocks and the anchorage development draft guidelines for preparation of a section 63 scheme and accompanying environmental impact assessment', shows a proposed time scale for the supplementary development plan and section 63 process for Marino Rocks. Interestingly, the time scale shows, among other things, a public display of the SDP during the period December 1989 and January 1990; a public hearing on the SDP in February 1990; and a public exhibition of the section 63 scheme in February and the first half of March 1990.

Well, none of those things has occurred. The Government continues to procrastinate its way through lengthy periods of indecision. There has been no public display of the SDP, nor any public hearing. There has been no public exhibition of the section 63 scheme. How convenient it is that this time scale is set just before a State election and, surprise, surprise, after the election is all over the Government says, 'We can brush that aside for another four years, chaps.' The view of the people does not count. The Government makes these promises and continues to break them and to go back on its word.

To date, only a draft SDP has been made available to Marion council, which concluded that the draft SDP is 'inadequate of justification of a number of areas and leaves open questions on a number of important policy areas', such as: reviewing and rationalising the changes to the hills face zone; the geological significance of cliffs; the significance of the Tjilbruke and Heysen trails; the impact of increased traffic on the Cove Road; the extent of quarrying, particularly toward Perry Barr Road; the impact of the development of unique flora; and the establishment and maintenance of proposed reserve areas.

Further, to my knowledge the Government does not yet have ownership of the land to allow the building of a proposed roadway to which I referred earlier. The land set aside for housing also causes concern. It is customary that a buffer of not less than 400 metres be allowed between mining activity and residential development. A map showing the boundaries of the residential development forms part of the press statement released by the Premier and his Minister on 20 September 1989. By my calculations, the boundaries of part of the residential component are less than 150 metres from the final boundary of the Linwood quarry—far less than the 400 metres normally accepted as being a standard.

The whole project has become an absolute shambles. This project could have been a showpiece in South Australia, a way of showing developers (who have serious doubts about our State) that good developments will get the nod in South Australia and can be built here. Instead, the Marino Rocks project is fast heading in a direction that will see it join the rest—the other Government failures. For the benefit of members opposite, I remind them of some of those; Jubilee Point, Sellicks Marina, Wilpena Pound, Flinders Chase, Mount Lofty, Zhen Yun—and the list goes on.

What a dismal record by members opposite; what a pitiful failure this Government is! The extent of this fiasco unfolds even further when one reads the report to which I referred in this place on a previous occasion. The report, entitled 'Geological features of significance at the Marino Rocks proposed marina site and recommendations for their preservation', is a geological survey document prepared by Dr W.V. Preiss for the Department of Mines and Energy. It concludes:

The proposed marina development site covers a considerable length of cliffs and wave-cut platform over which there is almost continuous rock exposure. It is located within an important type section which has been declared a geological monument.

The report identifies 12 points of geological interest located within the proposed development site. In part, the report investigated the problem of sediment discharge into the marina and came to the conclusion that, with the construction of a breakwater at this site, sediment from stormwater run-off would accumulate and the marina might silt up.

It also found that the pollution of the marina by rubbish carried by floodwaters might also be a problem. I remind members opposite that the report to which I refer is a Government report, one prepared by the Public Service (which reports to the Government), raising concerns about the marina. That report was released in November of last year during the election period and—surprise, surprise—what did the Government do? It sat on it; it tried to hide it. It did not want it addressed at the time of the election. Now it has come into the open, and the Government must answer the questions raised in its own report. The report concludes with five recommendations, and I encourage members opposite to listen to these recommendations, as they may learn something. Those recommendations are:

1. The southern boundary of the marina development be relocated about 200 metres north of the proposed southern boundary;
2. If necessary the northern boundary be relocated about 100 metres, but no more, north of the proposed northern boundary;
3. Any excavations along access roads that provide new rock exposures should not be grassed over, but should have the exposures highlighted;
4. A thorough study of sand movement through the area should be carried out to ensure that sand supply to the metropolitan beaches is not permanently interrupted by the building of a breakwater; and
5. The Department of Mines and Energy be kept fully informed of progress in planning and development, and be consulted for specialist geological advice.

Certainly the last point has not happened. To my knowledge the Department of Mines and Energy has not been kept fully informed of the progress and has not been consulted for that specialist geological advice, because this Government chose to bury the report. It was embarrassing for it. It showed that yet another project in South Australia has been messed up by this Government. Clearly, there is a need for an EIS for this project. This development must proceed in a proper fashion. It can be a good project if it is done properly, and the current direction that it is taking shows that it is not being done properly. At times, I wonder

whether the Government wants to sabotage development in this State and is perhaps doing this deliberately. Surely it could not be doing it by accident. The concerns expressed by the 285 signatories requesting an EIS are understandable and, accordingly, I request that their concerns be noted. I commend this motion to the House.

The Hon. T.H. HEMMINGS secured the adjournment of the debate.

NELSON MANDELA

The Hon. J.P. TRAINER (Walsh): I move:

That this House rejoices in the release of Nelson Mandela and hopes that the waves of liberation in Eastern Europe which have now touched upon the shores of South Africa will soon make it possible for South Africa to join the ranks of civilised parliamentary democracies and, in particular, hopes that the South African Parliament can rejoin the Commonwealth Parliamentary Association as a genuinely democratic institution able to take a lead in the political development of Africa.

Mahatma Gandhi pointed out that no tyranny, no matter how powerful and strong it might seem, can last for ever, because human beings have a preference for freedom. Recent years have seen a diminution of tyranny in places as disparate as Chile, Argentina, the USSR and the former satellites of Eastern Europe. The release of Nelson Mandela (and the legalisation of the African National Congress) is a significant breakthrough for human freedom in general. The ANC can now operate legally, and before long I am sure that the exiled leadership will not only return to South Africa, but will actively participate in political life there.

The ANC President, Oliver Tambo, who has had to live in exile in Zambia, visited this Parliament in April 1987, along with Eddie Funde, Stephen Twtete and Jacob Chibwane of the ANC. It is ironic that, a few pages after his signature in the visitors' book of the House of Assembly, there appears the signature of David Tothill as Ambassador of the Republic of South Africa. On that occasion, the Ambassador extended an invitation to me to visit South Africa one day, an offer I regretfully declined until such time as South Africa was able to join the ranks of civilised nations as a parliamentary democracy. That day may now be closer at hand as a result of the recent breakthrough with the release of Nelson Mandela, a symbolic conciliatory gesture of great value to the 26 million black Africans who have been oppressed for so long by many of the 5 million whites.

Recent decades have seen a cycle of self perpetuating violence: white on black, black on white and black on black. The surprising aspect is that there has been so little black violence in the circumstances of oppression that they have endured. I approach this motion in a spirit of realism. There is still a long way to go in South Africa, and anyone who believes otherwise is living in a fool's paradise, but all must surely rejoice in this development.

I have no illusion that this House should regularly debate foreign policy items—that is the province of the Federal legislature. However, I have moved this motion for two reasons. First, at the time it was put on the Notice Paper, there was universal rejoicing in the community as an expression of sympathy for this change.

Mr Ferguson interjecting:

The Hon. J.P. TRAINER: As the member for Henley Beach points out, we still share that rejoicing. Secondly, it was an opportunity for this House to reaffirm many of the Westminster principles that we share with all Parliaments by expressing the hope that the South African Parliament can again join the brotherhood and sisterhood of like-minded Parliaments in the Commonwealth Parliamentary Association to which we, as members, belong. My particular devotion towards the CPA and my belief in its significance in world affairs are well known.

There is a third reason, and that is the special material link between the House of Assembly and the South African Parliament, which I will mention later.

There is a reason why, at the moment, the South African Parliament is not a member of the Commonwealth Parliamentary Association: it is not in the Commonwealth. It was not expelled from the Commonwealth but withdrew in an atmosphere of universal condemnation after the Sharpeville massacre of 67 black Africans or, I should say, 67 black South Africans—there is significance in that choice of phrase—in March 1960. On the verge of expulsion from the Commonwealth, it was resolved by Dr Verwoerd that South Africa would withdraw itself. At the same time, South Africa lost its membership of the Commonwealth Parliamentary Association.

The physical or material link between our building and the South African Parliament is this: the stone lion on the facade of this building facing North Terrace. In December 1936, the foundation stone was laid for the new wing of the South Australian Parliament House building. At around that time, the Clerk noticed a reference, in a 1936 publication entitled the *Journal of the Society of Clerks at the Table,* to stone that had been removed from the Houses of Parliament at Westminster during recent renovation work. The House of Commons advised, as follows:

Large stone suitable for rock gardens is being disposed of in large or small quantities at 10s. a ton, and smaller stone at 5s. a ton, purchasers to pay or provide cartage. Ornamental pieces suitable for sundials, garden ornaments, etc., are available at various fixed prices.

The same report noted that the Clerk of the Union Senate in South Africa had arranged on a visit to England to purchase 'a fine specimen of a unicorn from the Royal Arms, which has been erected with an inscription in the main entrance lobby of the Houses of Parliament at Cape Town'. After discussing the matter with the Commissioner of Public Works, who was in charge of the building of the new wing, the Clerk of the House of Assembly wrote to the Clerk of the House of Commons, requesting something similar to adorn our completed Parliament.

In mid 1938, a delegation from the United Kingdom branch of the Empire Parliamentary Association, which was the predecessor of the Commonwealth Parliamentary Association, visited South Australia and offered a gift from the association to mark the completion of the new parliamentary wing. Their offer was of 'an ornate stone on which is carved a lion rampant, taken from the House of Commons during the recent rebuilding operations', and a bronze description plate. They arrived from London on 1 October 1938. However, the stone and plate were not installed in time for the official opening of the new wing on 5 June 1939. It was installed later that year at a cost of £18, and it can be seen on the wall near the House of Assembly steps.

So, as a result of a garage sale from the House of Commons, our Parliament and that of South Africa apparently have half each of a crest—we have the lion, they have the unicorn. There is a physical link between our two Parliaments as well as the philosophical heritage of Westminster in which we would both share if the release of Nelson Mandela takes South Africa along the road of reform to a stage at which that nation can rejoin the Commonwealth and, as a result, the CPA. Accordingly, I trust that all members will join in this affirmation of our belief in dem-

ocratic institutions, in the Westminster parliamentary system, and in freedom itself.

The Hon. B.C. EASTICK secured the adjournment of the debate.

MEDICARE

Mr HAMILTON (Albert Park): I move:

That this House—

(a) supports the Federal Government's health care policy, in particular the universal health insurance scheme Medicare;

(b) commends the Federal Government for the benefits gained by the people of South Australia from the funds allocated under the Medicare Incentive Program and Hospital Enhancement Programs introduced in 1988-89; and

(c) condemns the Federal Opposition for its inability to produce a detailed costing of its health policy despite its stated intent to substantially change the present Medicare arrangments.

Mr Oswald: Tell us about the waiting lists.

Mr HAMILTON: I knew that I would get a stupid interjection, and I have not been disappointed. One can always rely on the member for Morphett to interject. One may suggest that his brain has been polluted by the Patawalonga. Nevertheless, let us look at this particular issue.

Mr Oswald interjecting:

Mr HAMILTON: The member for Morphett should contain himself and show a bit of courtesy to members on this side of the House. There is no doubt that Medicare is a robust and thriving six year old program which has provided protection against the high cost of medical and hospital bills. Most Australians know how to use their Medicare card when it comes to claiming rebates or paying for doctors' services, but many are not fully aware how the scheme works, and that should be addressed.

Medicare is based on three fundamental principles. Everyone is covered, whether they be married or single, young or old, employed or unemployed, rich or poor. All permanent residents of Australia are covered and that includes the 2 million people who, before Medicare, did not have any health insurance, and the millions of Australians who struggled to pay for that insurance. I remember, as a very young child, my father struggling to repay massive doctors' bills. He was a proud man and eventually paid back every cent he owed.

However, members of the Liberal Party want to destroy Medicare, without question, because of its universal coverage. One could never say that, by any stretch of the imagination, the *Advertiser* is a pro-Labor paper. Not in my eyes, anyway. The member for Coles may smile, but my mind boggles at the sort of comment I could make to her about this matter, but I will not digress. The editorial of 27 January 1990 really says it all:

> The Coalition health policy, finally released this week, is correct in principle. It is wrong in practice. It is disastrously wrong—to the potential amount of $2.6 billion—and casts a pallor over Coalition claims of being a credible alternative Government... The merest testing this week however, was enough to reveal that the arithmetic was way out. If we were to pay no more directly, the Government would have to find up to $2.6 billion elsewhere to fund health services.

A feature article in the *Advertiser* of that date states, in part:

> What matters is that Medicare has been running for about six years and is understood and overwhelmingly accepted by the community, according to repeated polls.

Mr Oswald: We've got record waiting lists.

Mr HAMILTON: I will come to that in a moment. Contain yourself. Don't be so rude.

The DEPUTY SPEAKER: Order! The honourable member should ignore interjections.

Mr HAMILTON: I try very hard, Sir, but it is difficult.

The DEPUTY SPEAKER: The honourable member will have to try even harder.

Mr HAMILTON: I will try even harder, Sir.

Mr Oswald interjecting:

The DEPUTY SPEAKER: Order! The member for Morphett.

Mr HAMILTON: Thank you, sir. With his addled brain, the honourable member opposite cannot contain himself. The article continues:

> As soon as politicians start threatening major changes, people who now feel secure in the knowledge that they and their families will always have access to medical care start to worry; they worry more when there are doubts about whether they will be required to pay more for health care.
>
> Going on about some supposed 'Medicare crisis', as the Opposition does, only makes matters worse and causes needless alarm to the most vulnerable in the community.

I would suggest strongly that that is what the Opposition is all about—to cause needless care to those most vulnerable in the community. For many years the aged, disadvantaged groups and the working class in this country were disadvantaged by the health care system. There are those opposite who will support those who want to bring down the Medicare system, because they are influenced strongly by vested interests, not, in my view, by the overall health and welfare of the people of this country. The article in the *Advertiser* of Saturday, 27 January further states:

> The Opposition boasted for more than a year that it could revolutionise health care without costing the Government or individuals one cent more. The Government, which knows a bit about health care, laughed in its face and said this was impossible. On Thursday, the Opposition health spokesman, Peter Shack, was forced to admit that the Government was right.

I have not heard one criticism from members of this Opposition of their Federal colleagues on this matter—not even from the member for Morphett, who is so blinkered in his approach to this matter that he is not prepared to admit after the Federal election is over that the Opposition was wrong, despite the people in the community and the media attacking the Liberal policy.

Let us consider some of the statements made by the Liberal and National Parties during the last Federal election campaign. Peter Shack said:

> The Liberal and National Parties do not have a particularly good track record in health and you don't need me to remind you of our last period in government . . . let alone the track record in Opposition.

Those are not my views and not the views of Labor people but the views of Peter Shack, Opposition health spokesman. Here it is; ringing condemnation of their own policies. I could go on. For months Mr Peacock and Mr Shack promised they would produce a fully costed detailed health policy which would not cost either the people or the Government any more. For months after they knew that was impossible, they still kept promising it. At least they have come clean and admitted they got it very wrong by up to $2.6 billion. Is it any wonder that the Australian community rejected them at the last Federal election, despite people like me who were prepared—

Dr Armitage interjecting:

Mr HAMILTON: The member for Adelaide will have an opportunity to contribute later. This was despite people like me who were prepared to voice criticisms of their Federal colleagues. I have never made any apology for that and I will not walk away from that, but members of the Opposition do not do this. They talk about freedom to express their own views on any matter, but at least there is honesty on this side in that in caucus we express our views.

Like most organisations we arrive at a consensus decision and we carry that throughout, but not so for members opposite who blindly in many cases, and dishonestly in my view, say that they have freedom to express their opinions, yet they come in here and, like a mob of sheep, all vote the one way.

I am digressing. The Liberal and National Parties have confirmed that they still intend to demolish Medicare, that millions of people will be denied access to bulk billing and that Medibank Private will go too. They would not say when and that is grossly dishonest; they would not say how, and that is grossly dishonest; they would not even say what it will cost, and that is also grossly dishonest. They simply said 'Trust us.' They might even say (as I have heard around pubs and clubs) 'We will love you in the morning.' That is the sort of dishonest attitude held by members oppposite. It is not right, is it, that Andrew Peacock—

Members interjecting:

Mr HAMILTON: If the honourable member reflects on me with respect to gay bars, he wants to be very careful.

The DEPUTY SPEAKER: Order! The honourable member will return to the topic and address his remarks through the Chair. Members on my left will cease interjecting.

Mr HAMILTON: I would take very strong exception to any remark that I visit gay bars.

The DEPUTY SPEAKER: Order! The honourable member will return to his speech.

Mr HAMILTON: Thank you, Sir. I will take up that matter at another time. I will not be insulted by idiots like the member for Mitcham. I become very annoyed when people cast slurs, as members opposite do, and they are as slimy as eels in oil when they carry on like that. I believe very strongly that what this Federal Government has done in retaining Medicare will ensure that everyone in the community has universal health coverage, so that the most disadvantaged in our community will be protected, unlike the case many years ago, when we found that there were peole who, because they could not pay their medical bills, were forced to go to gaol. They were locked up because they could not pay their medical bills. I know of many people who were forced into that situation, yet we have these pious hypocrites opposite who were prepared to give strong support in their advertisements and their canvassing out in the electorate for what has been proven to be a grossly dishonest policy. They are not my words, but the words of political pundits and commentators who have said this in article after article. Even the Opposition's own health spokesman at the time said it. The policy was wrong to the point of $2.6 billion.

Where is the credibility of members opposite when they talk about waiting lists? I am not prepared to talk about this, because of time factors, and there are other members who want to talk; at another time I will address the dishonesty of members opposite, because they have very short and selective memories. They forget that, when the Fraser Government was in power, there were long waiting lists for hospitals. They do not want to talk about that. Let us talk about today. They do not want to talk about what happened in the past; they want to ignore history. It is true that the member for befuddled brains, the member for Morphett, does not want to recognise history. There is a true saying that people who ignore history are fools and that has been dearly demonstrated here this morning. We see a man who is so bigoted that he is not prepared to concede that there is anything wrong, despite evidence from his own people. He wants to resort to personal invective. That is great, because I know that members who resort to that in this place do not have a great deal to contribute. The article in the *Advertiser* of 27 January continues (and I will conclude with these comments):

> Suddenly the repeated vows of fiscal rectitude have been marred by a dodgy commitment to reform Medicare some time down the track at an unknown cost, and by unknown means, How much? $1 billion? $3 billion? More? Does this mean new taxes? Or spending cuts? Or dipping into the precious budget surplus? These are fair, in fact crucial, questions. The Opposition can't answer them.

Clearly, that was a dishonest policy which was rejected by the community but which was well supported by members opposite who quite clearly went out and campaigned in support of their Federal colleagues in this matter. I have great pleasure in moving this motion. The personal abuse that has been levelled by members opposite during my contribution shows that, where people resort to slime, they have little to contribute. I strongly urge the House to support the motion.

Mr OSWALD secured the adjournment of the debate.

PARLIAMENT HOUSE CENTRE HALL

The Hon. J.P. TRAINER (Walsh): I move:

> That this House directs the Speaker to forward a message to the Legislative Council advising that it is the view of this House that the Centre Hall doors should be opened as soon as practicable in order that visiting members of the public can come in through the major entrance planned as part of the original design of the building and that the Centre Hall should be jointly staffed for security purposes by staff rostered from both Houses.

The Centre Hall doors are the main access to this building. We must all defend the authority of the Presiding Officers regarding the Sovereignty of Parliament, and insulting and offensive remarks were made by the *Advertiser* regarding another Presiding Officer. In a grievance debate on 15 February on that subject, I canvassed some of the history of these doors being closed.

In relation to the Centre Hall doors, it is clear that members of the public naturally come to the Centre Hall doors in the expectation that they are the main entrance to the building. This grand public building should have a grand entrance. Many of us can take pride in some of the restoration that has taken place in the past.

The Hon. T.H. Hemmings: Hear, hear!

The Hon. J.P. TRAINER: The member for Napier, in his capacity as Minister of Works in the preceding Bannon Government, worked closely with me in my capacity as one of the Presiding Officers to ensure that we did have the potential for a grand entrance to this building through the Centre Hall.

Originally, that Centre Hall was to be the base area below a dome. The dome was never constructed, and I do not think it ever should be but, nevertheless, the Centre Hall was added in 1939 when the building was completed as far as was possible at the time, and it was given an excellent covering of ruboleum. In 1973 it was covered over with a horrible ochre carpet. Since then, the ruboleum has been restored and palms have been placed there, and it is a nice entrance. I believe that we should make clear to the members of the other place that they should join with us in making that grand entrance open to the public. I will keep my remarks brief because time is running out and there is not much left in this session. I put it to members with my greatest enthusiasm that they should support this resolution.

Mr OSWALD (Morphett): I support the motion that is before the House. The front doors should be open. However, in the minute that I have left, I cannot develop the

argument. At least I will put on the record that we support it.

Motion carried.

MAREEBA COMPLEX

Adjourned debate on motion of Mr S.J. Baker:

That this House strongly opposes the concept of stand-alone abortion clinics in South Australia, demands that the Government halts its plans to establish the Pregnancy Advisory Centre at the Mareeba Complex and believes that pregnancy terminations should only be undertaken within the confines of nominated hospitals,

which Mr Atkinson has moved to amend by leaving out all words after 'House' and inserting the words:

(a) acknowledges

(i) that under the Criminal Law Consolidation Act abortions can be lawful if performed in a prescribed hospital before the foetus is capable of being born alive;

(ii) that the 1969 amendment on abortion presumes that a foetus is incapable of being born alive before 28 weeks gestation; and

(iii) that the proposal for a pregnancy advisory centre including an abortion clinic at the Mareeba site at Belmore Terrace, Woodville, does not change the law;

(b) believes it was the spirit and intention of the 1969 amendment that legal abortions take place only in the mainstream of medicine, that is, in general hospitals, and that each hospital proposing to provide abortions first be prescribed by regulations tabled in this House; and

(c) recognises that Mareeba is an outpost clinic of the Queen Elizabeth Hospital.

(Continued from 29 March. Page 1013.)

Mr S.J. BAKER (Deputy Leader of the Opposition): When this matter was last debated on 29 March, I was responding to the comments made on behalf of the Government by the member for Spence. Despite his emotional speech about abortion, his amendment completely contradicts his stated stand against abortion. The amendment really condones the setting up of Mareeba or any other stand-alone abortion clinic—that is quite clear. I do not intend to take up the time of the House any longer on this issue except to make one or two observations. Further, I do not intend to repeat some of the statements made by the member for Spence in open public forums on this matter because he is a young member and is still learning. It would be quite wrong of me if I did not reflect on the impact of the amendment and its relationship to the proceedings of this Parliament.

It was suggested that the motion was a trap for young players. There was no trap in the motion before the House. Members on this side had previously expressed strong opposition to the Mareeba proposal. We knew that a number of ALP members felt exactly the same way about the setting up of a separate abortion clinic. We knew that there had been public statements and statements shared with other people on this matter. Therefore, we determined that it was a matter for the Parliament to decide in good faith. It has nothing to do with confidence in the Government—nothing whatsoever. Indeed, if Parliament had said, 'You cannot proceed with Mareeba and you cannot proceed with stand-alone abortion clinics', that would mean the Government had to rethink the situation. It would not mean there had been a massive defeat for the Government. It would mean that the Government must rethink the issue. But that has been denied and, because everyone is well aware that the concern about Mareeba is shared on both sides of the House, the view will be formed that Parliament no longer has a conscience. That is quite clear.

This issue transcends politics. It was an issue on which we could all come together outside the boundaries that we see ourselves caught up in when debating political issues. This is an issue of conscience and should have been treated as such. If members wished to evade their responsibilities of conscience, there was a better way to do it. Those members who, because of Party pressures and because of certain elements in the Party, do not wish to see this motion proceed should have put another motion before the Parliament that would not have supported Mareeba. There was a better way to do it but, instead, the honourable member has condoned Mareeba. At what price? There is no doubt that the Mareeba complex will have grave difficulties in proceeding. One of the reasons is that the Woodville council will take legal action, as I understand it, and will quite likely succeed on the basis of planning. So, what have we seen from members opposite who failed to show any conscience whatsoever? We have seen that they have sold themselves out for nothing.

The Hon. T.H. HEMMINGS: On a point of order, Mr Deputy Speaker, I draw your attention to Standing Order No. 127. The Deputy Leader just said that I have sold out my conscience. I take that statement as a personal reflection upon me, my conscience and my personal beliefs, and I ask him to withdraw it.

The DEPUTY SPEAKER: The Chair was not aware of the statement by the Deputy Leader but, if he did say that and wishes to withdraw it, the Chair puts that matter to him.

Mr S.J. BAKER: I was merely making the point that, because of the amendment that has been placed before the House, the expressed consciences of the people, of which we are well aware, have been sold out. I will reword it if the honourable member takes offence at the term 'sold out'. If 'sold out' offends the former Minister, I am quite happy to withdraw that remark and say that the ability of the Parliament to express its conscience has been subverted, and he can take whatever umbrage he likes at that statement.

The Hon. T.H. HEMMINGS: Again, on a point of order, although the Deputy Leader has tempered his remarks somewhat, he is saying without my having a chance—

The DEPUTY SPEAKER: Order! There is no point of order. The Deputy Leader has made whatever statement he wishes to make about it, and the words were not unparliamentary. It is a matter for the Deputy Leader. If the member for Napier is not satisfied with the way in which the Deputy Leader has dealt with this matter, he has other ways of taking it up. I ask the Deputy Leader to continue his speech.

Mr S.J. BAKER: I do not wish to pursue this matter further, as I have already expressed my disappointment. I ask the House to reject the amendment moved by the member for Spence and to support the original motion.

The House divided on the amendment:

Ayes (23)—Messrs L.M.F. Arnold, Atkinson (teller), Bannon, Blevins, Crafter, De Laine, M.J. Evans, Ferguson, Gregory, Groom, Hamilton, Hemmings, Heron, Holloway and Hopgood, Mrs Hutchison, Mr Klunder, Ms Lenehan, Messrs McKee, Mayes, Quirke, Rann and Trainer.

Noes (23)—Messrs Allison, Armitage, P.B. Arnold, D.S. Baker, S.J. Baker (teller), Becker, Blacker and Brindal, Ms Cashmore, Messrs Chapman, Eastick, S.G. Evans, Goldsworthy, Gunn and Ingerson, Mrs Kotz, Messrs Lewis, Matthew, Meier, Olsen, Oswald, Such and Wotton.

The SPEAKER: There are 23 Ayes and 23 Noes. There being an equality of votes, I give my vote in favour of the Ayes. The question therefore passes in the affirmative.

Amendment thus carried; motion as amended carried.

FREEDOM OF INFORMATION BILL

Adjourned debate on second reading.
(Continued from 22 March. Page 775.)

Mr GROOM (Hartley): Mr Speaker—

The SPEAKER: Order! I ask members to resume their seats and keep the noise down. It is difficult to hear the member for Hartley, who rarely has a chance to speak.

Members interjecting:

Mr GROOM: That one will keep, Mr Speaker. The Government intends to introduce a Freedom of Information Bill.

Mr Lewis: When?

Mr GROOM: Just be patient. I am pleased that the member for Murray-Mallee is in the Chamber, because he has a great deal of commitment to information. As I said, the Government intends to introduce a Freedom of Information Bill and has given notice that it will do so in the very near future. Consequently, the Opposition's Bill is opposed. The Opposition's Bill is based on a 1982 report of the Interdepartmental Working Party on Freedom of Information and seems to ignore the wealth of experience gained from the operation of freedom of information legislation in the Commonwealth and Victoria.

Mr Lewis interjecting:

Mr GROOM: If the honourable member wishes to know who wrote this speech, I will—

The DEPUTY SPEAKER: Order! The member for Hartley will ignore the interjection.

Mr GROOM: Thank you, Mr Deputy Speaker. I think I am still a little upset by the earlier comment, which was not made by you, Sir.

An honourable member interjecting:

Mr GROOM: You worry about yourself. In both jurisdictions referred to it was acknowledged that the legislation would need to be reviewed after it had been in operation for a few years and, indeed, it has been the subject of reviews internally and by parliamentary committees.

The Senate Standing Committee on Legal and Constitutional Affairs reported on the operation and administration of the freedom of information legislation in December 1987, and the Victorian Parliamentary Legal and Constitutional Committee reported on freedom of information in Victoria in November 1989. The importance of the Commonwealth and Victorian reviews to any legislation introduced in this State should be apparent to all. Clearly, there is merit in properly assessing relevant experience and reviews interstate and nationally that have taken place since 1983. National and interstate experience provided a sound basis for the introduction of the administrative scheme to allow individuals access to records relating to their personal affairs, which came into effect as members know, on 1 July 1989.

When this scheme was announced the Government reaffirmed its support for freedom of information but said that the administrative scheme to cover access to personal records was a first step towards broader freedom of information. The administrative scheme was a major first step, as Commonwealth and Victorian experience shows that the majority of requests for information under the legislation of those jurisdictions are requests for information on personal records. In the case of the Commonwealth, something like 90 per cent of requests are requests for access to personal records. From these figures, it can be seen that the needs of a majority of prospective freedom of information applicants are being satisfied through the administrative scheme to provide access to personal records introduced as part of the adoption of privacy principles.

I conclude my remarks simply by reiterating that the basis on which the Government intends to oppose this Bill is that the Government itself is introducing a Freedom of Information Bill—one that is based not only on the 1983 reports but on experience gained from other jurisdictions since that time.

Mr OSWALD (Morphett): The Opposition notes with interest the Government's intention to introduce a Bill. However, I remind the House that we have heard those words before. Some years ago, in another place, the Attorney-General spoke—

Mr FERGUSON: On a point of Order, Mr Deputy Speaker, the Standing Orders do not allow members in this House to refer to debate in another place, but that is exactly what the honourable member was doing.

The DEPUTY SPEAKER: I ask the member for Morphett to conduct his debate within the Standing Orders.

Mr OSWALD: Very well, Sir. A press article that I read in the *Advertiser*, refers to a public debate that took place in this State in which a senior member of the Government showed a lot of enthusiasm for the whole principle of freedom of information legislation. Members of the Government stood up in the Parliament and supported it; it is on the public record that they supported the concept of our legislation, and then, when the time came and the legislation was drafted, they went to water. We did not see any Freedom of Information Bill; it did not see the light of day. The member for Hartley has spoken in the House, two or three years later, making the same promises. I hope that those promises are fulfilled, but the Government's track record in these matters has not been very good.

Freedom of information is all about providing information to members of the public and to members of the Opposition. We know how difficult it is to get information, even during the Estimates Committees, when we are examining the Appropriation Bill, questioning Ministers and their officers before the table. I could quote example after example where we have endeavoured to get information and that information has not been forthcoming.

I can quote an example in the education area. I recall questions being asked about some 38 committees existing in the Education Department. The Opposition wanted information about the functioning of those committees and we were told by the Minister that providing that information would be too costly and would involve too much work. In reality, that was not the case. With this freedom of information legislation, we could proceed through the department to get that information so that the Opposition and the public could be better informed of public debate.

It is a fact of life that over the years Governments have used the matter of confidentiality to stifle public debate. The public has every right to information that is held on most matters. When the Opposition introduced the Bill, we were careful in our second reading speeches to point out that there are certain decisions of Cabinet, certain decisions in which Governments are involved and which would not be involved in the release of information. I think that most reasonable people would accept that, but the principle here is information, whereby the Opposition and members of the public know that the Government is accountable for the taxpayers' dollars that it is spending. It is not unreasonable. The Opposition has introduced a Bill that will provide the public and its elected members with a mechanism by which we can seek information from the Public Service. There is no need to wait for the Government to introduce its own legislation; we have a perfectly good Bill before us at the moment, and I urge all members to support it.

The DEPUTY SPEAKER: The question is that the Bill be now read a second time. For the question, say 'Aye'; against, 'No'. I think the Ayes have it.

Members interjecting:

The DEPUTY SPEAKER: Order! There is some confusion here. I will put the question again.

Mr OSWALD: On a point of Order, Mr Deputy Speaker, you put the question; it was resolved on the voices; and you gave your ruling. I believe that we now move to the third reading.

The DEPUTY SPEAKER: Standing Orders provide for the case where there is confusion on a vote. Obviously, there was confusion in this case; it is quite clear that members did not realise that the vote was being put. I will put the question again. For the question, say 'Aye'; against, 'No'. I think the Noes have it.

The House divided on the second reading:

Ayes (23)—Messrs Allison, Armitage, P.B. Arnold, D.S. Baker, S.J. Baker, Becker, Blacker and Brindall, Ms Cashmore, Messrs. Chapman, Eastick, S.G. Evans, Goldsworthy, Gunn and Ingerson, Mrs Kotz, Messrs Lewis, Matthew, Meier, Olsen, Oswald (teller), Such and Wotton.

Noes (23)—Messrs L.M.F. Arnold, Atkinson, Bannon, Blevins, Crafter, De Laine, M.J. Evans, Ferguson, Gregory, Groom (teller), Hamilton, Hemmings, Heron, Holloway and Hopgood, Mrs Hutchison, Mr Klunder, Ms Lenehan, Messrs McKee, Mayes, Quirke, Rann and Trainer.

The SPEAKER: Order! There are 23 Ayes and 23 Noes. There being an equality of votes, I give my casting vote for the Ayes.

Second reading thus carried.

Members interjecting:

The SPEAKER: Order! It is the privilege of the Chair to provide an explanation when making a casting vote. In the interests of full debate, it is the intention of the Chair to allow the second readings of Bills that come before this House.

Mr OSWALD (Morphett): I move:

That this Bill be now read a third time.

I should like to remind members that, now that we are at the third reading stage, members on this side of the House—and we are pleased to have the support of the Chamber in this legislation—have been trying to make the point that the legislation aims to give the public and the Opposition access to information in the passage of Government business. It is a vital part of the process of the accountability of government, and we urge members to support the third reading. I should like to make further remarks in this debate and, accordingly, seek leave to continue my remarks later.

Leave granted; debate adjourned.

CHILD, ADOLESCENT AND FAMILY HEALTH SERVICE

Adjourned debate on motion of Hon. Jennifer Cashmore:

That this House recognises the work of the Child. Adolescent and Family Health Service and its Statewide volunteer organisation; notes the longstanding reputation of CAFHS and its predecessors, the Mothers and Babies Health Association and School Health Services, for delivery of relevant high quality services; and expresses support for the continuation of CAFHS as an incorporated Statewide service.

(Continued from 22 March. Page 768.)

The Hon. JENNIFER CASHMORE (Coles): In the interests of brevity and of permitting as many members as possible to speak to their motions, I wish to conclude my remarks on this motion simply by reiterating the enormous influence for good that this service has had on South Australia and South Australian families. A glance at even a fraction of the history of the organisation as recorded in the Mothers and Babies Health Association Jubilee publication of September 1959 will indicate that this State owes a great debt to the work of this voluntary body in establishing, ensuring and maintaining the health of babies and the physical, emotional and mental health of their mothers.

I have serious doubts whether the involvement of local committees (which have always played an integral part in the operation of CAFHS and its predecessors now carries the same influence as it did. There was a time when local members were involved in and consulted about the local service, the time, place and nature of that service. That close relationship between local need and local service delivery has been, very sadly, diminished under the administration of this Government. I believe that the House would want that relationship to be reinstated, and I urge all members to support this motion.

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

FEDERAL GOVERNMENT POLICIES

Adjourned debate on motion of Mr S.J. Baker:

That this House condemns the destructive policies and dismal record of the Federal Government which have led, among other things, to—

(a) inflation stuck at 8 per cent and declining real wages;
(b) crippling mortgage interest rates preventing young couples from buying a first home and compelling others to sell their homes;
(c) interest rates for small business borrowers of around 22 per cent forcing many businesses into receivership and bankruptcy;
(d) a quadrupling in Australia's gross foreign debt to over $140 billion;
(e) the appalling state of our roads; and
(f) the continuance of child poverty.

(Continued from 22 March. Page 770.)

The Hon. M.D. RANN (Minister of Employment and Further Education): I intend to speak briefly on this motion which, quite clearly, was aimed as a kind of gesture in the lead up to the Federal election. It is important that we continue the debate on this motion, because I believe that the Federal election showed that the people of Australia rejected the honourable member's thesis. After all, he was saying only a few weeks ago that a drover's dog could win the last Federal election but, unfortunately, Mr Andrew Peacock could not.

Talking about Federal economic matters, I am pleased to hear that Dr Hewson has been elected as Leader of the Liberal Party federally. I should like to quote Dr Hewson, who is clearly an honest man. I want to go back to some of the things that he has said in the past. He said, for instance, that the Hawke Ministry, which this motion criticises, has been one of the best since the Second World War. He also said that he believed that much of the old shadow Ministry, his own team, should be banished to the back benches. He also said, 'The Liberal Party has not got anyone like Hawkey; you just had to give a go.' He also said, 'The people know that the Liberal Party is full of dead wood.' This is the new Federal Leader, Dr Hewson, saying, 'The Liberal Party is full of dead wood, and the Australian people know it.' He said that in 1986, and in the last election, two weeks ago, the Australian people endorsed Dr Hewson's view of his own colleagues. In fact, he also said,

'There is nobody in the Liberal Party who is ever going to do a damn.'

I think that Dr Hewson is a useful addition, admittedly temporarily, to the leadership of the Liberal Party, because I know, and members opposite know, that the new MHR, Mr McLachlan, has got his sights firmly set on toppling Dr Hewson before the end of this three-year term. I also know that, in doing so, Mr McLachlan has the support of several senior members opposite. There is a South Australian cabal gathering around Mr McLachlan plotting his course in Federal politics. I should be interested to know where the State Leader of the Opposition stands on this matter. Does he believe that Mr McLachlan—

Mr S.J. BAKER: On a point of order, Mr Deputy Speaker, I know that the Minister is indulging himself, but he is not coming to grips with the motion. If he is going to waste the time of this House, he should at least waste it productively.

The DEPUTY SPEAKER: Order! The Minister will speak to the motion.

The Hon. M.D. RANN: I was just getting on to the substance of the motion. Indeed, the substance of the motion relates to the Federal Labor Government's economic record. Let us talk about some of that economic record. In doing so, I enjoy the support of Dr Hewson on a number of these points. In 1983, Bob Hawke went to the Australian people with a clear pledge in terms of employment. He said that 500 000 jobs would be created if a Federal Labor Government were elected. That was his promise. In fact, he did not achieve 500 000 jobs; he achieved 1.6 million jobs. That is the employment record of the Federal Labor Government—a record of job growth unequalled in Australian history since the 1950s.

I would point to our record of economic growth. With a Federal Labor Government for seven years—a Federal Labor Government which has just been re-endorsed because the hollow man leadership of Andrew Peacock failed to convince the people—Australia has an economic growth rate second among OECD countries. So do not come into this House preaching to us about economic records and employment growth.

On inflation, the member for Mitcham has clearly got it wrong. He says that inflation has stuck at 8 per cent. The most recent National Accounts figures indicate that for the December quarter 1989 the underlying rate of inflation is 6.4 per cent, using the private consumption deflator. I shall be happy to explain that to the member for Mitcham at some other stage. It is ironic for the Liberal Party to talk about declining real wages since it has opposed every increase in wages during the past decade. Can the member for Mitcham, who is looking away at the moment, counter that argument? Has the Liberal Party, Federal or State, at any stage ever supported a wage increase in the past 10 years?

Mr S.J. Baker interjecting:

The DEPUTY SPEAKER: Order! The Minister does not want a direct response; he is directing his remarks through the Chair.

The Hon. M.D. RANN: The Liberal Party has only one prescription for wages, and it is a policy which has been rejected by every major business group around this nation; it is a policy of the strong getting more and the weak missing out. It is the policy that saw the Fraser recession of 1982-83, with massive inflation presided over by another rejected Leader, John Howard, and by a recently rejected Under Treasurer, Mr John Stone.

The Hon. J.P. Trainer: Every man for himself, said the elephant, as it danced amongst the chickens!

The Hon. M.D. RANN: That is right. The leadership question is central to this argument, because Dr Hewson says that he will lead the Liberal Party to the next election. I believe that the Liberal Party's wages policy, which he is trying to rescramble, has clearly been rejected by the electorate. On mortgage rates, the problem that the Liberals have is that they have never fully understood the interest rate issue prior to deregulation of the financial markets—a policy decision that the Liberals did not have the guts to make.

The member for Mitcham talks about Australia's debt crisis—a quadrupling of our gross foreign debt to over $140 billion. Australia's foreign debt problem is not a result of Government action. The Federal Government has a positive surplus on its accounts of $9.1 billion. It is repurchasing debt. Last year, the net public sector borrowing requirement was negative. Governments were not borrowing. Debt is as much a problem of the private sector, but members opposite carefully tried to avoid this in couching this pathetic hollow motion. If Australia has a problem, it is the failure to be able to grow at much more than 4 per cent without sucking in imports. This is a structural problem, which is the legacy of 26 years of Liberal failure.

The Fraser Government said that it had a mandate to restructure this economy. That was the glib cry of Malcolm Fraser in November 1975. The Liberals had seven years to do the job—nearly eight years—and they squibbed. They did not have the guts to come to grips with questions of industry restructuring. Their failures are still being recycled as leaders. Indeed, restructuring was not even in the Liberals' vocabulary between 1975 and 1983.

I repeat that Labor has worked to rebuild the economy in difficult times. Employment has grown by 1.6 million places. The Deputy Leader of the Opposition—and I know that there are others who are coveting his position and there is argy-bargy going on opposite—should come out to Salisbury and talk to the people who were unemployed seven years ago and who now have jobs. He should come out to Salisbury and Elizabeth and meet people who now have jobs at General Motors, which was a wasteland eight years ago under the Liberals and had no support. He should go to Whyalla and talk to those people who have now got jobs with BHP, which would have been destroyed if the Liberals had been elected federally.

The member for Mitcham talks about company profits. The gross operating surplus of companies, from memory, is now 16.5 per cent of GDP—up from 11.3 per cent in 1982-83. Private business fixed investment grew by 15.5 per cent in 1988-89, compared with only 12.8 per cent in 1982-83. This is a shallow motion. It represents the shallow, hollow policies that underpinned Andrew Peacock's unsuccessful second bid for the leadership of this country. I seek leave to continue my remarks, later.

Leave granted; debate adjourned.

WASTE RECYCLING

Adjourned debate on motion of Hon. D.C. Wotton:

That this House, recognising the current lack of incentives being provided by the Government to ensure a successful waste recycling industry, calls on the Premier to implement, as a matter of urgency, his pre-election promise to develop a commercial waste recycling industry which will make South Australia 'the major recycling centre of Australia'.

(Continued from 29 March. Page 1005.)

The Hon. D.C. WOTTON (Heysen): When I last spoke on this matter, I referred to statements that had been made over a period but in particular just prior to the last State election when the Premier announced that South Australia

would become, he hoped, the waste recycling centre of Australia under an ambitious five year economic strategy. He went on with much detail to indicate how that would happen. I support that procedure and hope it will happen for South Australia's sake, but I have some concern that it is not happening as fast as it might.

In recent times a number of articles have referred to the need for recycling to be taken more seriously. Last month Kesab called for the Federal Government to intervene to encourage paper recycling and waste reduction. That stemmed from Kesab's belief that Adelaide is at a disadvantage with respect to recycling because of its distance from the markets and industries in the Eastern States. That organisation, for which I have the greatest respect, proposed that the Federal Government bring about a feasibility study into a national industry strategy to achieve a 50 per cent rate of recycling in Australia within five years. I am sure that there is not a member of this House who would not support such a move.

Kesab also put a proposal to the Federal Government to ensure the removal of sales tax from any recycled paper product. That makes a lot of sense. Time and time again, people involved in the recycling industry call for that action to be undertaken. For a Federal Government that professes to be concerned about environmental issues, I would have thought that to be a natural move. However, at this stage of the piece, nothing has happened. In addition, Kesab wants further incentives from Federal and State Governments to increase the sales and production of recycled paper products. As I said, I strongly support Kesab's proposals and I hope that all members will do likewise.

As I mentioned in my last contribution, it is a great pity that there is such a massive wastepaper glut in this State. That has been caused, so we are told, by escalating community awareness, and I believe that to be the case. Last week, I referred to increased community awareness as a result of media publicity about the need to recycle and some excellent television programs that have brought the issue to the attention of both young and old. It concerns me that this paper and bottle glut is causing a loss of funds for those organisations which, for generations, have been involved in recycling in their own way.

One of those bodies is the scouting organisation. Recently I was advised that the First Torrens Park Scout Group, which has its headquarters at Mitcham, is having difficulty because of the amount of paper that is being brought into the centre, even though it has indicated clearly that it cannot take any more. The same thing goes for bottle reception areas. It is a great pity that that is the case. We have been told that the Government is talking about taking action to overcome this problem but, so far, no constructive ideas have come from the recycling committee that has been established. Last week I indicated my support for that committee, and I hope that it will only be a matter of time before some constructive ideas are put forward.

People are concerned about this issue and, late last year, I was interested to read about the reaction of the community to the opening of the Greenhouse Effect Resource Centre by the Energy Information Centre. A large number of angry callers rang the EIC to talk about recycling, and this came as some surprise to the staff, who were expecting inquiries about the new Greenhouse Effect Resource Centre. The Executive Director of the centre indicated quite clearly through the media that the majority of people who contacted the centre were concerned about one thing and one thing only: recycling. In fact, he went on to say that people were very critical of being told to conserve energy by recycling materials but, when they desperately wanted to be involved in that, few places were available to accept these products.

Of course, that is what it is all about. We are told that it could be an important industry for South Australia. I hope that one day in the very near future it will be, because a considerable amount depends on the success of recycling and, certainly, as far as conserving resources, the matter of energy and so on are concerned, it is a very important area. Because of the lack of time and because it has been indicated that a member on the other side of the House wishes to speak, I will not proceed further, other than to urge members to support the motion.

Mr FERGUSON (Henley Beach): Time is against us and I do not have time to rebut fully the comments made by the member for Heysen but I would like to put on record what is necessary to answer some of the things that he put forward in his speech.

The Department of Industry, Trade and Technology in conjunction with the Recycling Advisory Committee is currently investigating a number of proposals relating to the development of new products using recycled materials and is also holding discussions with proponents of large scale recycling and waste management related ventures. More than 20 organisations are involved in discussions at this stage, details of which are subject to commercial confidentiality. A package of incentives is available for such ventures from the South Australian Development Fund.

In addition, the Waste Management Commission is proceeding with the plan to establish a paper recycling plant, Stage 1, from which shred and bale paper will be for sale to Australian and overseas mills. The plan envisages a State/local government joint venture with the State providing its waste office paper and local government organising collections of household waste paper. The latter will be principally newsprint, which has a low value and limited demand in Australia and hence markets will have to be established overseas.

Australian Newsprint Mills Ltd has announced its intention to investigate the establishment of major new facilities to convert recycled newspapers to new newsprint. This is a welcome initiative which would greatly improve the Australian market for waste newspaper, but it would be some years before a new plant of this nature could be operational. Conversely, waste office paper and computer paper has a high value and is in demand by Australian mills.

Expressions of interest are being sought for the development of a business plan for the plant which will include capital requirements, corporate structure, collection methods, plant and equipment, market and financial projections, and location alternatives. The Government also foreshadowed the establishment of a recycling fund through an increased levy on solid waste disposal to provide financial assistance for the development of recycling schemes, new products and other other recycling initiatives. The Waste Management Commission has been developing the details of this proposed fund and will be making a submission to the Government as part of the 1990-91 budget. I seek leave to continue my remarks later.

Leave granted; debate adjourned.

UNDERGROUND POWER LINES

Adjourned debate on motion of Hon. D.C. Wotton:

That this House, recognising the need for a far greater priority to be given to the undergrounding of power lines, calls on the Minister of Mines and Energy to detail a comprehensive 20 year plan for the undergrounding of powers lines in fire prone areas and, if such a plan has not been prepared, calls on him to instruct ETSA, as a matter of urgency, to prepare a plan for the Minister to bring before the House at the earliest opportunity.

(Continued from 29 March. Page 1007.)

The Hon. D.C. WOTTON (Heysen): With only three minutes in which to conclude my remarks, I want to outline again my concerns about the program currently being undertaken by ETSA in regard to the provision of power, particularly in fire prone areas. Last week I indicated that I saw a very real need to be able to give a much greater priority to the undergrounding of power lines. I refer now to the need for ETSA to reconsider its attitude to the trenching process that has been adopted over a period of time. There is a very real need for ETSA to ensure that simple domestic voltages are handled with much narrower trenches than the Australian standard automatically demands of ETSA. If we look at what Telecom is doing, we see that, at a much lower cost than ETSA, it is able to put all its lines underground. For aesthetic, safety, maintenance and many other reasons there is a need for that to happen. If we look at the cost to the State of trenching, particularly in terms of some of the private enterprise businesses that are available now, we can see that they are able to underground lines at a much cheaper rate, and that is something that should be encouraged. I seek leave to continue my remarks later.

Leave granted; debate adjourned.

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

PETITION: FREE STUDENT TRAVEL

A petition signed by 24 residents of South Australia praying that the House urge the Government to extend free student travel on public transport to all students and allow private bus operators to participate in the scheme was presented by the Hon. D.C. Wotton.

Petition received.

PAPERS TABLED

The following papers were laid on the table:

By the Minister of Agriculture (Hon. Lynn Arnold)—

Animal and Plant Control Commission—Report, 1989.

By the Minister of Agriculture, for the Minister of Education (Hon. G.J. Crafter)—

Senior Secondary Assessment Board of South Australia—Report, 1989.

By the Minister for Environment and Planning (Hon. S.M. Lenehan)—

Beverage Container Act 1975—Regulations.

MINISTERIAL STATEMENT: BEVERAGE CONTAINER ACT

The Hon. S.M. LENEHAN (Minister for Environment and Planning): I seek leave to make a statement.

Leave granted.

The Hon. S.M. LENEHAN: South Australia's Beverage Container Act is recognised nationally as both an extremely successful piece of anti-litter legislation and a very successful recycling incentive for the State. Members of the House will recall the High Court challenge to the Act by the Bond Brewing Company. The High Court found that the 15c deposit for non-refillable bottles and 4c deposit for refillable bottles meant that interstate trade by the Bond companies suffered commercial disadvantage. As a result of the High Court decision, the Government moved to review the sections dealing with the value of refunds on beer and wine cooler containers and the mechanisms by which these containers are returned for refilling or recycling.

Today, I have tabled a new, consolidated set of regulations attached to the Act which ensure the retention of the intent of the legislation, namely, to discourage littering and encourage recycling. A 5c deposit will now apply to all beer cans and all beer and wine cooler bottles which are returnable via container collection depots, commonly known as marine store dealers. Alternatively, manufacturers of glass, beer and wine cooler containers can decide that the refund for their containers will be given at point of sale, where a 10c deposit will apply. The reason for the difference is that consumers traditionally are less likely to return containers to point of sale and a 10c deposit will encourage them to do so.

The most obvious change to the regulations is that there is no longer a difference between the refunds for refillable versus non-refillable glass bottles. In 1990, this is not a major issue. Energy audits and recent statistics indicate that there is little difference between the energy used to wash and refill glass bottles and the energy used to crush the bottles and make new ones. The regulations I have tabled today follow extensive consultation with numerous organisations including the South Australian Brewing Company, Coopers Brewing, marine store dealers, ACI Glass Manufacturing Division, Carlton and United Brewing, Bond Brewing and the Wine and Brandy Producers Association. The new deposit values of 5c refunded at collection depots and 10c at points of sale now apply, irrespective of the labelling on the containers. All beer and wine coolers for sale must carry the new deposit markings after 30 June this year. Notices explaining the refunds will be displayed by retailers during the transition period. The transition arrangements avoid confusing consumers and container collection depots with a range of deposit levels.

The day after the High Court decision on 7 February, the Government moved quickly to support the deposit legislation and took the emergency measure of tabling a regulation which specified a 4c deposit on all beer and wine cooler containers. Consumers now returning these containers will receive 5c. It is expected that manufacturers will cover this 1c difference from their reserves of unredeemed deposits. It is the view of the Government that the beer and wine cooler industry deserves a period of stability, and I look forward to the continued support and cooperation of the beverage industry and the general public for the new arrangements which, hopefully, provide the most fair and equitable possible solution.

MINISTERIAL STATEMENT: NATIONAL CRIME AUTHORITY

The Hon. J.H.C. KLUNDER (Minister of Emergency Services): I seek leave to table a ministerial statement made by the Attorney-General in another place today on the operations of the National Crime Authority during 1989, and associated documents.

Leave granted.

QUESTION TIME

NATIONAL CRIME AUTHORITY

Mr D.S. BAKER (Leader of the Opposition): My question is directed to the Premier. In which State Government department was corruption identified through Operation F of the National Crime Authority; what was the nature of the corruption, and what action is being taken to stamp it out? The documents tabled earlier today by the Attorney-General identify the South Australian Housing Trust as having been the subject of investigation under Operation B. Operation F involves another Government department which has not been named. According to the NCA, much of the corruption involved occurred 'several years ago'. However, it has also found that the system which had allowed this corruption to flourish was still in place in the unnamed department. In the public interest, will the Premier name the department and outline the action being taken to stop further corruption?

The Hon. J.C. BANNON: I will have to take this question on notice. As the Leader would know from his reading of the statement and documents tabled by the Attorney-General, in the case of Operation F reference is made to a final report in the matter which is expected within two months. An interim report has been prepared. The reference goes on to say:

> National Crime Authority involvement in the matter is therefore continuing.

I do not believe in this instance that I am in a position to place such information before the House, but I will take this question on notice and, if it is possible to do so, obviously it will be done. As the Attorney said at the beginning of his statement, it is very important that these matters be put before the public to the greatest extent possible. In making that statement today, the Attorney has demonstrated that the Government believes that the public should be involved to the greatest extent possible in understanding the progress, the nature and the outcome of the various investigations taking place. In this statement, which was presented in another place, the Attorney said:

> This statement is presented on the basis that it is proper for the Parliament and the public to be apprised of as much operational detail as is possible concerning the Government's anti-corruption strategy, the work of the National Crime Authority in South Australia, and the functions and operations of the Anti-Corruption Branch of the South Australian police.

I commend the statement and attached documents to all members and to the general public. Obviously, some matters cannot go into the public domain; otherwise this could affect the successful prosecution or resolution of those matters, and I really do not have to explain this to members of Parliament. Speaking through Parliament to the broader public, I think that a moment's reflection would indicate that. However, where possible, as a Government we believe that these matters should be made public at appropriate times, and this very comprehensive statement of the Attorney does that and I commend it to the House.

WOODSIDE PETROLEUM

Mr ATKINSON (Spence): My question is to the Minister of Industry, Trade and Technology. After the decision by Woodside Petroleum to award major construction contracts to Australian companies for the North West Shelf natural resource project, is the Minister aware that Woodside's chief executive, Mr Peter Tapper, has objected to his company's being forced to renegotiate tenders? Is Mr Tapper's objection justified, and what part did the South Australian Government play in the negotiations? On the ABC radio program *AM* this morning, I heard Mr Tapper, when referring to the fact that his company was asked to renegotiate by the State and Federal Governments, state:

> It's a bit like Australia calling an athletic meet of some importance, inviting all the players, candidates around the world, holding the races, seeing the winners, noticing that they weren't Australians, accusing them of all being on drugs, declaring the results invalid and shooting the timekeeper. The timekeeper then walks out.

I take it that Woodside was the timekeeper.

The Hon. LYNN ARNOLD: I am aware of the particularly churlish comments made by Mr Peter Tapper, which I do not believe would be supported by other members of the senior management of that company. The South Australian Government was very much involved in those negotiations, and we have no regrets about that at all. Two to three weeks ago this contract was lost to Australia. This contract, which Eglo has now won, was going offshore. It was going offshore not because of the types of images that had been addressed in Mr Tapper's comments about a fair race or a fair playing field but, rather, because some impediments were built in to discriminate against Australian companies.

The Government went to bat very aggressively for those companies and to fight the case for them. Indeed, the company has indicated that it is very appreciative of the Government's support. I would like to indicate publicly the tremendous work done by officers of the Department of Industry, Trade and Technology, particularly Mr Jerry Johnson. The situation was that the contract was lost. The Government went into bat for the company and to assist it in the arguments that it was putting. We were also being supported by the union movement here in South Australia, in terms of how important this project was for Australia, for employment in this country and for our technical capacity.

For example, we argued that the impediments being stacked against Eglo from South Australia for the piling contract included the necessity to have a three-barge tow around Australia rather than a less expensive two-barge tow, the requirement to take the piling right around the east coast and north coast of Australia to the north west rather than across the shorter distance of the gulf and up the west coast, and the fact that the steel price being quoted to the Australian tenderer was $2 million in excess of the steel price quoted to the overseas tenderer, even though the source of the steel, which in this instance had to be offshore, was the same. Finally, there was the matter of currency hedging calculations. All of those issues the Government said should be reconsidered, and they were renegotiated. The outcome of that was a significant reduction in the imputed cost of the Eglo tender versus the overseas tender to the stage where it can now be taken into account and has, indeed, been so.

This contract, which is worth $40 million in the full scale of the two year project, will see 60 extra jobs created at Eglo in South Australia, in addition to the maintenance of current employment positions at that facility. It is very important that this project, which represents an exploitation of the natural resource of Australia, should provide maximum potential for Australian job opportunities. I am concerned to note that, while we have been successful in keeping this project in South Australia, only half of the bid by Western Australia, involving modules, will be kept in the west; the other half will still go offshore. In relation to that portion of the contract that could be handled by the New South Wales company—another module—none of it will be coming onshore. Of the three States, we have been the

most successful. It is a point of concern to me that the other States have not been able to achieve as much as South Australia has by good cooperation with the company and with the union movement.

NATIONAL CRIME AUTHORITY

Mr S.J. BAKER (Deputy Leader of the Opposition): My question is directed to the Minister of Emergency Services. Have the four police officers being investigated as part of Operation E of the NCA been transferred to other duties pending the completion of this investigation, and what has been the outcome of Operation K? The material tabled earlier today by the Attorney-General shows that allegations of improper or illegal behaviour by police officers have been involved in five of the 15 operations conducted by the NCA.

In particular, I refer to Operation E, involving the growing of marijuana and an allegation of protection being given to this activity by four police officers. To date, 10 persons have been charged with offences relating to the growing of marijuana in this case, but the aspect of the operation concerning the police officers is currently suspended. Operation K involved allegations that police officers at certain nominated police stations in South Australia were involved in the dealing in or smoking of cannabis.

The documents tabled by the Attorney reveal that the NCA has disseminated allegations and information to the South Australian Police Force, but no outcome of any further investigation is reported.

The Hon. J.H.C. KLUNDER: I do not comment on NCA matters nor on matters that are before the courts. With those two provisos, I will see what information can be provided to the honourable member.

MURRAY RIVER SALINITY LEVEL

Mr QUIRKE (Playford): Will the Minister of Water Resources seek to make comment to the Albury-Wodonga Development Corporation and any other relevant bodies on the proposed extension of Australian Newsprint Mills? ANM has released a proposal and an associated environmental impact statement for comment in connection with the proposed extensions. The basic problem is that the amount of salt discharged into the Murray River system in New South Wales will increase from 700 tonnes to 1 700 tonnes annually under the preferred option.

The Hon. S.M. LENEHAN: This matter concerns not only the honourable member but all members of this House and all members of the South Australian community. The proposal by Australian Newsprint Mills, if supported and approved (and I will be looking very closely at this), will, as the honourable member says, increase the level of discharged salt into the Murray River from some 745 tonnes to 1 777 tonnes. This represents an increase in salinity at Morgan of some .16 EC units, and that is a direct quote from the EIS prepared by the proponents of this development.

Australian Newsprint Mills has released its environmental impact statement, for which comments will close on 27 April. Both the Murray-Darling Basin Commission and the South Australian Government (through both my departments—the Engineering and Water Supply Department and the Department of Environment and Planning) are presently reviewing the EIS and will, most certainly, be making very strong formal submissions regarding the effects on the quality of water, particularly that coming into South Australia, should this proposal go ahead.

The Murray-Darling Basin Commission recently met at Shepparton, as members would know, and I understand that very strong, if not heated, discussion took place on this subject. I am also told that New South Wales is establishing a working party to look at the criteria and make recommendations back to the Murray-Darling Basin Commission to study the problems addressed and raised at the recent commission meeting, particularly by Mr Don Alexander and Dr Ian McPhail on behalf of South Australia.

I can assure the House and, in particular, the honourable member that as a Government we will be taking the strongest possible action with respect to this proposal. We will be working constructively to ensure that the proposal is given complete scrutiny in terms of any possible effects it may have on the quality of water in the Murray River.

NATIONAL CRIME AUTHORITY

The Hon. D.C. WOTTON (Heysen): My question is directed to the Minister of Housing and Construction. What was the nature of the corruption in the South Australian Housing Trust identified in Operation B of the NCA? If it involved the alleged misappropriation of trust funds, what amount has been involved, how many of the eight persons alleged to have been involved are or were employees of the trust, and what action has the trust taken against them and to prevent this corruption occurring again?

Documents tabled earlier today by the Attorney-General identify an Operation B by the NCA which has resulted in five persons within or connected with the trust being charged, and charges being considered against a further three persons. While the NCA states its involvement in this matter has been concluded, there is no identification in the material tabled today of the nature of the corruption involved or what has been done to prevent it occurring again.

The Hon. M.K. MAYES: Obviously this matter is of concern to me and to the trust in regard to the issues that have been raised. Given the detailed nature of the question, I will certainly take advice from the Attorney-General in another place and from my colleague who has responsibility for the police with regard to the specific items that have been raised. Some matters have been before the court and, as I understand it, others are perhaps going before the court, so I need to take further advice with regard to that.

In relation to addressing the problems which have been identified as a consequence of this issue and the incidents to which the honourable member has referred, the trust has already instituted a number of changes in the administration. From the advice that I have had, and I will get further briefings, I understand that it will be instituting further audit measures and changes in management practice with regard to the process of letting tenders and so on in future. That will be developed, again on the advice that I have had, by a process of going around the regions of the State.

I understand that negotiations are under way with the various industry and union representatives. The issue is being addressed comprehensively. I hope that we will have a full package which will address the whole question of the administration and management of contracts, how they are handled and how they are managed in the process, whether they be maintenance or construction programs. I assure the honourable member that no stone will be left unturned to address the proper management of future situations to prevent a recurrence of what we have seen in this instance.

MOTOR REGISTRATION FEES

The Hon. T.H. HEMMINGS (Napier): Will the Minister of Transport say whether consideration has been given to allowing quarterly motor registration payments to be made by people who are on low fixed incomes? I have been contacted many times over the years by constituents who are on low fixed incomes regarding problems that they have in paying motor registration fees. Whilst it is accepted by them that the fee in itself is not exorbitant, my constituents inform me that being able to pay quarterly instalments would assist them in budgeting for the fees more easily.

The Hon. FRANK BLEVINS: I thank the member for Napier for his question and note his concern about his constituents and, in particular, about individuals in our community who are not as well off as others. First, I will outline the present position. As most members know, provision is already made for people to pay their motor registration and compulsory third party fees on a six-monthly basis rather than annually. The reasons are obvious. To some people the sums are quite large, and it is helpful if they can be split in two and be paid on a six-monthly basis.

In recognition of the additional resources which are required by the Motor Registration Division, there is a surcharge of 7.5 per cent on registration fees and of 5 per cent on compulsory third party fees. That compensates the Motor Registration Division for the additional cost only. If we were to go to three-monthly payments for motor registration and compulsory third party fees, there would have to be a further charge on top of that, which would make the quarterly payment, with what might be termed the additional penalty, too high for those people about whom the member for Napier is rightly concerned.

The alternative is to load the 12 month and six month fees to take account of the losses that would be incurred with a quarterly fee. Whether one considers that fair to people who pay 12 monthly is a matter of opinion. It seems to me that, if there were a facility to pay quarterly without penalty, most people would do so. In effect, we would have quarterly registrations in this State. That would mean an explosion in the number of people working in the Motor Registration Division and, in my view, that would be highly undesirable.

There may be other avenues of assistance that the Government can look at, and I certainly give a commitment to the member for Napier that I will do so. However, I do not want to raise expectations too much, because the costs involved in these things are quite extensive. However, we will certainly do our very best.

PREMIER'S FUTURE

The Hon. E.R. GOLDSWORTHY (Kavel): I refer to previous public statements that the Premier has made about his future and particularly his comment reported in the *News* on June 9 1986 that 'all the odds suggest there is a chance I won't be leading Labor into the 1993 election'. I ask the Premier whether he is still considering getting out of State politics before the next State election and whether he is now contemplating seeking the Federal seat of Makin when his friend and admirer, Mr Peter Duncan, quits.

Members interjecting:

The SPEAKER: Order!

The Hon. J.C. BANNON: The odds have vastly improved since 1986 and I can assure the honourable member that I fully intend to lead the Government into the next election and remain in my place on the Treasury benches.

HOUSING TRUST TENANTS

Mr HAMILTON (Albert Park): Will the Minister of Housing and Construction inform the House of steps taken to encourage Housing Trust tenant participation? The electorate of Albert Park contains three large Housing Trust estates in Semaphore Park, Woodville West and Seaton. The Minister would be aware of my belief that involvement of tenants in decision-making processes should be actively encouraged.

The Hon. M.K. MAYES: I am very pleased that the member for Albert Park has asked this question, because it is an important issue for Housing Trust tenants. Many of them are interested in having a greater identity with their estates and their community. In the last couple of years, the Housing Trust has encouraged tenants to take an active part in the management of their own estate. Good examples of this can be found in the District of Albert Park and in other electorates, but the one that comes to mind as being at the forefront of tenant participation and community involvement is the estate of Brownlow in the District of Henley Beach.

That particular group of tenants has shown great initiative in bringing forward tenant participation. They have been part of establishing a tenant newsletter, *Focus 2000*, and have been involved in the initiation of new schemes involving management at their own level; that is, they take responsibility for the degree of maintenance within their village. In consultation with the Housing Trust, they have established a clear pattern of responsibility for their own community. They are to be congratulated on that. The key players in that tenants group have set an example for other tenants groups in South Australia.

Some 80 tenants groups are participating in this scheme and, through the trust's liaison and development programs, it is hoped to extend the scheme throughout the State so that all tenants can actively participate in their community. About 8 000 copies of the newsletter are produced and they are distributed through trust rental offices and by direct mail to those tenants who have indicated their interest.

Regional housing advisory boards have been established with representatives of each of the tenant groups in the southern and Riverland regions and in the southern and northern metropolitan regions. The trust is looking to cover every region with those boards to encourage and develop identification with the community. That will reinforce to tenants that it is their community in which they have a say in relation to the buildings and the grounds.

So, from our point of view, this is a very important initiative. The cost benefits to the community will be quite positive in the end, because it reduces the need for oversighting, hands-on control by the trust. It gives direct responsibility and self esteem to those tenants groups and they can develop their own particular style of management within their communities. I am sure that the member for Albert Park would want to encourage the tenants in his area to develop this type of program. I think that we will see more and more of this happening and that all of the regions of South Australia will be covered by tenants groups in the not too distant future.

PAYROLL TAX REVENUE

Mr INGERSON (Bragg): My question is directed to the Premier. In the light of yesterday's labour force statistics, does the Premier stand by his claim in February that revenue from payroll tax is expected to exceed the State budget

estimate of $388.7 million due to 'higher than anticipated employment growth'?

The Hon. J.C. BANNON: I am advised that our payroll tax collections are running above budget at the moment. I am not sure about the extent to which this is occurring and there is not much meaning in the figure until we get to the end of the financial year, but employment growth was certainly very strong through the first half of this financial year. Although there has been some levelling off, in South Australia's case, I think, the situation is still one of considerable comparative strength. Incidentally, I might refer in this context to figures released yesterday on job vacancies and overtime in February. The Bureau of Statistics issue of that time showed that the level of total Australian job vacancies, a forward indicator or employment, fell 15 per cent, seasonally adjusted, between December and February to a very low level. However, the number of vacancies in South Australia in February rose by 17 per cent, compared with November 1989, while the Australian total fell 2.9 per cent.

Because of the sample of these figures, it is a little difficult to draw too many conclusions from specific numbers, but certainly, even if those precise figures are distorted in some way (because that 17 per cent certainly seems a very large increase), nonetheless, that is very significantly running against the national trend, and that is encouraging as a forward indicator of employment.

In relation to overtime, which is another indicator of the state of the market, weekly overtime hours per employee are falling in Australia as a whole; seasonally adjusted, they fell by 8.77 per cent, continuing a downward movement, indicating a weakening of the market. In South Australia average weekly overtime hours per employee also fell, reversing an upward trend we had seen through 1989, but the level of average weekly overtime hours per employee is still 3.5 per cent higher than 12 months ago. Again, on that indicator, while our market is softening, it is certainly not experiencing the same problems in the longer-term outlook as some other markets in Australia are experiencing. I hope that that trend can continue but, even if it does not, we certainly expect to hit our budget figure on payroll tax.

MURRAY-DARLING BASIN COMMISSION

Mr FERGUSON (Henley Beach): I direct my question to the Minister of Water Resources. Are toxic algae still considered to be a problem in the Murray River and, if so, what action has the Murray-Darling Basin Commission taken to deal with this problem?

The Hon. S.M. LENEHAN: At the moment, the problem of toxic algae is not one that the community needs to be concerned about, and I particularly refer to the numbers of blue-green algae which are certainly very low in all parts of the mainstream of the Murray River within South Australia. They are not a threat to the public water supply or to recreational use. However, the Government and I, as Minister, believe that this is a serious problem in terms of what we will do about it in the longer term.

At the recent meeting in Shepparton of the Murray-Darling Basin Commission, a working party to address the problem of nutrients (which are one of the major causes of toxic algae) was established, its terms of reference being:

(a) Quickly determine the proportion of total nutrients derived from point sources.
(b) Identify further work to produce an integrated nutrient management strategy.
(c) Identify monitoring needs.
(d) Develop a policy on point sourced nutrients.
(e) Examine implications for the salinity and drainage strategy.
(f) Assess diffuse sources.

The commission allocated about $210 000 in the 1990-91 budget for this work and the associated consultancies. At the next ministerial council meeting, on 7 June this year, the council will consider a progress report on what I believe is a very serious problem, not just for South Australia but for the whole of the catchment area within the Murray-Darling Basin. Quite obviously, South Australia has the most serious problem being at the end of the Murray. We are looking at removing the effects of almost 200 years of white settlement, and that will not be an easy task, but I am delighted that the commission has set up this working party, whose progress findings I will be very happy to share with the honourable member and with the House in the next session.

STAMP DUTY

Mr BECKER (Hanson): My question is directed to the Premier. Is a significant shortfall in stamp duty revenue likely to put the State budget into deficit this financial year? If so, what is the current estimate of the deficit and why did he inform the House as recently as six weeks ago that overall tax revenue would be close to budget estimates?

The Hon. J.C. BANNON: Along with all other States, we are experiencing a downturn in estimates on stamp duty revenue, as one would expect, because of the falling off in transactions on which it is based. In terms of the overall budget situation, that is not the only influence on the deficit: there is the question of receipts and expenditures. At the time of the State election, when questions were asked about the funding of various election undertakings and commitments, I made the point that we had budgeted this year for quite a considerable recurrent surplus. Obviously, although we have to be extremely careful about our management of that budget through the latter half of this financial year, even with that, we have the capacity to ensure that we can maintain a relatively even-keeled budget while at the same time receipts may fall and expenditure may rise.

As is the usual case, it is far too early to say what the final situation will be. Along with every other State budget in the country, there will be shortfalls in various areas of our revenue, and we just simply have to take that into account in preparing next year's budget. It makes for a tight year. It also means that the outcome of this year's Premiers Conference will be particularly crucial, and we are not very encouraged by the remarks emanating from Canberra at the moment on what the Commonwealth is expecting from that conference.

Members interjecting:

The Hon. J.C. BANNON: Yes, we will look to our senators in Canberra to plead the case for the States generally and to our own State Senators to plead the case for South Australia in particular. One interpretation of the statements we have heard could be that they are part of the usual softening up process to which we are subjected every year by the Federal Treasurer, and we will argue that out at the conference. Certainly, this will be a crucial conference, because all States will be experiencing very tight budgetary situations because of the flattening of the economy.

WOMEN'S RECREATION WEEK

Mrs HUTCHISON (Stuart): Will the Minister of Recreation and Sport inform the House of the degree of Gov-

ernment involvement in Women's Recreation Week being held this week and involving South Australia's leading women athletes in a scheme to encourage more girls to become involved in sport? In the past there has been concern that women's sport has not received the support that it should in the area of promotion, given the large number of girls and women involved in sport in this State and the nation.

The Hon. M.K. MAYES: I thank the member for Stuart for her question and for her interest in this area. I am sure that members share her concern for the need to give women's sport and recreation a much higher profile. Over the period that we have been in Government, we have endeavoured to place a greater emphasis on this matter from not only the Government's but also the community's viewpoint. The media plays an important part in promoting women's sport, and we are seeing a significant turnaround in this respect, with deliberate policies being adopted by our major dailies, for which I congratulate them. They have done some excellent work in promoting women's sport and giving our elite female athletes a high profile. For young women in particular this is very important because they use those women as role models.

I am sure that members would be aware that we tend to overlook some of our great champions, particularly in women's sport. I am informed that Marjorie Nelson holds the record for the number of gold medals at Olympic and Commonwealth Games back to back. Out of nine sports in which she entered, she received eight gold medals, a record that has never been equalled, to my knowledge. We have to promote, for the benefit of young women, people such as Marjorie Nelson who, as the member for Hanson would know, has gone on to be the Deputy Chairperson of the Commonwealth Games bids committee. She has done a magnificent job and walks tall among the elite athletes of the world.

As a community, we tend not to recognise our women champions. The Government's role is to support the media and the community as a whole in promoting women in sport. Women's Recreation Week is one way of getting people to focus on this matter. It allows them the opportunity to think about the contribution they are making towards encouraging young women to be involved in sport.

One of our problems is that we tend to lose young women in this area after they leave high school, because they tend to do other things. It is not 'in' to be involved in sport, it is more popular to go to dances and enjoy other forms of entertainment. I am certain that members who have teenage daughters—and I see a number of members on this side of the House nodding—would agree fully with that comment. So, we all have a role to play in promoting and encouraging young women to become involved in sport.

The Government has developed the Junior Sports Unit headed by Wendy Ey. That unit will have the responsibility of addressing issues designed to encourage young women to continue recreating and being involved in sport. In Women's Recreation Week, with the support of the Australian Association of Women's Sport and Recreation, we have focused on a number of specific areas. For example, Monday of this week was students' day, and over 3 000 young women were involved in a fun run at the Morphettville racecourse. A number of us were fortunate to attend a lunch at which Lisa Curry spoke as part of students' day.

Tuesday was devoted to women in the work force; Wednesday to women in the community, and today is country women's day, which the honourable member will fully appreciate, and it is probably relevant that she asked this question today. Tomorrow is senior women's day, Saturday is devoted to women in sport and Sunday to recreation as a whole.

The Government has contributed $35 000 to support this program and I assure members, particularly the member for Stuart, that it will continue to support and to encourage not only those women who participate as administrators, supporters and managers but also those who act as role models, in order to show young women in our community the way in which they can achieve success and all-round good health by being involved in recreation and sport.

LAND VALUATION

Mr LEWIS (Murray-Mallee): What steps will the Minister of Lands take to ensure that the benefits of a Supreme Court decision on land valuation are passed on to other land-holders in South Australia and that apparent departmental resistance to such a course of action is overruled; and will the Minister investigate departmental prevarication and delays? I have in my possession a number of documents and papers which relate to a six year saga of prevarication in the Valuer-General's office. The saga is complex but the essence of it is as follows:

1. The site value of a station property near Burra owned by a company called Bookworm Pty Ltd was valued in 1984 by the Valuer-General at $616 000.

2. As a result of a Supreme Court action the court, in 1989, five years later, fixed the site value at $400 000.

3. In the period from 1984 to 1989 the Valuer-General offered six different values, initially set the value without an inspection, then later made a cursory inspection.

4. On one occasion, the valuer arrived at the station property unannounced and offered a reduction. When asked how he arrived at this figure the valuer said, 'No particular reason; it was just a figure I pulled off the top of my head.'

5. On another occasion, at the Valuation Office in Clare, the valuer offered a figure of $470 000 and said if this was not accepted the value would officially be increased to $645 000—some option!

6. On an occasion in February 1988, at a conference between the parties to discuss another valuation, the valuer was asked which items of value he had amended. He said, 'I have never inspected the property—I have simply taken Cuthbertson's [the owner's] values and juggled them around a bit.'

7. On yet another occasion there was the statement that the Government 'will string the matter out for so long that you will not be able to afford to fight us'.

I understand that, even though this matter has been to court on a number of occasions, a number of matters are still unresolved in relation to this property and that the benefit of the decision of the Supreme Court will not be passed on to other land-holders. Reduced valuations would result and thus have land tax ramifications.

The Hon. S.M. LENEHAN: Quite obviously, I will have to take the question on notice. I will be very pleased to obtain a report on the matters that the honourable member has raised and to check the veracity of the claims that have been made in his question.

ORTHOPAEDIC SURGEONS

The Hon. T.H. HEMMINGS (Napier): I direct my question to the Deputy Premier, in his capacity as Minister of Health. Does the Minister subscribe to the view enunciated by Dr A.L. Menz, Secretary of the Australian Society of

Orthopaedic Surgeons, in the *Advertiser* of 3 April that there is no shortage of orthopaedic surgeons in this country? Since that article appeared, I have been approached by constituents who inform me that they find the comment by Dr Menz very strange in light of the fact that they are unable to obtain orthopaedic surgery at the Lyell McEwin Hospital. They are told that this arises not from a lack of funds but from a lack of surgeons.

The Hon. D.J. HOPGOOD: I found the statement equally extraordinary, not only in light of what the honourable member has just indicated to the House about the Lyell McEwin Hospital but also for the way in which Dr Menz went on to ascribe blame in this case. The letter from Dr Menz states:

> The real reason for the long waiting list in orthopaedic surgery is that, since the introduction of Medicare, 20 to 25 per cent of Australia's population has left private health care cover to rely solely on Medicare for its health maintenance.

That assertion is incorrect. Let me remind members that there are two essential types of private health insurance cover: there is the basic hospital insurance that covers hospital costs and doctors' fees associated with treatment in a public hospital as a private patient; and supplementary hospital insurance that covers hospital costs and most doctors' fees associated with treatment in a private hospital.

As the number of South Australians with supplementary health cover has remained constant at aroundGu4per cent of the population since the introduction of Medicare in February 1984, it is nonsense to claim that Medicare has forced people into the public hospital system. Indeed, as I advised the House on 21 February this year, admissions to private hospitals in the State have increased by 26 per cent between 1981-82 and 1987-88, well above the corresponding increase of 13 per cent for public hospital admissions.

The national figures show that admissions to private hospitals in Australia rose by 29 per cent during that period, compared with an 11 per cent increase in public hospital use. Contrary to popular myth, private hospitals have increased their share of the total treatment 'cake' from 22.5 per cent pre-Medicare to 25.2 per cent. That is the plain fact of the matter. Professor Stephen Leeder of Westmead Hospital says:

> By international comparison, Australia's health status is exceptionally good; our medical standards are among the highest in the world, the coverage of our health care system (while far from perfect) probably one of the more equitable, and the cost of the whole thing neither the cheapest nor the most expensive.

It is true that since early to mid-1988 there has been no orthopaedic surgeon at the Lyell McEwin hospital, nor has the hospital been able to recruit one. If we were brimming with orthopaedic surgeons, it would not be too difficult to attract people to that service.

Dr Armitage interjecting:

The Hon. D.J. HOPGOOD: I invite the member for Adelaide to suggest why we are unable to place orthopaedic surgeons in well paid jobs in our public hospital system. That is the fact of the matter. The Lyell McEwin hospital has been forced to consider very seriously recruiting overseas, and no-one can blame it for doing so. It is a service which the Government funds and which the Government is prepared to fund, provided that the skills are available in the hospital to discharge that service. I understand that a number of feelers have been sent out for recruitment from overseas, and I hope that that will be successful in the short term. I would have much preferred that we could have recruited nationally, or from this State.

SERVICES FOR THE INTELLECTUALLY DISABLED

Mr OSWALD (Morphett): My question is to the Minister of Health. What response does the State Government have to appeals for help from the parents of the 5 500 intellectually disabled people who are registered with the Intellectually Disabled Services Council and who are living at home with their parents or relatives? Six months ago, organisations representing these parents appealed to the Minister for his assistance to provide respite care services, help in the home and help for the intellectually disabled learning to live in the community. They also appealed for a more reasonable share of the overall funds allocated for the intellectually disabled.

While the Minister has not responded to many letters he has received on this matter, in one brief response last month to a letter of complaint about Government inaction he did seek to defend the Government's position by pointing out that since 1982 some $5 million in new funds had been made available for these services, and $1.5 million through the IDSC. This has allowed for only 150 additional new accommodation places out of the registered 5 500 persons.

It has been put to me that $48 is annually budgeted for 700 persons in institutionalised care but only $9 million is allocated to assist the 5 500 living in the community. Many parents have expressed to me their utter despair at the enormous strains placed on families which do not receive assistance to care for the intellectually disabled in their homes.

The Hon. D.J. HOPGOOD: Anyone who has not received a response from me in relation to this matter must have written in the past few days, because all the rest would have received a response from me, personally signed.

It is true that we are going through a transition period. More and more people who were institutionalised in the past are being assisted to live in the general community. That means that resources are allocated and spent in different ways, and it also requires a different way of doing things. The service providers are coming to terms with that, and that the Government has to come to terms with it, too. It has to do that obviously in terms of being sensitive about the way in which it allocates its spending priorities. Spending priorities are allocated in the budget, and that is the responsible way of doing it. I have to say to the honourable member what I have said to others: that, obviously, we will be looking to our priorities in the budget process.

ELECTRICITY SUPPLY

Mrs HUTCHISON (Stuart): Can the Minister of Mines and Energy give any information regarding a breakdown in the electricity supply between Port Augusta and Whyalla yesterday morning? I know that the Minister of Transport, in his capacity as the member for Whyalla, is interested in this matter. My interest stems from the fact that my office received a number of complaints from friends of people in the affected area.

The Hon. J.H.C. KLUNDER: The honourable member will probably know that there are two lines between Port Augusta and Whyalla. As luck would have it, one line yesterday was out for maintenance. At 1.30 a.m. yesterday morning the operating line tripped out, for reasons which were unknown at that time. Therefore, ETSA had to try to get the operating line back to work and the line that was under maintenance back into operation. ETSA managed to get the maintenance line into the operational mode first, and that happened at 3.15 a.m.—1¾ hours after the original

'trip out' took place. That strikes me as a reasonable effort for people in that area at that time of the morning. The damaged line was later found to be faulty because of a component which was leaking, and that was repaired. At 11.45 a.m. a further outage of seven minutes occurred when power was returned to the operating line from the line which had previously been used for maintenance. ETSA tried to contact its major customers prior to doing so, and I understand that 11.45 a.m. was chosen because it was a time of very light load.

GOVERNMENT VEHICLE FLEET

Mr BRINDAL (Hayward): Will the Minister for Environment and Planning inform the House what action she or her department has taken to encourage the conversion of more of the Government vehicle fleet to LPG; if nothing has been done, will she say why and give a commitment to investigate this matter further?

The current market conversion cost of LPG is between $1 800 and $2 000 in the case of EFI type motors and between $1 500 and $1 800 for ordinarily aspirated motors. At $2 000, the conversion cost is recouped within 30 000 kilometres at current fuel price differentials. Even allowing for the current Government contract price of petrol and assuming the full retail price of LPG, a cost saving would have been achieved before the vehicle had travelled 40 000 kilometres, the earliest point at which Government replacement of vehicles occurs. These calculations allow for the penalty factor of 10 per cent for higher consumption of LPG under increased load.

LPG is an indigenous fuel to South Australia. The environmental impact of its production is significantly less than for the refractionation of crude oil. Its consumption produces reduced greenhouse gas emissions of a deleterious nature and no heavy metal emissions. It has been suggested that the resale value of such vehicles is indeed higher. With an estimated 7 000 to 8 000 vehicles in the Government's fleet and a speedy turnaround time for each of these vehicles, the positive potential that the Govenment could achieve for the environment is obvious.

The Hon. S.M. LENEHAN: I thank the honourable member for his question because he is obviously interested in the whole issue of energy conservation. However, the question is probably more directly related to the responsibilities of my ministerial colleague in another place, the Minister of State Services (Hon. Anne Levy). I will refer the honourable member's question to her and provide him with a reply. However, given the detail in the honourable member's explanation, the Minister of Mines and Energy informs me that the Office of Energy Planning is looking at the use of LPG for the Government fleet and I understand that he is prepared to have discussions with the Minister of State Services about the points raised by the member for Hayward in his question.

ACCESS FOR THE DISABLED

Mr De LAINE (Price): Will the Minister of Employment and Further Education, representing the Minister of Local Government in another place, inform the House whether it is possible to enforce the provisions relating to disabled access to public buildings when new buildings are constructed and when major upgrading is performed on existing buildings? It has been pointed out to me that there are many examples of banks and other public buildings being extensively upgraded; yet, no disabled access has been provided.

The Hon. M.D. RANN: The honourable member obviously has a keen interest in the rights of the disabled, and, in many ways, he is filling the shoes of the former member for Hayward (June Appleby) who pioneered legislation in these areas. I am happy to raise this matter with the Minister of Local Government and obtain a report for the honourable member.

OYSTER INDUSTRY

Mr GUNN (Eyre): Will the Minister of Fisheries immediately intervene to stop excessive State Government charges stifling a potential $5 million oyster industry in this State? Existing and proposed fees on the developing oyster industry include: mariculture development fee of $135; Department of Fisheries licence fee of $50 per hectare per annum (on average, $750 per annum); proposed Department of Lands application and annual licence fee of $1 065; proposed annual environment management registration and discharge fee of $1 000; survey fee of, on average, $2 000; and monitoring fees by the Department of Fisheries and the Department of Health, giving a maximum up-front fee of some $6 000 and an ongoing annual fee of $4 000 for existing and new oyster producers. In a media release this week, industry sources said that the early imposition of high Government charges was the greatest disincentive to the development of this industry and that such charges would remove many small business people from the industry.

The Hon. LYNN ARNOLD: I will obtain a detailed report on the matters raised by the honourable member because he mentioned the fees applied by my own Department of Fisheries and by a number of other Government departments. I will also obtain a report from the Department of Fisheries on the likely predictions for oyster fishery development within South Australia. I have had the chance to see some developments and what I have seen indicates that there is a feeling within the business community that there is economic potential to be derived from this fishery.

As the honourable member knows, the fees levied by the Department of Fisheries are set to take account of the economic viability of the industry. My initial guess is that these fees take into account the expected economic returns from this fishery but, because so many charges are related, I will obtain a detailed report as well as an economic assessment of the fishery.

CONTAMINATED LAND

Mr HAMILTON (Albert Park): As the responsible Minister, will the Minister for Environment and Planning advise what action the department has taken or will take to ensure that, in the future, no contaminated land can be used for housing developments? The Minister would be aware that in the past the Housing Trust purchased home units that had been built on arsenic impregnated land within the electorate of Albert Park. The Minister will also be aware of the considerable problems that arose as a consequence of this purchase.

The Hon. S.M. LENEHAN: I thank the honourable member for his question; other members would know of the way in which he has tirelessly fought this issue. I am sure the former Minister of Housing and Construction would be only too well aware of the way in which the member for Albert Park went in to bat for his constituents who were

experiencing the problem of arsenic impregnated land. This problem is being faced not just in South Australia but in all States.

One of the things we are doing in South Australia is that initially I have sent to local government a draft circular, entitled 'Land contamination', in which it is suggested that councils, as the primary planning authorities in the local areas, look at providing records of previous land use and identifying possible sources of contamination. For example, when a supplementary development plan is being prepared which affects industrial or commercial land, or land which has a history of potential contamination, I have suggested in the circular that councils should report on whether they consider the proposed use suitable for the affected land.

The circular also requests certain other information from councils. I would be happy to provide the honourable member with that information. I will also be looking at introducing legislation that will address the whole question of land contamination and the way in which we may ensure that this does not happen in the future. We must also pick up those areas where previous use has meant that land is no longer suitable for housing development unless it is rehabilitated and we are sure that it is safe for human beings. So, I would be delighted to provide further information to the honourable member, and I acknowledge his contribution in terms of ensuring that this matter is dealt with appropriately by the Government.

PERSONAL EXPLANATION: MURRAY RIVER

Mr LEWIS (Murray-Mallee): I seek leave to make a personal explanation.

Leave granted.

Mr LEWIS: Yesterday, the Minister for Environment and Planning chose to misrepresent me and statements that I have made previously about the disposal of effluent into the Murray River in general and at Murray Bridge in particular. There were so many inaccuracies in that statement that I wish to draw attention to them one after another and then place on the record the public statement that I did issue, so that members will see, and the record will show, the difference between what the Minister alleged I said and what I in fact said. The member for Playford began by asking a question during which he attributed to me the claim that sludge was being pumped into the Murray, and the Minister in turn immediately quoted the passage in question, as follows:

> ... sludge from the sewage treatment works at Murray Bridge was being pumped ... into the Murray River in an area from which 80 per cent of Adelaide's tap water was drawn during drought periods.

She went on to say:

> [The article] contains several quite 'gross' errors. I am very surprised that the member for Murray-Mallee is so ignorant of the facts about this matter ... [The sludge] is dried in the sun and stored on site ... The honourable member is wrong in stating that ... water is a major cause of algal blooms.

The Minister said that the nutrient content contributed to that and that it was 'about 1 or 2 per cent'. She went on to say:

> The member for Murray-Mallee then states that the water is used to supply the Adelaide metropolitan area.

She added that there are pumps to the Adelaide metropolitan area 'upstream of Murray Bridge'.

The Minister then said:

> Every member on this side knows that. The member for Murray-Mallee does not even know where we draw our water [from] ... perhaps the honourable member thinks that water flows uphill ... I have stated on a number of occasions [the Government] is currently looking at options to divert all treated effluent away from the Murray River ... No treated effluent from Mannum or Murray Bridge will go into the river from June next year.

Those two statements tend to be in conflict with some earlier remarks. The article, including my statement to the public in March, was as follows:

Murray Bridge Sewerage Effluent Treatment Stinks!

> For over a decade I have been calling for the E&WS in South Australia and other Government agencies to clean up the Murray River ... Adelaide residents may not be aware that the sewage treatment headworks and sludge ponds for Murray Bridge are located on the western side of the river on the flood plain near the Swanport Bridge. The sewage (factory wastes included) is screened and agitated in tanks on the bank above the flood plain and then flows into sludge ponds ... It is then pumped into the Murray River.
>
> Mr Lewis said that the enhanced levels of nutrients from treated waste were one of the major causes of the toxic algal blooms in the rivers and lakes at the moment. 'But this section of the river is also a freshwater reservoir for domestic supply to the Adelaide metropolitan area.'
>
> In dry times [not drought], more than 80 per cent of tap water in Adelaide comes from here. Worse still, 100 per cent of the potable water supply for Murray Bridge, Mannum, Tailem Bend, Meningie, Keith, and other towns in this general region comes from this long, narrow section of the river channel.
>
> The pumping of this sewage effluent into the river is always potentially hazardous to health, even when the river is flowing fairly swiftly. However, in some cases the river is not flowing at all. In fact, when the river levels are very low (during prolonged dry spells) and the Murray Bridge and Mannum pumping stations are working flat out, the river actually FLOWS BACKWARDS carrying the sewage effluent upstream to the pumping stations. The Bannon Government has known for years that the system for the treatment of sewage and the capacity of the facilities are—

The SPEAKER: Order! The honourable member's time has expired. There is a time limit of five minutes on a personal explanation.

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

That the time allowed for the explanation be extended.

The SPEAKER: Order! The member for Mount Gambier cannot move for an extension.

Mr LEWIS: Mr Speaker, with the indulgence of the House, I seek leave for an extension of one minute.

Leave granted.

Mr LEWIS: The article continues;

> 'The Bannon Government has known for years that the system for the treatment of sewage and the capacity of the facilities are no longer adequate for the expanding population and the industrial activity which is occurring at Murray Bridge. The present policy of DO NOTHING BECAUSE NOBODY KNOWS ABOUT IT is not only ridden with double standards but is hypocritical and, worse still, represents a very grave health risk to us all.
>
> All effluent water must be taken away from the flood plain and used on woodlots producing lumber, chips for pulp, and other profitable crops—for example, brush for brush fences,' he said.

CHILDREN'S PROTECTION AND YOUNG OFFENDERS ACT AMENDMENT BILL

Consideration in Committee of the Legislative Council's amendment:

New section 63a (1)—

Insert between paragraph *(d)* and paragraph *(e)* the word—

'or'.

Leave out the following words—

'or

(f) for such other purpose as the Director-General thinks fit.'

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

That the Legislative Council's amendment to the House of Assembly's amendment No. 2 be agreed to.

This matter was canvassed at some length in another place, and the Attorney-General undertook to give further consideration to the amendment moved in that place. As a consequence of that consideration, the Government in this place agrees to that amendment. However, as there seems

to have been no rhyme or reason advanced as to why the curtailment of these powers of the Director-General should be encompassed in this measure, the Government will scrutinise this to see that no young person is detrimentally affected by this amendment.

Mr INGERSON: The Opposition is glad to see that the Government has accepted this amendment, and we support the motion.

Motion carried.

WORKERS REHABILITATION AND COMPENSATION ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 4 April. Page 1223.)

The Hon. R.J. GREGORY (Minister of Occupational Health and Safety): Last night I was drawing to the close of my remarks. I now have just a few remarks to make in winding up. The member for Mitcham made the comment last night that the Government always mucks things up, and he was referring to the WorkCover board's not being able to operate the organisation correctly. What amazes me about that comment by the honourable member is that I understand that for the whole of his working life, apart from representing the electorate of Mitcham in this House, he has worked for either the Commonwealth or State Government. That in itself is an indictment on his own ability to be able to manage anything.

I remind the House that the WorkCover board comprises representatives from business whom I believe to be highly qualified. Through their expertise they have instigated the board's asking for the Wright reports so that they can use the information in those reports to guide them in their decision making. Further, as I said last night, members opposite have been making a number of comparisons about the increase in costs. I have obtained a report referring to the costs of operation of tort systems, as follows:

> During the 1980s, U.S. tort system costs almost tripled—rising to nearly $120 billion from just over $40 billion. Although the cost of other social welfare systems rose as well, the rate of growth has moderated, levelling off at about half that of the tort system. This represents a departure from the findings of the 1985 study, where the rise in tort costs appeared to be no worse than that of many other entitlement systems in our society. Certainly, cost is not the only problem plaguing the tort system today. Inefficiency also remains a serious dilemma in a system that costs more than $117 billion annually, yet returns only 50 per cent of that sum to victims, 25 per cent as compensation for economic loss.

That is an indictment on the system replaced by WorkCover. Listening to members opposite, one could be led to believe that they want the old system back where the maximum levy from the insurance companies was about 45 per cent in some cases, whereas the maximum is 4.5 per cent at the moment. As I said last night, that is a tenfold increase. The WorkCover board recommended to the Government that the maximum levy be raised to 7.5 per cent—

Mr D.S. Baker: You don't understand the economics of it. You don't understand the basic economics of what a dollar is—that's your problem.

The Hon. R.J. GREGORY: If the Leader had been here last night, he could have contributed to the debate.

Mr D.S. Baker: I was out with Kevin.

Mr Hamilton: He wasn't with me: I refute that. I take a point of order, Sir. He was not with me.

The DEPUTY SPEAKER: There is no point of order. The honourable Minister.

The Hon. R.J. GREGORY: The other point I want to make in closing is that, listening to the contributions of members opposite last night, one could have been confused as to just what they want out of WorkCover. The members for Hanson, Light and Coles made pleas on behalf of their constituents to have their claims paid immediately, yet other members demand an efficient operation and that people be denied their claims on the basis of doing away with rorts. Questions raised by members opposite relate to rorts by employees, yet they claim that all the people who have come to see them were not looking for a handout.

Bill read a second time.

Mr INGERSON (Bragg): I move:

That this Bill be referred to a select committee.

The Opposition believes that this Bill should be referred to a select committee for numerous reasons. In my presentation yesterday, I outlined 10 to 15 reasons why that should be the case. This House has before it the most scant amount of information in an economic and financial sense on which we will need to make this very important decision of changing the maximum levy rate. As the Minister is aware, the way in which the financial contribution of an individual employer is made requires a decision on the average levy rate, the ceiling levy rate and also a decision in the future about a bonus or penalty system.

Because this Bill only discusses the maximum levy rate, which deals with cross subsidisation and any change that that will create, we believe that those other areas mentioned should also be thoroughly investigated by this Parliament so that a reasonable output in a financial sense can be given to all employers in this State. As I said last night, the average levy rate is changed by administrative means and any bonus penalty system that we may have in the future will be changed by administrative means through the board of WorkCover. The Opposition does not believe that this is the way to go. We believe that, if this Parliament is to set a maximum levy rate, it should be for the whole rate spectrum.

Yesterday, I made submissions on behalf of many employers to the effect that the benefits under this WorkCover scheme are the best in Australia, and perhaps the best in the world. These benefits need to be looked at in the light of the blow-out in the cost of the scheme and, in particular, in relation to its solvency. Several speakers on the Government side have implied that the Opposition, and me in particular during my presentation, is opposed to the current benefits and are recommending that they should be significantly reduced. That was not the case. It was clear from my presentation that the Opposition supports strongly the need for an excellent rehabilitation scheme and the need for reasonable benefits, but we do not support, nor have we ever supported, the idea that the benefits should be paid at the top end of the range. Through this select committee we believe there will be an opportunity to review the benefits under this Bill.

I refer now to the administration of the scheme. It is clear from the report of the staff of WorkCover and the comments of the two actuaries that claims have considerably increased (by 15 per cent), that the cost of individual claims has increased by 33 per cent in the past six months from about $500 to about $800 and that the handling cost of those claims is at a level of about 21 per cent. As the actuaries have stated clearly, that handling cost is at the top end of the range and they do not believe that, under the current method for administration and even with significant changes in the next two years, there will be a significant reduction in costs.

I have also pointed out the need for accountability within the scheme. At the present time, a person who says he has

been injured at work can go to a doctor and ask to be treated and the cost is automatically charged to WorkCover. There is no accountability in terms of the employer. It is my belief and that of all members of the Opposition that if we are to get accountability back into the scheme we will need to have an arrangement under which the employer has some involvement in the cost of a particular claim.

At present, as the Minister would be aware, no bills go through the employer, so that the employer does not know directly the cost of a particular claim. We believe there should be more accountability and tightening up of the scheme, not to reduce in any way reasonable benefits or necessary rehabilitation, but purely and simply so that the employer is aware of the cost of rehabilitation and can approach WorkCover if he believes that the costs are unreasonable. If they are unreasonable, something can be done about it but, if they are not, they should be accepted. The whole question of accountability with the employer's not being involved is of major concern to the Opposition.

We also put forward clearly the argument that, if a workplace is unsafe and below the standards set by this Parliament, WorkCover should do something about it. Yesterday I made specific reference to the fact that we support the Department of Labour and the WorkCover Corporation in their attempt to minimise the effect of accidents in the workplace. Members opposite have accused the Opposition of taking the opposite view. That is absolute nonsense and I deny that the Opposition will not support strongly the need for occupational health and safety requirements in any work force to be upheld.

Finally, the actuaries in their summary made the most important comment of all by saying that, as far as they were concerned, unless some significant changes were made to the scheme as well as a change in the average levy rate, the whole scheme would be in significant danger of being under-funded to the extent of 35 per cent to 40 per cent by the year 1994-95. The Opposition believes that the information it has put before the House in the past 24 hours is sufficient reason for a select committee to be formed and we call on the Government to support this motion.

Mr D.S. BAKER (Leader of the Opposition): First, I compliment the member for Bragg for the way in which he debated this Bill both yesterday and today. He set down what the Opposition believes should happen and why this Bill should be referred to a select committee. A lot of effort and consultation has gone into this matter. The feedback that we have had from all parts of industry—both employers and employees, I might say—has been very frank and forthright. The Opposition is trying to be constructive in this proposal.

For a moment, I will go back and review what has happened in respect of this scheme. Of course, it was a dream of the Hon. Jack Wright, when he was in this place many years ago. On reading back through *Hansard*, the Hon. Jack Wright always said that at some stage in South Australia we would have the best workers compensation scheme in Australia. He did not make any bones about that at all. That belief was carried on by the succeeding Minister of Labour, the Hon. Frank Blevins, who, in his second reading speeches, made no bones about what he was going to do and how it would benefit everyone in South Australia. I will read to the House some parts of the Minister's second reading explanation to put on the record what was said when the scheme was introduced and to compare it with what is happening now.

I think it is very fair to say that the Government has tried to con the people of South Australia that the scheme is working well; it has tried to hide the facts and it has tried to put under the counter the bad management that has gone on and the rorts in the scheme. Before the last State election, in the *Advertiser* of 9 November, the General Manager of WorkCover, Mr Dahlenberg, said that the actuaries had said that they saw no reason for any rise in the average levy rate. Quite categorically, that was untrue, because the Opposition, through the member for Bragg, has put on the record the fact that the actuaries' report and the position report that was delivered in September/October showed that the unfunded liability was reaching some $70 million in 1989-90 and that it would blow out to some $300 million by the middle of the 1990s. Of course, all of that was swept under the carpet.

I think it is also fair to say that it is about time that we brought out into the open the talk in respect of percentages. The Minister stood up a moment ago and said that of course some people were paying very high percentages and they are now paying only 4.5 per cent. If members go out into the real world, they will have difficulty finding anyone who is paying less for workers compensation today than they were paying years ago. The difference is (and I see the Minister writing it down now) that the levy of 4.5 per cent today applies to a different dollar figure than did the 7.5 per cent or the 3.5 per cent, or whatever one was paying, before the scheme was introduced. In those days workers compensation premiums were paid to a number of insurance companies to cover a number of employees, and it was paid on their gross weekly or annual wage and on none of the top up figures. The 'add ons' that are now taken into consideration are laughable. There are such things as a footwear allowance, a higher duty allowance, a home entertainment allowance and superannuation. It is a different figure. So, we are not comparing apples with apples.

The Minister should have enough economic nouse to understand that 4.5 per cent of what is being paid today is a much higher figure than the 4.5 per cent that was paid before this scheme was introduced. We were conned by the former Minister of Labour when he introduced this and the public of South Australia were conned when the Minister talked about percentages. Let us talk actual dollars paid. I do not care whether the Minister wants to get it back to real dollars, because that is when we will see how the employers of this State have been conned in respect of this scheme. They were told they would get some benefits out of it but they have not.

I will now quote from the second reading explanation of the then Minister of Labour (Hon. Frank Blevins). I will read four or five quotes from that explanation in support of the member for Bragg's motion for the establishment of a select committee. In his second reading explanation, the Hon. Frank Blevins said:

> There are, of course, other pressing reasons, both social and economic, for undertaking these much needed reforms. Victoria has recently introduced its 'Work care' scheme that has reduced premiums in that State by $600 million per annum. The new Victorian Accident Compensation Commission has estimated that the reforms have cut the premiums in Victoria from an average of 4.81 per cent of gross earnings to 2.26 per cent; a drop of over 50 per cent. If we do not take similar action in this State our competitive position will be severely eroded.

We all know what happened in Victoria—the member for Bragg and the member for Victoria have put that on the record. It was an unmitigated disaster and employers in Victoria are now paying far higher levies than was initially envisaged. Of course, we all know in this State that the absolute reverse has taken place to what the Minister said at that time. The Minister goes on to say:

> Whilst it has not been possible to cost the savings that will flow from the effects of these rehabilitation measures—

he is now talking about rehabiliation—

the Government believes that they will be substantial. The creation of the sole authority to operate along corporate lines on a non-profit basis is central to the reforms and to the achievement of real cost savings.

That is a bit of a joke. There have been no real cost savings, and it has been put very succinctly that there has been a massive cost blow out. For the Minister of the day to assume that the insurance companies were making a profit out of it and that that saving would be returned to the scheme is a joke, because of the incompetent management of the scheme and, of course, the rorting of benefits at the other end. The Minister also said:

The Government believes that there are no credible alternatives to the course it has chosen. The only alternative would be to leave the system to drift along in its present form. The Government believes that such a situation would be disastrous to the State's economy.

What does the Minister believe will happen when he tries to drag another $70 million out of business, given the current economic situation in this State and when, to put it very frankly, it is on its knees? What does the Minister think it will do to the economy and to employment prospects? Without looking at any problems that there may be within the scheme, the Government blandly goes out and puts up the levies. That really shows financial incompetence. The Minister also said:

It is therefore important to recognise that this Bill largely mirrors what was contained in the White Paper. The only changes made of a significant nature and contained in this Bill relate to the improvements made in the proposed levels of benefit. I refer, in particular, to changes in the lump sums for non-economic loss and the proposal to retain the residual common law right for non-economic loss. The Government has had these changes costed and estimates the extra cost to be no more than approximately 3 per cent to 5 per cent of premiums.

Whilst employer concerns about these departures from the White Paper are understandable, it is important to put the changes in their proper perspective. The Government believes that on the basis of independent costings the improved benefits for workers are affordable and that significant savings in premiums will be achievable.

Of course, that is absolutely wrong and none of that has ever taken place. However, there are some things that the Minister said in that debate that the Opposition agrees with, and in that respect I refer to his statement, as follows:

. . . no system can be designed that will ever fully compensate injured workers because many losses such as the loss of promotional opportunities are simply not quantifiable. The Government recognises that a balance should be struck between the legitimate rights of workers to fair levels of compensation and the economic ability of industry to pay the cost of that compensation.

We totally agree with that: we do not support the concept of injured workers not being compensated. However, at present the Minister is hiding behind the compensation angle to cover up the gross mismanagement of the whole workers compensation scheme since its introduction some 2½ years ago. It was very interesting that the Minister called on a couple of financial whiz kids, Dr Trevor Mules of the Faculty of Economics at the University of Adelaide, and Mr Ted Fedorovich of the Department of Labour.

It is interesting to note what these two gentlemen said—and I hope that they are no longer employed by the Government. The Minister, in his second reading explanation, said:

Their costing study reveals that the estimated real net savings that will accrue to South Australian industry will be in excess of 30 per cent. This figure includes the removal of the 8 per cent stamp duty which is tied to the introduction of these reforms. If account is also taken of the first week's liability being transferred to employers, the actual cut in premiums is estimated to exceed 40 per cent. On the latest year's figures available, the total premiums collected by insurance companies in South Australia amounted to approximately $170 million per annum. On the basis of these figures the estimated real savings in the Government reforms can be expected to exceed $50 million.

I do not know on what these gentlemen base their figures but, obviously, the Government has listened to them—and we can see the problem we have at present. The most interesting thing is that the Minister, in the Committee stage of the debate, said:

This is a worthwhile reform. The Government believes that there should be increased benefits to injured workers—we make no bones about that. We also believe that there will be significant savings to employers and, if there is not, we will have to reconsider our position on this Bill. Whether or not it involves this State or Victoria, if schemes like this do not serve the workers and industry as they were intended, obviously they will have to be severely modified, because this State cannot afford to be out of step with our major competitors.

That really says it all. Although the Minister knew nothing about the financial side of it, at least he had the guts to recognise that if it did not work we would need to look at it. Of course, one of the great ironies is that the Minister who introduced this measure (and who knew nothing about the financial activity or cost blow-outs, as history has shown), unfortunately for this State, is the present Minister of Finance. One can understand why our economy is in such a mess.

It is quite obvious that the scheme is out of control and must be looked at. The most obvious way to do that is through a select committee. There are employers in the community who are frightened to come forward with the rorts because, as they have told me and other members on this side of the House, they will be victimised by WorkCover if they put all the information on the table. If those things are going on in the industry—and if they will be slugged another $70 million—surely the only way in which that information can be put on the public record and those people given a chance to air their grievances is via a select committee.

Surely, the only way to look at the mismanagement of this scheme (which everyone except the Minister acknowledges is taking place) and the rorts (and I have a full file in that regard) is through a select committee.

We have offered to table this information, but we will not put the employers at risk of being victimised by these people by giving their names to the Minister. If the matter is on public record and we have a public inquiry through a select committee, it will receive the full support of the Opposition and we will do all in our power to ensure that all injured workers in South Australia are adequately looked after and that the employers pay a reasonable cost towards that. That is fair and reasonable, but at present everything is being swept under the carpet in the interests of hiding what is going on and not in the interests of the economic future of this State.

Dr ARMITAGE (Adelaide): I wish to speak briefly in support of this call by the member for Bragg for a select committee, and I do so as someone who, as I mentioned last night, has been interested in the rehabilitation of injured workers from a practical point of view for the past 15 years. The reason why I specifically support this call for the Bill to go before a select committee is, as I said previously, that we have not yet had a full explanation from the Minister as to why the claim numbers have been considerably higher than expected on the basis of earlier trends.

The Minister mentioned a partial reason in his second reading explanation, but went on to say:

This does not provide the full explanation for the increases observed.

It seems bizarre to me that we are not given a full explanation as to why the increased numbers of claims are con-

siderably higher than anticipated, and it would seem logical that, where a scheme is not performing as originally estimated, rather than just throwing money after it we should look to see why it is not adhering to the original estimates. It seems to me that a select committee is the most appropriate way to do this.

The other reason why I believe this Bill ought to be subjected to the scrutiny of a select committee is that the WorkCover system is actually failing the people whom it was designed to help. If we look at the annual report and at the people referred for rehabilitation, we see that less than 50 per cent of people referred for rehabilitation have returned to work. The Minister frequently regales the House with this lovely figure of 96 per cent of injured workers who return to work. As I said last night, straight from the annual report, that indicates fudging of the figures, since the 96 per cent takes into account all injuries, including those where no time is lost at all. From a practical point of view, that means most injuries.

It worries me that rehabilitation for injured workers is not working if more than 50 per cent of workers referred for rehabilitation are not returning to work. It seems to me absolutely basic that a select committee should look at why the system is failing to rehabilitate those people whom the system is most designed to help—the injured workers.

The Hon. R.J. GREGORY (Minister of Occupational Health and Safety): The Government does not support the Opposition's call for a select committee, for a number of reasons. We have moved to amend the legislation to provide for an increase in the maximum levy rate from 4.5 per cent to 7.5 per cent. If we agreed to the establishment of a select committee, we would be saying that some time in September or October at the earliest the report could be considered by this Parliament and the Bill presented to the House.

Members opposite know that the costs that have been incurred in WorkCover are considerable, that the restrictions on the maximum levy rate are considerable, and that the employers who are operating unsafe workshops and are taking advantage of cheap insurance—and that is what they are doing: taking advantage of cheap insurance—will further beggar the scheme.

I want to make a few comments about some of the matters raised today, particularly in respect of this alleged file full of information on rorts. I do not know how big the file is, but if the Leader of the Opposition is aware of people conducting rorts against WorkCover, I suggest that, if he has no trust in me or in any other member of the Government, he go to some other organisation that he can trust with the information about these offences because, if someone is rorting the system of WorkCover, he or she is committing fraud. Fraud is a criminal offence which can and should result in people, if proven guilty, being subjected to severe fines or imprisonment.

I challenge the Leader of the Opposition to do that. He should take them to the National Crime Authority, the Anti Corruption Branch of the Police Department or to the Fraud Squad. They do not have to come to me; he can go there with these allegations of frauds and rorts. I venture to say that, if he has information and he is not going there, that is an exaggeration on his part to colour the argument that he has put forward in this House. If he wants that, he ought to go and do it. If he knew of offences being committed against WorkCover, he should have done it straight away instead of saving them up.

If citizens and members of Parliament, particularly the Leader of the Opposition and aspiring Premier, are aware of crimes being committed against the law of the State and country, they have a duty to lay that information with the police. By not laying that information, they are as guilty as those persons who are committing the crimes, because they are committing an offence. I urge the honourable member to take those things to those people if he is not prepared to give them to me so that I can have them investigated. But he does not want to do that; he wants to have them lying around so that he can refer to them all the time. I challenge him to do that.

I want to comment on the average levy rate. At the moment it is about 3.1 per cent. If this scheme had not been introduced in South Australia, the average levy rate for workers compensation insurance would be about 6.25 per cent when worked out against similar schemes operating around the world and on predictions of what was happening in South Australia at the time. We should not allow the Opposition to con the House that it would be any less, because that is what it would be; the cost would be enormous. If one talks to employers who operated in industry before the introduction of WorkCover, they will say that the insurance costs for workers compensation were going through the roof each year and that they wanted this scheme to be introduced.

Mr Lewis: 6.25 per cent of what?

The Hon. R.J. GREGORY: We believe that, coupled with the 7.5 per cent, the bonus and levy scheme will reward about 44 000 employers and penalise about 3 500, and that is the group that ought to be penalised. I am very pleased that the Leader speaks for the Opposition in this debate, and has offered all the support that members opposite can give to get to those employers who are causing the damage. I look forward to that when I seek leave further to amend the Act.

Mr LEWIS (Murray-Mallee): I shall not detain the House very long, but I cannot leave that sort of diatribe unanswered. The matters that we referred to last night—

The SPEAKER: Order! Does the honourable member realise that his comments must relate to the select committee?

Mr LEWIS: To the proposal to put the measure to a select committee, yes. The matters to which I refered in my brief contribution last night need to be addressed and examined. The WorkCover administration has shown no inclination to do that.

For the benefit of members, I remind them that itinerant labourers in rural areas, who might have had a week's or a month's work by prior arrangement with any one of a number of regular part-time employers, could unfortunately be injured and find that, after the first week's pay, as is required under the legislation, they were out of work and not receiving any pay and that WorkCover refused to pay their wages. WorkCover tells them to go back to their employer and get wages. Of course, the employer for whom they would have been working under their arrangements would be someone else entirely. Therefore, that is not reasonable.

The Minister commented on the extent to which there would have been a blow-out in the cost of workers compensation insurance on employers. He mentioned a figure of 6.25 per cent, which he drew out of the air. He did not say what the base figure was. He knows, as well as I do, and as well as you, Mr Speaker, that he was referring to other circumstances where the base figure was total salary. WorkCover rips off its premiums not only from the salaries and wages but also from superannuation and any other benefits that are paid to workers. The percentage is levied on everything that is paid by the employer at any time to

an employee. A percentage goes to the WorkCover fund. Even at retirement, when the superannuation is collected and there is no further risk of injury to the worker in the workplace, WorkCover reaches out and grabs a huge lump from the lump sum for its coffers. Is it any wonder that it can keep its premiums down by comparison? It has a much bigger revenue base from which to take the percentage levy in the first place. The Minister has not answered that.

The select committee will inquire into those matters and provide us with the opportunity to enable workers who have been adversely affected by the administrative decisions of WorkCover, as well as their employers, to come forward and place the evidence on the public record without fear or favour or risk of any coercive tactics being taken by anybody, union organisers and others included. That is why the Opposition has requested the setting up of this select committee; it is not to snout the Minister or any other such ridiculous thing. We are most anxious to see that the scheme proceeds in an effective and responsible fashion.

Mr INGERSON (Bragg): I am very disappointed that the Government has chosen not to refer this matter to a select committee. My principal reason is that $5 million per month extra will be taken out of the economy of this State to balance the WorkCover deficit. Instead of saying, 'We have a scheme which has some problems, which actuaries have said has problems and which the staff of WorkCover has said has problems,' the Government is saying, 'We will fix this and the employers will pay.' The employers are expected to find another $5 million a month to pick up all the inadequacies of the scheme which range from the highest benefits in the State to poor administration—the whole range of issues that I put forward earlier, such as claims experience, the general administration of claims and so forth.

I am concerned that the Minister states that 6.25 per cent would have been the calculated figure for salaries under the old scheme. He knows that it was purely and simply salaries on which the old scheme worked. I believe that the select committee could and should have been looking at remuneration. The *Gazette* of August 1987 gives a fairly interesting definition of 'remuneration'. That is another specific reason why this matter should be referred to a select committee. It states, 'Remuneration includes wages and all other allowances', and then it defines 'all other allowances'. The definition further lists accommodation allowance, annual leave, back pay, bonuses, call out or call back allowance, clothing allowance, club subscriptions, commission, directors' fees and emoluments, dirt money, disability allowance, dry cleaning, entertainment allowance, fares for travel, first aid allowance, follow the job allowance—that is interesting—footwear allowance, health insurance, higher duty allowance, holiday pay, home entertainment allowance—that is another interesting one—

Members interjecting:

The SPEAKER: Order!

Mr INGERSON: This is part of the deal where the Minister is trying to compare apples with apples, but they are two totally different schemes. It goes on to mention the following:

Incentives
Industry allowance
Instructor's allowance
Leave loadings
Life assurance
Living away from home allowance
Loadings
Locality allowance
Long service leave
Meal allowance
Motor vehicle allowance
Over award payment
Overtime
Overtime allowance
Penalty rate
Personal accident and sickness insurance
Piecework payments
Qualification allowance

It is interesting that we include in this exercise a qualification allowance. I would have thought that most basic salaries would include that, in any case. It goes on:

Remote area allowance
Rental allowance
Representation allowance
Salary
Salary continuance insurance
School or education expenses for children, spouse or dependents of employees
Service increments
Severance pay
Sick pay
Site allowance
Skill allowance

All these are part of the definition of 'remuneration'. The list continues:

Stand by or on call allowance
Studying allowance
Superannuation contributions
Supplementary payments
Telephone allowance
Termination payments
Tool allowance
Travelling allowance
Uniform allowance
Wages
All other allowances

Mr Ferguson interjecting:

Mr INGERSON: That is included. What I am saying is that these are the sorts of issues that the select committee should be looking at in the light of the $60 million that the Government is now asking the business community to pay to prop up the WorkCover scheme. I am very disappointed that the Government has chosen not to go down this line.

The House divided on the motion:

Ayes (22)—Messrs Allison, Armitage, P.B. Arnold, D.S. Baker, S.J. Baker, Becker and Blacker, Ms Cashmore, Messrs Chapman, Eastick, S.G. Evans, Goldsworthy, Gunn and Ingerson (teller), Mrs Kotz, Messrs Lewis, Matthew, Meier, Olsen, Oswald, Such and Wotton.

Noes (22)—Messrs L.M.F. Arnold, Atkinson, Bannon, Blevins, Crafter, De Laine, M.J. Evans, Ferguson, Gregory (teller), Groom, Hamilton, Hemmings, Heron, Holloway and Hopgood, Mrs Hutchison, Mr Klunder, Ms Lenehan, Messrs McKee, Mayes, Rann and Trainer.

Pair—Aye—Mr Brindal. No—Mr Quirke.

The SPEAKER: Order! There being an equality of votes, I give my casting vote for the Noes.

Motion thus negatived.

MARINE ENVIRONMENT PROTECTION BILL

Returned from the Legislative Council with the following amendments and a suggested amendment:

No. 1. Page 1 (clause 3)—After line 24 insert definition as follows:

'criteria' means limits or tolerances relating to the effect of pollutants and water quality characteristics on uses of water:

No. 2. Page 1, lines 29 to 31 (clause 3)—Leave out the definition of 'prescribed matter' and insert definition as follows:

'pollutant' means—

(a) any waste matter (whether solid, liquid or gaseous) resulting from any industrial, commercial or governmental activity;

(b) any leachate from stored products or wastes;

(c) any sewage or effluent (whether treated or untreated);
(d) any dust or particles produced, spilled or windblown in the course of transport, cargo handling or any industrial operations;
(e) any rubbish, debris or abandoned or unwanted materials of any kind;
or
(f) any matter (whether solid, liquid or gaseous) that, if present in waters, will, or can be reasonably expected to, result in some harmful or detrimental effect on—
(i) persons or their property;
(ii) aquatic or benthic flora or fauna (including mangroves); or
(iii) any beneficial use made of the waters.

No. 3. Page 2 (clause 3)—After line 6 insert definition as follows:

'standards' means limits or tolerances relating to the quantity, quality or rate of discharges, emissions or deposits of pollutants:

No. 4. Page 2, lines 30 and 31 (clause 3)—Leave out subclause (5).

No. 5. Page 3, line 17 (Heading)—Leave out all words in this line and insert 'MARINE ENVIRONMENT PROTECTION COMMITTEE'.

No. 6. Page 3, line 18 (clause 6)—Leave out this clause and insert new clauses as follows:

Establishment of Marine Environment Protection Committee

6. (1) The Marine Environment Protection Committee is established.

(2) The Committee is to consist of seven members appointed by the Governor of whom—
(a) one is a nominee of the Minister;
(b) one is a nominee of the Minister of Health;
(c) one is a nominee of the Minister of Fisheries;
(d) one is a nominee of the South Australian Fishing Industry Council Incorporated;
(e) one is a nominee of the Conservation Council of South Australia Incorporated;
(f) one is a nominee of the Chamber of Commerce and Industry, South Australia Incorporated; and
(g) one is a person with expertise in matters relating to the marine environment and its protection nominated by the Minister.

(3) One member of the Committee must be appointed by the Governor to be its presiding member.

Terms and conditions on which members hold office

6a. (1) Each member of the Committee is to be appointed for a term of office, and on conditions, determined by the Governor, and, on the expiration of a term of office, is eligible for reappointment.

(2) The Governor may appoint a suitable person to be a deputy of a member of the Committee.

(3) The deputy of a member has, while acting in the absence of the member, all the powers, rights and duties of the member.

(4) The Governor may remove a member of the Committee from office for—
(a) any breach of, or non-compliance with, a condition of appointment;
(b) mental or physical incapacity;
(c) neglect of duty;
or
(d) dishonourable conduct.

(5) The office of a member of the committee becomes vacant if the member—
(a) dies;
(b) completes a term of office and is not reappointed;
(c) resigns by written notice addressed to the Minister;
or
(d) is removed from office by the Governor pursuant to subsection (4).

(6) On the office of a member of the committee becoming vacant, a person may be appointed, in accordance with this Act, to the vacant office, but where the office of a member of the committee becomes vacant before the expiration of the member's term of office, the person appointed in place of the member must be appointed only for the balance of the term of office.

Allowances and expenses

6b. A member of the committee is entitled to receive such allowances and expenses as may be determined by the Governor.

Quorum, etc.

6c. (1) Four members of the committee constitute a quorum of the committee, and no business may be transacted at a meeting unless a quorum is present.

(2) A decision in which any four members of the committee concur is a decision of the committee.

(3) The presiding member of the committee must preside at any meeting of the committee at which he or she is present, and in the absence of the presiding member from a meeting of the committee, the members present must decide who is to preside at that meeting.

(4) The committee must cause—
(a) accurate minutes to be kept of proceedings at its meetings;
and
(b) a copy of the minutes for each meeting to be forwarded to the Minister as soon as practicable after they have been made and confirmed.

(5) The Minister must cause a copy of the minutes for each meeting of the committee to be kept available for inspection (without fee) by members of the public during ordinary office hours at an office determined by the Minister.

Functions of committee

6d. The functions of the committee are—
(a) to advise the Minister in respect of the formulation of regulations and other statutory instruments for the purposes of this Act;
(b) to advise the Minister in respect of the granting of licences under this Act including the conditions to which they should be subject;
and
(c) to investigate and report upon any other matters relevant to the administration of this Act at the request of the Minister or of its own motion.

Staff, facilities, information, etc.

6e. The Minister must ensure that the committee is provided with such staff, facilities, information and assistance as it reasonably requires for the effective performance of its functions.

No. 7. Page 4, line 5 (Heading to Part III)—Leave out 'PRESCRIBED MATTER' and insert 'POLLUTANTS'.

No. 8. Page 4, lines 7 and 8 (clause 7)—Leave out 'prescribed matter, or permit prescribed matter' and insert 'any pollutant, or permit any pollutant'.

No. 9. Page 4, line 14 (clause 7)—Leave out '$100 000 or division 4 imprisonment, or both' and insert '$150 000 or division 3 imprisonment, or both'.

No. 10. Page 4, line 15 (clause 7)—Leave out '$500 000' and insert '$1 000 000'.

No. 11. Page 4, line 20 (clause 7)—Leave out 'PRESCRIBED MATTER' and insert 'POLLUTANTS'.

No. 12. Page 4, line 23 (clause 8)—Leave out 'prescribed matter' and insert 'any pollutant'.

No. 13. Page 4, line 25 (clause 8)—Leave out 'prescribed matter' and insert 'any pollutant'.

No. 14. Page 4, line 28 (clause 8)—Leave out '$100 000 or division 4 imprisonment, or both' and insert '$150 000 or division 3 imprisonment, or both'.

No. 15. Page 4, line 29 (clause 8)—Leave out '$500 000' and insert '$1 000 000'.

No. 16. Page 4, line 35 (clause 9)—Leave out 'prescribed matter' and insert 'any pollutant'.

No. 17. Page 5, line 2 (clause 9)—Leave out '$100 000 or division 4 imprisonment, or both' and insert '$150 000 or division 3 imprisonment, or both'.

No. 18. Page 5, line 3 (clause 9)—Leave out '$500 000' and insert '$1 000 000'.

No. 19. Page 5, line 43 (clause 12)—Leave out '$100 000 or division 4 imprisonment, or both' and insert '$150 000 or division 3 imprisonment, or both'.

No. 20. Page 5, line 44 (clause 12)—Leave out '$500 000' and insert '$1 000 000'.

No. 21. Page 6, lines 28 to 33 (clause 16)—Leave out all words in these lines and insert 'give effect to or apply such policies, standards or criteria as are prescribed by regulation and applicable to the application or licence in question'.

No. 22. Page 6 (clause 16)—After line 37, insert paragraphs as follow:

(ia) grant a licence to the Minister responsible under the Sewerage Act 1929, authorising—
(A) the discharge, emission or depositing on or after 1 June 1990 of sludge produced from the treatment of sewage at the sewage treatment works at Port Adelaide; or
(B) the discharge, emission or depositing on or after 1 January 1993 of sludge produced from the treatment of sewage at any other sewage treatment works form-

ing part of the undertaking under the Sewerage Act 1929;.

No. 23. Page 7, line 24 (Heading to Division V)—Leave out all words in this line.

No. 24. Page 7, lines 25 to 39 and page 8, lines 1 to 4 (clause 19)—Leave out the clause.

No. 25. Page 8, line 8 (clause 20)—Leave out 'or exemption'.

No. 26. Page 8, line 9 (clause 20)—Leave out 'or exemption'.

No. 27. Page 8, line 11 (clause 20)—Leave out 'or exemption'.

No. 28. Page 8, line 12 (clause 20)—Leave out 'or exemption'.

No. 29. Page 8, line 19 (clause 20)—Leave out 'or exemption'.

No. 30. Page 8, line 21 (clause 20)—Leave out ', licensee or person exempted' and insert 'or licensee'.

No. 31. Page 8, line 23 (clause 20)—Leave out 'or exemption'.

No. 32. Page 8, line 32 (clause 21)—Leave out 'or exemption'.

No. 33. Page 8, line 33 (clause 21)—Leave out 'or person exempted'.

No. 34. Page 8, lines 34 and 35 (clause 21)—Leave out 'or exemptions'.

No. 35. Page 8, line 36 (clause 21)—Leave out 'or exemption'.

No. 36. Page 8 (clause 21)—After line 36, insert paragraph as follows:

(da) details of the effects of the activities authorised by each licence as disclosed by tests or monitoring carried out from time to time in pursuance of this Act by the licensee, or by inspectors or other persons appointed by the Minister;.

No. 37. Page 10, line 20 (clause 23)—Leave out '*(a)* or'.

No. 38. Page 13, line 9 (clause 25)—Leave out '$100 000 or division 4 imprisonment, or both' and insert '$150 000 or division 3 imprisonment, or both'.

No. 39. Page 13, line 10 (clause 25)—Leave out '$500 000' and insert '$1 000 000'.

No. 40. Page 15, line 26 (clause 33)—Leave out paragraph *(d)*.

No. 41. Page 15, line 38 (clause 33)—Leave out 'prescribed matter' and insert 'a pollutant'.

No. 42. Page 16, line 34 (clause 37)—Leave out '$100 000' and insert '$150 000'.

No. 43. Page 17, line 18 (clause 38)—Leave out '$100 000 or division 4 imprisonment, or both' and insert '$150 000 or division 3 imprisonment, or both'.

No. 44. Page 17, line 19 (clause 38)—Leave out '$500 000' and insert '$1 000 000'.

No. 45. Page 17, lines 22 and 23 (clause 39)—Leave out paragraph *(a)* and insert—

(a) that the alleged offence—

(i) did not result from any deliberate or negligent act or omission on the part of the defendant;

or

(ii) was reasonably justified by the need to protect life or property in a situation of emergency that did not result from any deliberate or negligent act or omission on the part of the defendant.

No. 46. Page 17, line 25 (clause 39)—Before 'offence' insert 'alleged'.

No. 47. Page 17, line 26 (clause 39)—Leave out 'prescribed matter' and insert 'any pollutant'.

No. 48. Page 18 (clause 40)—After line 4, insert paragraph as follows:

(ab) leave a matter in respect of which regulations may be made to be determined according to the discretion of the Minister;

No. 49. Page 19 (Schedule 1)—Leave out from subclause (2) 'eight years' and insert 'seven years'.

No. 50. Page 19 (Schedule 1)—Leave out subclause (3) and insert new subclauses as follow:

(2a) A licence granted by virtue of subclause (1) may be renewed by the Minister during the period for which the conditions referred to in subclause (2) apply in relation to the licence notwithstanding that the activity for which the licence renewal is sought is of a kind for which a licence renewal would not be granted apart from this subclause.

(3) Where the Minister grants or renews a licence by virtue of this clause, no person, other than the licensee, is entitled to make an application for review of the decision to grant or renew the licence or the conditions imposed on the licence pursuant to this clause.

No. 51. Page 19 (Schedule 1)—Leave out from subclause (4) 'prescribed matter' and insert 'any pollutant'.

Suggested amendment:

Page 14—After line 13, insert new Part as follows:

PART VA
MARINE ENVIRONMENT PROTECTION FUND

Marine Environment Protection Fund

26a. (1) The Marine Environment Protection Fund is established.

(2) The fund must be kept at the Treasury.

(3) The fund is to consist of the following money:

(a) the prescribed percentage of licence fees paid under this Act;

(b) the prescribed percentage of penalties recovered in respect of offences against this Act;

(c) any money appropriated by Parliament for the purposes of the fund:

(d) any money received by way of grant, gift or bequest for the purposes of the fund;

and

(e) any income from investment of money belonging to the fund.

(4) The fund may be applied by the Minister (without further appropriation than this subsection)—

(a) for the purposes of any investigations or research into matters relating to the marine environment or its protection;

or

(b) for the purposes of public education programs in relation to the marine environment and its protection.

(5) The Minister may, with the approval of the Treasurer, invest any of the money belonging to the fund that is not immediately required for the purposes of the fund in such manner as is approved by the Treasurer.

Consideration in Committee.

The Hon. S.M. LENEHAN: I move:

That the Legislative Council's amendments and suggested amendment be disagreed to.

In moving this motion, I will indicate the amendments that I feel most strongly about and cannot accept on behalf of the Government. First, with respect to the setting up of a Marine Environment Protection Committee, I draw the Committee's attention to the fact that, when the Bill left this place, members had agreed that the existing Environmental Protection Council, which has very strong powers, be charged with specific responsibilities under the Bill to carry out a range of functions and to give independent advice to the Minister, which the Minister must take into account.

On looking at the amendment that has come back from another place with respect to the establishment of that committee, I find that it lists nearly all the functions contained in the original Bill. What concerns me is that we would have the farcical situation of having two EPCs in South Australia, and I do not believe that that is at all appropriate. I do not intend to elaborate on all the matters, because we will have ample opportunity at a later date to canvass those. However, I have grave concern about a number of amendments.

With respect to the penalties, I made it very clear that it was important for South Australia not to pre-empt the decisions that would be taken by the ANZEC Ministers Conference later this year in July, and that an increase to $500 000 was appropriate rather than to the full $1 million. I understand that an amendment has come back suggesting that we should move to the $1 million. I still believe it is important to retain the penalty to allow for the ANZEC Ministers Conference to set that national standard as, indeed, we will be adopting national standards with respect to discharges.

The amendment to page 19, schedule 1, removes the eight years agreed to by this Chamber. The Bill left here with an agreed eight years and it has been amended to seven years. I do not accept that lessening of the time frame. I gave my arguments, I think very coherently at the time, and I do not believe it is appropriate that the other place should be determining the budgetary decisions of this Government

and any future Government of South Australia. I feel very strongly about that.

Amendments were inserted in the other place on the whole question of setting a time frame in terms of the discharge, emission or depositing of sludge produced at Port Adelaide. The proposed time frame is 1 June 1990, which, if it was not so serious, one would have to say was totally ludicrous. The cost factors involved for any Government to be able to remove and pump that sludge from Port Adelaide to Bolivar are, I understand, in the vicinity of $4 million. Does anybody in South Australia seriously suggest that any Government can just pluck $4 million out of the air and undertake to have a second pipeline put in place from Port Adelaide to Bolivar? I do not believe that even Opposition members in the other place seriously consider that a reasonable proposition.

The other point that I will reject relates to the discharge, emission or depositing on or after 1 January 1993 of sludge produced from all other treatment works. I made a public commitment before the last election that this Government would ensure the removal of sludge from the gulf by the end of 1993. I think it quite inappropriate to have this written into the Act. It is not the normal procedure; once that date is passed, that part of the Act is superseded, so I shall certainly reject that.

There are a number of other areas. I am concerned about the whole question of narrowly defining 'pollutant', but I am prepared to discuss that further with members of the Opposition. I previously made the point in this place on the question of defining 'pollutant'. What happens if there is a challenge in the courts and the substance is not covered in the definition of 'pollutant'? Are we not defeating the intention and purpose of the Bill to ensure that we remove any polluting substance from the marine environment within a reasonable time frame, which I have suggested is eight years? A number of other points are raised in these amendments. Having regard to time, I will not go into each and every one of them but I will just say that the Government certainly suggests that the amendments be disagreed to.

The Hon. D.C. WOTTON: The Opposition strongly supports the amendments proposed by the other place. The Minister has referred to a number of those amendments and I intend to refer briefly to only a couple. First, the Minister has indicated that she is determined that the Environment Protection Council should be used, rather than the suggestion that has been put forward by both the Liberal Party and the Democrats in another place, that a marine environment protection committee should be established. I support very strongly the legislation that established the Environment Protection Council, and in Government I strengthened that legislation considerably to give it the powers of a royal commission. I support that strongly.

I have expressed concern, as have my colleagues in this place, that the EPC is not being used effectively. Nobody can be blamed for that but the Government—the present Minister and previous Ministers, although the present Minister has indicated that it is her intention to provide that the EPC be given more meaningful responsibility. The fact is that the Opposition feels strongly that, with legislation as complex as this, it is essential that a specialist committee be established to monitor, and provide advice to the Minister in regard to, the administration of this Bill.

The Minister has indicated that she would be prepared to bring a person onto the committee when the EPC is discussing matters relating to the legislation. I cannot for the life of me see how that would work. I have problems with that because if the Environment Protection Committee is considering a number of matters on the agenda, and only one of them deals with matters relating to the marine environment, will the Minister request that that person be brought in to sit on the council to work through that agenda item and then be discharged afterwards? I am not sure.

The other thing that concerns me is the absolute need to make minutes and evidence available to the public. We all know that there are some confidentiality clauses within the Environment Protection Council legislation, and we see the necessity for all minutes of a committee dealing with issues under this Bill to be made public.

In regard to penalties, the Minister has indicated that she wants to work towards national standards. I do not disagree with that; I can see much to be gained by it, but why should we be at the bottom of the scale? In going into those negotiations, why should we not be able to go in with a recommendation that the maximum penalty be $1 million? We believe that it is appropriate that that should be the case. We have had discussions with industry that indicate that that is feasible, so we feel strongly about that matter.

The matter of reducing the time scale to seven or eight years is something that will have to be discussed at a later stage, but I would point out that the original legislation stipulated 15 years. As a result of some pressure being placed on the Government, the Minister herself moved an amendment to her own legislation to reduce that to eight years. We have suggested that it should be seven years, and that matter will need to be considered at a later stage. The Liberal Party and the Democrats feel strongly about the definition. In the second reading debate I gave several reasons why we consider that the definition of 'pollutant' should be included in the legislation.

I refer now to the matter of sludge and the time frame. I have no major concerns about a time frame being set into the legislation. We realise that sludge is the worst part of sewage outflow. In the other place reference was made to documents in respect of the mitigation of marine pollution in South Australia, and plenty of evidence was provided on that occasion to support the amendment put forward by my colleague. Because of the time, I will not go into any more detail in regard to the feelings of the Liberal Party about this legislation, but I make it known that the Opposition supports strongly the amendments from the other place.

The Committee divided on the motion:

Ayes (22)—Messrs L.M.F. Arnold, Atkinson, Bannon, Blevins, Crafter, De Laine, Ferguson, Gregory, Groom, Hamilton, Hemmings, Heron, Holloway and Hopgood, Mrs Hutchison, Mr Klunder, Ms Lenehan (teller), Messrs McKee, Mayes, Peterson, Rann and Trainer.

Noes (22)—Messrs Allison, Armitage, P.B. Arnold, D.S. Baker, S.J. Baker, Becker, Blacker and Brindal, Ms Cashmore, Messrs Eastick, S.G. Evans, Goldsworthy, Gunn and Ingerson, Mrs Kotz, Messrs Lewis, Matthew, Meier, Olsen, Oswald, Such and Wotton (teller).

Pair—Aye—Mr Quirke. No—Mr Chapman.

The CHAIRMAN: There are 22 Ayes and 22 Noes. There being an equality of votes, I give my casting vote to the Ayes.

Motion thus carried.

AGED AND INFIRM PERSONS' PROPERTY ACT AMENDMENT BILL

The Legislative Council intimated that it did not insist on its amendments to which the House of Assembly had disagreed.

SITTINGS AND BUSINESS

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

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

Motion carried.

WORKERS REHABILITATION AND COMPENSATION ACT AMENDMENT BILL

The Hon. R.J. GREGORY (Minister of Occupational Health and Safety): I move:

That it be an instruction to the Committee of the whole House that it have power to consider new clauses relating to the Workers Compensation Appeal Tribunal and confidentiality.

Motion carried.

In Committee.

Clause 1 passed.

Clause 2—'Commencement.'

Mr S.G. EVANS: This clause relates to retrospectivity. It provides that section 3 will be taken to have come into operation at the same time as the principal Act came into operation. In other words, in 1990 we can say that a law that was passed in 1986 is changed from that point and anything that occurred lawfully between 1986 and the present is now be deemed to be unlawful. I know that there are some costs involved for WorkCover, and I understand that when a court case is involved people become scared because it could cost WorkCover a lot of money. Of course, it could open up a Pandora's box, but who is to blame? It is partly the Government but mainly Parliament and, to a degree, it is the fault of departmental officers who must have examined the legislation and had the experience to be involved in this area. In particular, this clause could affect people who may suffer incapacity caused by a heart attack or a brain tumour or any other medical condition that in days gone by would not have related to work. However, in modern society it is said that stress and other factors affect human beings. So, if their work involves a lot of stress, we now say that that can have an effect on their health.

In a court case, the court agreed with that argument. Suddenly the authorities throw their hands in the air and say, 'We never expected that it would be the case that people could claim in this area of their work-related injury or illness. So, we will change the law to deny those people the opportunty to claim.' And, as I said, one person has already made such a claim. We are saying in this Bill that workers can claim their legal expenses if they have started proceedings to collect. We are saying that it is all right for those in the system who have expended money on legal expenses to claim those expenses. There must be another way. I know that we cannot eliminate it altogether other than retrospectively, but at least we could say that from this point on any person who has shown signs of stress related work injury—I think that is the best way to put it—in relation to heart disease or similar illnesses, cannot claim where those illnesses have not come to light to this point. That would not open up such a huge Pandora's box of claims.

If anyone tells me that we cannot draft something like that into the Bill, I will have to disagree with them. It is imperative that we ask ourselves how in 1986 we could make a law that affects human beings and their life expectancy, and then say today that we will pay their legal expenses but all other cases are now unlawful. That is a wicked thing to do. We are the people elected to Parliament to make the laws. We made a law—those of us who were here at the time—and we made an error. That was not the intention of Parliament. The way the law has been interpreted is not what Parliament intended. If that was the case, it would be very easy to cite a lot of cases in law. We make laws hoping that they are worded in the way that we intend them to be interpreted, but, if the courts interpret them differently, so be it. It is not the individuals in the community who made the error: it is our error, and the error of those who advise us. Of course, some of us have more opportunity to obtain advice than others.

I know I cannot win this argument; and I know that others hold the same view. I ask the Committee to think about this matter. This clause is a wicked way to make laws. We should not be able to say that in 1986 something was lawful—that is, what a person might have suffered or incurred that might have entitled them to some claim because of their suffering and the effect on their income and family—and then, today, say that we have made a mistake and put it outside the law. It is like saying that in 1986 murder was unlawful, but in 1990 we will make it lawful retrospective to 1986. That is exactly the same; there is no difference except in the seriousness of the activity. One is a criminal activity related to harming others and the other relates to individuals who are harmed as interpreted by the law and being entitled to some compensation from that point on. However, the Government wants Parliament to say, 'Sorry, we made a mistake; the courts proved us wrong, so we will take that entitlement away from you.' I just hope the Committee exercises commonsense and does not proceed with this clause.

Mr BECKER: I support the comments of the member for Davenport. I cannot support this clause, which relates to retrospectivity. During debate last night I mentioned a particular case and, this morning, the following letter arrived in the post:

Thank you for your letter of 27 March 1990 enclosing a copy of the Bill to amend the Workers Rehabilitation and Compensation Act 1986, and the parliamentary speech. I shall not attempt to make any comments on the legal ramifications of the proposed Bill except to say that it would appear to have the effect of reverting to the intentions of the old Act in so far as the definition of 'disease' is concerned.

What I am still concerned about, however, is the retrospectivity proposal. I must continue to be vehemently opposed to retrospective legislation. Consider the sitution where a matter has already been heard and is currently before a review officer for determination (as in my case). That review officer, being aware of the proposed legislation, may believe that compensation can be avoided by the operation of the retrospectivity clause. He may then be encouraged to delay his determination until after the legislation has been enacted. Thus, the applicant would, in my opinion, be severely prejudiced. I am aware that the avenue exists whereby an applicant can, by writ, require a Government official to act when the applicant considers a continuing lack of action is prejudicial. This, however, is yet another costly and time-consuming process and may not, in any event, 'beat' the enactment of the legislation.

It is proposed that in matters already determined an applicant will be eligible to be awarded 'reasonable costs' so that he/she is allegedly not prejudiced by the retrospectivity. The question then arises as to what are 'reasonable' costs. In my experience, those costs deemed 'reasonable' under legislation fall far short of actual costs incurred in litigation and, under the current WorkCover legislation, I understand they are limited to $2 001. There is also to be taken into account the time, trauma and emotional anguish that accompanies such litigation. I wonder if you are yet aware of when this Bill is to be debated? If so, could you please let me know. I have also written again to Messrs Ian Gilfillan and Mike Elliott and sent them a copy of this letter.

That sums up my feeling on the clause. That letter is from one of my constituents whom I wish to help. She has spent over $10 000 in legal costs in pursuing what she fairly believes is her right under this legislation. It would be cruel now to enact this piece of legislation and deny her that right. The 1988 annual report of WorkCover clearly states:

The WorkCover scheme focuses on the effective and early restoration to work of those who have suffered a work-related injury or disease.

This WorkCover legislation was introduced into the Parliament with the ideal and belief that it would be a special scheme to benefit workers in this State; that workers would receive the benefit of a Government owned and controlled WorkCover proposal. If the Government has now found that the economy of that proposal is wanting, it is not the fault of my constituent or another person who visited my office after being offered 50 per cent settlement of a claim in relation to his wife's death, wherein he was left with not even enough money to pay his wife's funeral costs. WorkCover's annual report clearly states that:

Employers with poor health and safety records often believe that their problem stems from unsafe behaviour by their workers. However, management creates work and the working environment, and therefore it is management who is in a position to exercise control. Modern safety science indicates that high rates of injury and illness in the workplace are a symptom of failure in the management system.

Heart disease, as has been shown by the correspondence I have received from a well-recognised specialist, and stress are brought on by management and by the attitude of people in the work force. There is no doubt about it, and I will never be convinced otherwise. One only has to look at this place, at the parliamentary system and the political Parties to see the stress that is brought on. It happens in every field of employment. I saw it time and time again in banking: stress and pressure were placed on management, who then placed it on the staff to perform and achieve results. There is no excuse for enacting this clause, which will penalise many people.

Dr ARMITAGE: I rise to make a reasonably impassioned plea about this clause, realising that unfortunately, like Sancho Panza, I may well be tilting at windmills and I know that I am likely to lose my argument. However, I wish to point out to the House the hypocritical concept of saying, on the one hand, that this Bill we are debating will help workers and then, on the other, saying that, despite the fact that the court has said that Ascione, in that case, was affected by work, we will now say to all workers, 'Sorry, we are not going to pay you the same amount of money, because we can't afford it.'

That to me is nothing short of sheer hypocrisy. I imagine that this particular worker had a congenital aneurism and blew the aneurism as the cause of the stroke. That is the only thing I can imagine as a congenital disease leading to this. What do we say to other workers with similar problems? Do we say 'Sorry, your stroke didn't come early enough'?

We are here in Parliament saying that with this Bill we will help workers. It is just sheer hypocrisy. Retrospectivity in itself is wrong: it is our error and not the error of the courts that made the decision or the error of the workers. I agree completely with the member for Davenport that we must be able to draw up some form of law to take account of the legal decision henceforth.

I suggest that we may well put in words to the effect, 'If there is nothing in the medical records to the date of enactment concerning any medical illness that may be stress induced or work induced, people are not free to claim.' But retrospectivity in these cases is hypocritical. Retrospectivity, in my view, is insidious and, worse than that, is evil. In our democratic society it is totally and utterly unjustified, let alone in the future. Who knows where we will be then.

The attempt to pass this legislation and enact it retrospectively is nothing short of hypocrisy. I believe that it is an attempt to justify our own inadequacies as law-makers, and I am against it.

The Hon. R.J. GREGORY: What I said in my second reading explanation stands. In respect of the matters raised by the member for Hanson, the person he is referring to would benefit from any decision made by the review officer, and the costs that would be reimbursed are reasonable costs that would be incurred in pursuing any claim that has been lodged so far. Any reasonable costs in excess of $200 would be reimbursed to the people concerned.

Clause passed.

Clause 3 passed.

Clause 4—'Evidentiary provision.'

Mr BECKER: The information I seek from the Minister relates to the case I cited previously during this debate of a constituent of mine who died following a heart attack on the way home from work. His case is two years old this month. If a worker who dies from a work-related illness is covered, why does it take so long to settle the claim? Secondly, because he died of a heart attack has this case been delayed pending this legislation?

The Hon. R.J. GREGORY: I have grave doubts that the matter would have been delayed pending this legislation. The whole matter of determining whether a worker's disease is aggravated by work takes some time to establish. Much evidence is taken from medical people, opinion is sought and, eventually, a solution is reached. It is not something that can be done in five minutes.

Dr ARMITAGE: Why does the Bill single out coronary heart disease?

The Hon. R.J. GREGORY: When this Bill was drafted and presented to the House, the intention was that the conditions that applied for the definition of 'disease' would apply in the new Act. Agreements were reached on the basis that it would be no better and no worse, and people in the union movement and the employers accepted that. In other words, there was to be no change.

Our courts have changed the intention of the Parliament. We are changing it back to what was intended, and have been assured by Parliamentary Counsel that these words will restore the meaning and definition to that which existed prior to the introduction of this legislation.

Dr ARMITAGE: I am still unclear as to why coronary heart disease is singled out in new subsection (5) *(a)* of section 51, yet many other diseases are not referred to.

The Hon. R.J. GREGORY: I draw the honourable member's attention to the second schedule of the Act. He will find a list of diseases for that purpose.

Clause passed.

Clause 5—'Imposition of levies.'

Mr INGERSON: I move:

Page 2, lines 7 to 9—Leave out paragraph *(a)* and substitute the following paragraph:

(a) by striking out subsections (6), (7) and (8) and substituting the following subsections:

(6) The corporation may, by notice in the *Gazette*—

(a) fix the percentages applicable to the various classes of industry for the ensuing financial year;

or

(b) amend a notice previously published under this subsection in order to correct an error or omission,

(but, subject to subsection (9), a percentage fixed under this subsection may not exceed 7.5 per cent).

(7) Before fixing percentages under subsection (6) the corporation—

(a) must make estimates, in relation to the relevant financial year, of—

(i) the aggregate remuneration to be subjects to the levy;

(ii) the proportion of that aggregate referable to each class of industry;

(iii) the aggregate income to be derived from the levy;
(iv) the proportion of that aggregate referable to each class of industry;
(v) the aggregate costs to be incurred by the corporation in relation to compensable disabilities;
and
(vi) the proportion of those aggregate costs referable to each class of industry;
(b) the corporation must have regard to the need to establish and maintain sufficient funds—
(i) to satisfy the corporation's current and future liabilities in respect of compensable disabilities attributable to traumas occurring in the relevant financial year;
(ii) to make proper provision for administrative and other expenditure of the corporation; and
(iii) to make up any insufficiency in the Compensation Fund resulting from previous liabilities or expenditures or from a reassessment of future liabilities.
(8) Without derogating from the principle referred to in subsection (7) *(b)*, the corporation must not fix the percentages under subsection (6) so that the total estimated income to be derived from the levy would exceed 3.9 per cent of the total estimated remuneration to be subject to the levy.

During the second reading stage we referred at length to the need for Parliament to consider a maximum for the average levy rate. This amendment, in essence, recognises that fact. We say that the maximum average levy rate should be no more than 3.9 per cent, and we accept as part of this amendment the Government's move to have a wider range in terms of the maximum ceiling. We accept the figure of 7.5 per cent put forward by the Government. In essence, this amendment gives an average levy rate maximum of 3.9 per cent and a broader range to 7.5 per cent. In moving this amendment, we are saying to the Government that we believe there needs to be justification for the extra $60 million payment by employers this Bill will effect if it goes through.

We believe that any future increase in average levy rate, if it is required, should come before the Parliament. In my second reading speech I said that the actuarial figures for future liabilities were a bit rubbery. Any figure with a minimum of $200 million and a maximum of $350 million allows a fair amount of movement. The actuaries may be quite wrong and we may never need to increase the average levy rate, but we believe that it ought to be in there. The amendment is supported by many employer associations. It is not supported by the Employers Federation; it does not believe that it needs to be in at all. However, the majority of the other major organisations, including the Chamber of Commerce and Industry, would argue that it ought to be in there so that financial control can be brought back to the Parliament. In essence, we are saying that the Parliament should have some involvement in the financial management of WorkCover and that this is one way that that can be achieved.

The Hon. R.J. GREGORY: It makes a mockery of appointing a board to say, 'We will appoint these people to drive the coach [WorkCover] but we want to have a hand on the steering wheel all the time.' That is precisely what the amendment means. The WorkCover board is appointed to manage the affairs of WorkCover, for example, to set levy rates. Looking at the regulations, one sees that on 1 July 1979, a whole number of levy rates for a whole number of industries were set out in the *Gazette*. As I indicated earlier, those percentage rates will change when we get to the 7.5 per cent. A considerable number will go down and some will go to the 7.5 per cent. The bonus/levy rate will also mean a reduction for some, and the penalties will mean increases for others.

To say that we should legislate to ensure that the average levy rate will be such and such is a gross interference in the affairs of WorkCover. That is precisely what is meant by it. It is very restrictive on the affairs of WorkCover. It takes no account of the mix that is taking place in working areas in South Australia. Despite the horrible stories told by members opposite, even at the highest maximum of 7.5 per cent, it is still cheap. It has been said that employers will not bother too much about occupational safety and health because it is costing them a lot less than the injuries and consequently they are not too worried about it. It means that the rates will move around. It does not take account of anything that could happen and it becomes restrictive on the management of the funds. When we get the six people, who are well qualified, as representatives of the employers and who have considerable experience in managing their own companies and the union officials, with the advice of actuaries and others, we should let them set the rates and manage the affairs of WorkCover to the best of their ability.

Mr INGERSON: The Minister has answered the arguments that we have put forward in the past two days in one sentence. He does not believe that there should be any control of the blow-out in costs or that any guidelines should be set by Parliament relating to the running of WorkCover in a financial sense. That is what he said, and we do not support that argument. We say that, if this Parliament is to set all the parameters in terms of benefits, and it has done that, and in terms of what the maximum levy rate should be (and the Minister is asking us to change that today), we should also be setting a parameter within which WorkCover can operate and, if it gets outside that parameter of financial control, it should come back here.

We put in the measure a figure which is higher than the one recommended by the two individual actuaries and higher than the one put forward by the last supervising actuary. We have not attempted to say that that figure is right, but it is a 27 per cent increase over and above the existing average levy rate. It is a significant increase for the corporation to move within. It can move from 3.1 per cent to any figure up to but no more than a result which would give an average of 3.9 per cent. Therefore, it has a very significant area in which to move. We believe that a $60 million increase in levies out of the economy of this State is unreasonable. We suggest that WorkCover should come back to this Parliament and put before it all the reasons for any of these changes before they take place. That is what this amendment is about—no more, no less. I find it quite flippant of the Minister to throw that aside and say that industry will pay, up goes an extra $60 million and the Government will do nothing else for the scheme. We find that unreasonable.

Dr ARMITAGE: In relation to these suggested increases in levy, I wish to mention two examples which worry me enormously, both from constituents of mine. One relates to a firm of landscape gardeners. It has a private contractor who comes in with his back hoe and charges a certain rate per hour, which includes hiring of his plant. The firm pays the WorkCover levy on his tractor or his back hoe, for God's sake. How ludicrous! On contacting WorkCover officials, the firm was told that, if this same contractor went

to Richard Stevens Hire and hired out the tractor or the back hoe or whatever he chooses to use and did the same job as he is doing with his own back hoe and provided a bill for his time and for the hire of the equipment, the firm would be paying the WorkCover levy only on the time involved. There is nothing that the firm can do about it. It is quite bizarre. With ludicrous examples like this we are expected to pass increases of 67 per cent in maximum levy rates. It is absolutely bizarre.

The CHAIRMAN: Order! The honourable member must relate his comments to the amendment moved by the member for Bragg, because that is the question before the Chair at the moment.

Dr ARMITAGE: I hope to speak later regarding my other example.

The CHAIRMAN: Clause 5 as a whole, whether amended or not, will be debated shortly.

The Hon. R.J. GREGORY: Last night the member for Bragg made great play on the reliance of actuaries' reports to justify the Opposition's stand on interfering in the affairs of WorkCover and proposing a select committee. If he had sought further advice on those actuaries' reports, he would have been told or would have noticed that the actuaries say that fixing an average levy rate at a certain figure is ridiculous, nonsense, and cannot work. The reason why it cannot work is that, if one of the higher paying industry groups were to have a sudden influx into employment, the average levy rate would move beyond the 3.1 per cent to 3.9 per cent. If South Australia were lucky enough to see a significant increase in employment in the manufacturing industry, that would happen. The member for Bragg is saying, therefore, that we should be coming back here every two or three months if we have this steady growth. The member for Bragg agrees with that. Why is he not prepared to allow the people we appoint to run the business of WorkCover to do so?

Section 14 of the Act sets out their role quite clearly. As politicians, we should keep out of it as much as possible and let them manage. All this Bill seeks to do is increase the maximum levy rate as the board requested so that the fund can remain solvent. The board is acting on experience and on the recommendations of actuaries.

Mr INGERSON: The Minister knows that is not what the Opposition has been saying. He knows that more than half the members of the board are saying that this decision is incorrect. He knows that six members of the board opposed this particular move and that the Presiding Officer, along with a rehabilitation expert, voted with the unions to shift the average levy rate. The employer association who put this argument to me are totally opposed to this move unless there is a major review of all the functions of the WorkCover Corporation.

The Minister knows full well that that is the case, that it was not a unanimous decision of the board to up the average levy rate. All the employer representatives opposed this move, unless a range of things were done. That is the main reason we are arguing this point today. The employers opposed the decision, not because it was wrong in essence, but because they did not believe that a single action of putting money into the organisation was the answer. It is very clear to me that it was a Government decision—and it has not been denied by the Minister—and that is of concern to me and to the employers who have argued strongly to me to move an amendment to make WorkCover justify its stance in totality. That is why the Opposition called for a select committee and, in that event, the majority of employers would have accepted any necessary changes.

The Hon. R.J. GREGORY: The member for Bragg has a selective memory. He seems to have access to board papers and minutes, yet he has chosen to ignore a decision taken by the board on 15 December, when it was agreed in principle—I am advised that means that everyone agreed—to increase the maximum levy rate to 7.5 per cent. At that meeting, the board listed a number of other matters that should be undertaken, and they are in the process of being undertaken.

The member for Bragg is shaking his head, saying that did not happen. It did happen. Between December and February, the employer representatives were got at by the employer associations to change their view. At the February meeting, the decision was taken by the board on a majority basis. Last night I spoke about corporate confidentiality, but members opposite do not seem to understand that. Because they lost out, they are crying 'foul'.

The board is there to manage the scheme in the best interests of employers and employees in South Australia. I do not know what happened between 15 December and February but I suggest to members opposite that a fair bit of arm twisting went on. In December, a decision was made to the benefit of the board. At the February meeting, all the other decisions were agreed decisions. The matter in question was the only one decided by a split board.

Mr INGERSON: There are 61 million reasons why the employer associations and individual employers are concerned. This Government will authorise WorkCover to collect an additional $61 million from those employers without public justification. That $61 million will be taken out of the economy of the State to prop up an administration that cannot justify the increases. The actuaries have shown that the figures are rubbery; yet, in the next 12 months, the employers in this State are expected to cough up an additional $61 million. That is not on, and the WorkCover organisation and the Government will have to take the flak until a reasoned decision is made and a major inquiry is established.

The Hon. R.J. GREGORY: The Opposition is asking what the reason is for the $61 million. It is to cover injuries to workers.

Mr Ingerson: No, it isn't; it's to cover rubbery figures.

The Hon. R.J. GREGORY: According to the member for Bragg, the money is to cover rubbery figures. It will be used to cover the injuries sustained and the cost of treating people injured at work. That is what it is for. The point is that most of those injuries are avoidable.

Mr Ingerson interjecting:

The Hon. R.J. GREGORY: The honourable member cannot say that injuries are rubbery. I know, and the honourable member knows, that injuries are avoidable. However, a small but significant group of employers do not care what happens in the workplace, and they have high injury rates. We are unable to get to those people because of the restrictions imposed in the amendments moved by the Opposition in the last Parliament. I hope to change that situation with the passage of this legislation. I repeat: the money will be used to cover workers who are maimed and hurt at work and who in some cases cannot go back to work. It will cover people for whom the members for Hanson, Light, Coles and Davenport are working. This money will not go into the coffers of a financier. It is to provide for medical benefits, treatment and compensation for persons injured at work. All those costs are avoidable if employers play the game.

The Committee divided on the amendment:

Ayes (22)—Messrs Allison, Armitage, P.B. Arnold, D.S. Baker, S.J. Baker, Becker and Brindal, Ms Cashmore,

Messrs Chapman, Eastick, S.G. Evans, Goldsworthy, Gunn and Ingerson (teller), Mrs Kotz, Messrs Lewis, Matthew, Meier, Olsen, Oswald, Such and Wotton.

Noes (22)—Messrs L.M.F. Arnold, Atkinson, Bannon, Crafter, De Laine, Ferguson, Gregory (teller), Groom, Hamilton, Hemmings, Heron, Holloway and Hopgood, Mrs Hutchison, Mr Klunder, Ms Lenehan, Messrs McKee, Mayes, Peterson, Quirke, Rann and Trainer.

The DEPUTY CHAIRMAN: There are 22 Ayes and 22 Noes. There being an equality of votes, I give my casting vote for the Noes.

Amendment thus negatived.

Dr ARMITAGE: I would like to bring to the notice of this Committee, not necessarily for the first time, the case of the constituent of mine who, I repeat, was contracting a back hoe and was paying WorkCover on the cost of hiring the hire plant. I presume that the Minister heard my speech inappropriately but I will not go into that detail again. If he chooses, I will repeat what I said. The other case I wish to raise is that of a number of doctors who are incorporated and are their own employees. I note that many of these people who are employed by their own companies take out their own disability insurance. I ask the Minister whether it is fair in the case of these incorporated medical practitioners that the doctors' premiums are unlimited but their benefits are limited?

The Hon. R.J. GREGORY: The Leader of the Opposition regaled us this afternoon with cases of rorts by workers; now we have one by the medical practitioners, and they complain about getting caught. I think it is dead correct; when doctors form themselves into incorporated companies and then employ themselves, they should be treated as employees, because that is exactly what they are. If they do not want to be treated as employees, they go out and be what they call a 'self-employed person'.

With respect to the matter of the subcontractor raised by the member for Adelaide, I advise the Committee that one of the problems that WorkCover has had is to sort through all that myriad of problems associated with the employment of contractors and subcontractors. The matter that he raised specifically last night is being looked at and when we get an answer in respect of the matter, I assure the honourable member it will be conveyed to him.

I can also assure the Committee that as these problems come to light they are gradually being rectified. Members will also recall that I made the point during my address last night that I have had discussions with a leading member of the United Farmers and Stockowners Association with respect to farmers and their involvement with WorkCover. When enough actuarial evidence is available, WorkCover will be able to look at the appropriate rate to charge. It needs a few years experience to do that. I can give the undertaking that that will happen when WorkCover has the experience. Similarly with the subcontractors, a lot of evidence and information needs to be gathered so that we can sort through all the things that can happen, and I assure the Committee that, if there are a thousand ways of doing something, somebody will find a thousand and two.

Dr ARMITAGE: With regard to the case of the back hoe operator that I mentioned previously, is there any possibility of these people recovering the money that they have paid to WorkCover for the levy on the hire of the contractor's back hoe?

The Hon. R.J. GREGORY: I have already given an undertaking to do something and I will do it.

Mr INGERSON: Does the Minister agree that it is possible there is no need at all for an increase in the average levy rate; that it could be possible that the fund is fully funded; that, because of the wide range of variations put forward by the actuaries, this increase of $60 million may be unnecessary; and that further inquiry could show that to be the case; and that industry could be asked to pay $60 million more than it should this year?

The Hon. R.J. GREGORY: I will say it again: last night, the member for Bragg relied upon actuaries' reports.

Members interjecting:

The Hon. R.J. GREGORY: He was reading from them and referring to them; it is no good denying it now because he was.

He was, and he should not deny it now by way of interjection. The actuaries work on the basis of the best guess. South Australia might be very fortunate and some fund might have a surplus, but the best guess is that it may not. The legislative amendment gives the board power to raise levies so that there can be an assurance that the worst case is covered. It also gives the board a lot of flexibility. It can reduce levies if it wants to and if actuarial advice is such that it should. It can create a bonus and penalties scheme to create a situation where the worst performing employers in this area change their attitudes and approaches in relation to occupational safety and health in the workplace and reduce their injury rates. When that sort of thing happens we will see the levy come down, and that is why it is important that the board be given that flexibility.

Clause passed.

New clause 5a—'Membership of the tribunal.'

The Hon. R.J. GREGORY: I move:

Page 2, after line 12—Insert new clause as follows:

5a. Section 79 of the principal Act is amended—

(a) by striking out subsections (1), (2) and (3) and substituting the following subsections:

(1) The tribunal consists of—

(a) the President of the Industrial Court, who will be the President of the tribunal;

(b) the Deputy Presidents of the Industrial Court, who will be Deputy Presidents of the tribunal;

(c) such persons (if any) as the Governor may appoint on the nomination of the Minister as additional Deputy Presidents of the tribunal;

and

(d) such persons as the Governor may appoint on the nomination of the Minister as ordinary members of the tribunal.

(2) A person is not eligible for appointment as a Deputy President of the tribunal unless that person is a legal practitioner of at least seven years standing.

(3) Before nominating a person for appointment as a Deputy President of the tribunal, the Minister must consult with the United Trades and Labor Council and with associations that represent the interests of employers.

(3a) Before nominating a person for appointment as an ordinary member of the tribunal, the Minister must consult with the United Trades and Labor Council or with associations that represent the interests of employers.;

and

(b) by striking out from subsection (6) 'A person shall cease to be' and substituting 'A person appointed to the tribunal will cease to be'.

This amendment revises the provision of the principal Act relating to the constitution of the Workers Compensation Appeal Tribunal. The Act presently provides that the tribunal will consist of the President nominated by the Minister; Deputy Presidents nominated by the Minister; and ordinary members. It is proposed to provide that the President of the Industrial Court will automatically be the President of the tribunal and the Deputy Presidents of the Industrial Court will automatically be the Deputy Presidents of the tribunal. The Act will still provide for other persons

to be appointed as Deputy Presidents and as ordinary members.

New clause inserted.

New clause 5b—'Confidentiality to be maintained.'

The Hon. R.J. GREGORY: I move:

Page 2 after line 12—Insert new clause as follows:

Confidentiality to be maintained, 5b. Section 112 of the principal Act is amended by striking out subsection (2a).

I am prompted to move this amendment because last night the member for Bragg said that members opposite would do all in their power to assist the Occupational Health and Safety Services of the Department of Labour in ensuring that the workplace was safe when referring to the 150 worst performers. At the moment there is a restriction in the Act which stops the regulations applying until they have actually been laid on the table of the House for 14 sitting days. We have a situation where WorkCover cannot disclose to the Department of Labour the names of any of the companies which are poor performers with respect to occupational health and safety or employers who have a high employee injury rate.

When interviewed on the *7.30 Report* several nights ago and asked whether he was aware of who the 150 were and what he would do about them, the General Manager of the Chamber of Commerce and Industry (Mr Thompson) said that the chamber would like to know who they were to enable it to use peer pressure to ensure that those companies lifted their game. We find that we will not be able to transfer the information from WorkCover to the Department of Labour until some time in the middle of August. That means that, for the next three to three and a half months, these employers will not be able to avail themselves of the assistance offered by the department. If that information was given to the department, its occupational health and safety inspectors could visit those places for an inspection, make recommendations, approve their safety practices and give advice as they normally do.

At the moment, the only way we can get to those places is if and when somebody is seriously hurt. We want to be able to visit those places now so that we can offer advice. An enormous number of companies operate in South Australia at the moment and we have only a limited number of inspectors to make casual inspections. We also feel that inspectors would be more usefully employed by visiting only those places where they are needed.

Mr INGERSON: The Opposition does not support this amendment but I give the assurance to the Minister that we will consider an amendment in another place enabling the Department of Labour and the South Australian Occupational Health and Safety Commission to have access to these confidential records if in fact a difficulty is occurring. We believe that the Minister's amendment is too wide, but we accept the argument put forward. If there is a problem in respect of information flowing from these workplaces to the Department of Labour and to the commission, the Minister's request is reasonable. I will pass the information on to members in the other place, and we will consider moving an amendment there to enable those two organisations to receive that information.

The Hon. R.J. GREGORY: I am rather surprised. Again, it must be as a result of the Opposition's second thoughts on this matter. I will go through the reasons why it ought to apply. This is one of the few Acts of this Parliament where the regulation power lies in reverse. In all other Acts, the regulations are made, they lie on the table and, if disallowed within 14 days, cease to have any effect. In this case, we have general agreement from members opposite that it would be desirable for the Department of Labour and the Occupational Health, Safety and Welfare Commission to have access to this information.

Mr Ingerson: I said that.

The Hon. R.J. GREGORY: He said that. What about the Chamber of Commerce and Industry, the Engineering Employers Association and the South Australian Employers Federation? We would also approach those organisations because we know they would assist in any and every effort that the department made to reduce injuries. The Act is very restrictive in this, and the regulation to stop this happening is, in effect, too wide.

I made the point, when this clause was forced upon the Government, that it is doing things in reverse. We should not be doing that. We should be allowed to make regulations—nobody disagrees with that. Even if we were to pass resolutions by both sides of the House that information be given forthwith, it is contrary to the Act; we would have to amend the Act. I am of the view that, in respect of this matter, the Government's amendment should be agreed to.

Mr INGERSON: The point that I will make very clearly is that this amendment was included as a late amendment yesterday by the Government. I have given the assurance to the Minister that, in principle, I agree with his argument. As I have said, it is our intention to consider this matter thoroughly so that an amendment can be placed in the other Chamber. I have given that assurance to the Committee that that will be done. I believe that the Minister is being unreasonable in asking the Opposition to agree to an amendment thrown in at the last minute when it provides for a very significant change. However, as I said, it is a change which I believe is reasonable in principle. I will do my best to make sure that an appropriate amendment is moved in the other place to cover the situation outlined by the Minister while at the same time maintaining reasonable confidentiality.

New clause inserted.

Clause 6 and title passed.

Bill read a third time and passed.

CORONERS ACT AMENDMENT BILL

Returned from the Legislative Council with amendments.

MARINE ENVIRONMENT PROTECTION BILL

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

Consideration in Committee.

The Hon. S.M. LENEHAN: I move:

That the House of Assembly insist on its disagreement to the Legislative Council's amendments.

Motion carried.

A message was sent to the Legislative Council requesting a conference at which the House of Assembly would be represented by Messrs Brindal, M.J. Evans and Ferguson, Ms Lenehan and Mr Wotton.

REAL PROPERTY ACT AMENDMENT BILL (No. 2)

Adjourned debate on second reading.

(Continued from 22 March. Page 790.)

Mr LEWIS (Murray-Mallee): This is the second occasion upon which this legislation has been amended this year. However, in this instance the amendments are simply to enable the staging of development. Until recently it was thought that the staged development of a land division was an acceptable approach—it was not disputed. Staging is a particularly important type of land development in country towns where a small number of blocks—whether they be for residential, industrial or any purpose whatsoever—means the difference between an acute shortage or a glut of land.

Development would be exorbitantly expensive and very disorderly if the total development of any proposed subdivision were required of the developer as a prerequisite to obtaining planning approval. If the interest bill on the total outlay required these days for an entire development to be undertaken from the outset was not recouped for, say, two or three decades, this would make the subdivision unprofitable to say the least and, in fact, impossible. Moreover, the vacant land, once subdivided, would cost the developer a lot of money in council rates, land tax and sewerage and water rates until it could be sold. Most important of all, there would be a continuing annual management service cost for weed and vermin control and for repairs and maintenance to plumbing, stormwater drains and other service installations that are now required as part of the process of land development.

So, in its wisdom the Planning Appeal Tribunal in July 1988—just over 18 months ago—determined that staged development as we have known it is not permissible. This finding was handed down in a judgment following an appeal to the tribunal which involved an application to subdivide land into 68 allotments in stages at Bordertown. In the judgment, the tribunal stated that the Real Property Act does not contemplate, and therefore does not permit, single planning approval for a large subdivision and then staged implementation of it.

Whilst this Bill provides for a form of staged development, it requires the applicant to specify the staging and the time frame in the initial application and to then comply with the strictures of the approval so obtained. Previously, no such detail was required. The Opposition believes that it is unreasonable to expect that such detail can be accurately assessed and provided at the time that the application is made. No developer can know the macro-economic conditions in which the land will be required to be held from the time that development begins to the time it is completed, nor do they know what the micro-economic consequences of the project will be. Also, they do not know the interest rate to which the investment funds will be subjected for the duration of the project, nor do they know the likely changes in the demand for land across the time for which the approval for a development is given.

So, the Opposition proposes to amend the Bill but, as a matter of principle, agrees with the Government that staged development needs to be restored to developers as an option because of its realistic place in the development of land for any purpose whatsoever and in many circumstances.

Bill read a second time.

In Committee.

Clauses 1 and 2 passed.

Clause 3—'Staged division of land.'

Mr LEWIS: I move:

Page 1, after line 26—Insert subsections as follows—

(2) A planning authorisation for the division of land in stages remains in force—

(a) in the case of land in a prescribed area of the State—for a period determined pursuant to the Planning Act 1982 or the City of Adelaide Development Control Act 1976;

(b) in the case of land in any other part of the State—for 20 years or for such longer period as the relevant planning authority from time to time determines.

(3) The following areas are prescribed areas of the State of the purposes of subsection (2)—

(a) Metropolitan Adelaide as defined in the Development Plan under Part IV of the Planning Act 1982;

(b) the City of Adelaide:

and

(c) the municipal council areas of the cities of—

Mount Gambier,
Port Augusta,
Port Lincoln,
Port Pirie,
Whyalla.

As I explained during my second reading speech, at present this Bill does not permit the staged development of land across time in country towns or other similar settings. That is unfortunate because nobody can know the rate at which land will be required on the outskirts of a town such as Bordertown where this very anomaly was first drawn to our attention.

The 68 allotments that would have been created at Bordertown in the staged development that was turned down by the Planning Appeal Tribunal cannot be sold all at once yet, unless we provide for the developer to be able to develop the land in an orderly way—that is, as a staged development—and give the developer the flexibility to do that in response to market demand for the land and any other factors that may affect the developer's business, we are imposing an injustice on country towns.

My amendment will ensure simply that the Government's proposal will apply to the metropolitan area and centres with larger populations, such as Mount Gambier, Port Augusta, Port Lincoln, Port Pirie and Whyalla. On the other hand, this amendment enables us to provide for orderly development as part of staged development across time in response to demand factors which affect the necessity for that development. It avoids unnecessary capital outlay and cost and enables communities to continue to expand at a rate that is reasonable and acceptable to their needs. I urge the Minister to accept the very reasonable proposition put by the Opposition in this amendment.

The Hon. S.M. LENEHAN: I have to explain to the honourable member that, as I understand the situation, we are looking at a staging proposal under the Real Property Act. Under the Planning Act, proposals remain in force for three years with the right to extend that proposal in terms of an application by the proponent of a particular development. Twenty years is too long altogether. I really—

Mr Lewis: You haven't given it a thought.

The Hon. S.M. LENEHAN: I am not going to respond to that rude interjection. Indeed, we have given it a thought and I believe it is not appropriate to have one set of planning regulations and one set of regulations under the Real Property Act, which the honourable member, himself, said was in response to a problem that had been highlighted some 18 months ago. This Bill was introduced to ensure that we gave people the opportunity to embark upon staged development and that is exactly what the Bill is doing.

Mr LEWIS: By her response, the Minister shows that she has not understood what happened to the applications at Bordertown and what will happen in all other small country communities. The legislation before us now does not restore the *status quo*. There was no time limit imposed on developers previously when approval was given for the development. A three-year time frame would mean that there could be a complete change in the district council. If, after approval for development was given, a developer undertook a development, other commercial interests could simply

swamp the council, change its complexion and remove the prerogative to continue the development of the said land and allot it to some other favoured party and, in the process, incur disorderly development by truncating the development in the position where it had been originally planned and agreed to by the council three years previously.

This proposal, providing for a 20 year period, will ensure that the way it used to be, prior to the Planning Appeal Tribunal decision of July 1988, continues. In her rejection of this proposal, the Minister is condemning country towns to a fairly insecure future in terms of development of land on their perimeter by enabling the whole question of whether a staged development can proceed after three years to be put back in the melting pot and become the subject of a local government election campaign and change the whole thing around. I think it is very unfortunate. I would like to think that the Minister would have given the amendment more serious consideration. By saying that three years is all that is required, the Minister fails to understand that one cannot sell, say, 68 blocks in three years in towns like Lameroo, Peterborough or Tailem Bend. Yet the developer will have to take a complete section, begin subdividing it, and commit capital to provide adequate services to the rest of the development as it is released. The developer is left with that.

The Hon. S.M. LENEHAN: Quite the contrary to the honourable member's assertion, I do fully understand the situation and I believe this legislation will, in fact, return us to the situation prior to the Planning Appeal Tribunal. However, there is one exception and I make no apology for it. A developer may mention to the council up front that he or she will be embarking upon a staged development, the reason being good, sound planning sense, to be able to plan in an orderly and staged manner. It seems absolutely important to me, as Minister for Environment and Planning, that that will happen. I reject totally what the honourable member is saying. What about the planning reviews that we are embarking on at the moment? To give *carte blanche* to someone for 20 years does not take into account a whole range of factors that might come up in that time. The Government believes that, if a developer in, say, Lameroo wants to develop four lots of 68 blocks and tells the council, under this Bill this is fine as long as the developer indicates his or her intention to develop in a staging sequence. That is covered under this Bill. It is nothing to do with the selling of blocks. The honourable member does not understand the legislation: it is nothing to do with selling blocks; it is to do with developing blocks and the developer can move in a staged manner under this legislation. In terms of the Planning Act, the person will have three years and can apply for an extension. Obviously, the honourable member did not hear that.

Mr Lewis interjecting:

The Hon. S.M. LENEHAN: Well, the point that we are making is that we live in a democracy and if, as the honourable member says, the council changes in three, five or 10 years, that is a reality of life. We cannot lock things in for 20, 30 or 40 years, particularly given the changing environment in which we live. I do not believe that this will disadvantage country towns at all. All it means is that developers will have to look a little bit ahead if they want to do four stages of development. The council will have to be informed up front when application is made for the first stage. The council will then know what is happening. This amendment does return us to the situation that existed before we had the judgment to which both the honourable member and I referred.

Amendment negatived; clause passed.

Clause 4 and title passed.

Bill read a third time and passed.

MARINE ENVIRONMENT PROTECTION BILL

A message was received from the Legislative Council agreeing to a conference, to be held in the Legislative Council conference room at 5.45 p.m. on 5 April.

ELECTRICAL WORKERS AND CONTRACTORS LICENSING (1987 AMENDMENT) AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 22 March. Page 790.)

Mr LEWIS (Murray-Mallee): As you, Mr Speaker, and other members would know, the Electrical Workers and Contractors Licensing Act Amendment Act 1987 (No. 10 of 1987) provided for the reciprocity of licences between other States and our own. The Bill before us now, as well as the legislation which was passed by Parliament in 1987, was designed to enable qualified electrical workers to work interstate without further formality. The Act was originally assented to on 9 April 1987, as the Minister would know, but was not proclaimed.

In mid-1988 the other States settled their respective positions, and on 7 July 1988 the Minister published the notice in the *Gazette* announcing the arrangements for reciprocity. However, the Act had not been brought into operation so there was no law to which the gazetted announcement referred, therefore the law at present does not provide for interstate electricians to practise without obtaining a South Australian licence. But some interstate electricians are practising. They did so believing that it was their right.

ETSA and the Minister of Mines and Energy may be protected against the outcome of this current circumstance; however, more importantly, in the future, work done by an electrician at the present time, while in fact and in law unlicensed, might fail. In consequence of that, an insurer would be able to establish that the work was illegal and, therefore, avoid having to pay out on what would otherwise have been a legitimate claim.

I do not suggest that that will happen, nor does the Minister, but that is the way it is at the present time. The proposed Bill, which will bring into operation the Electrical Workers and Contractors Licensing Act Amendment Act as from July 1988, will give retrospectivity in that respect and will give effect to the wishes of Parliament. Its sole purpose is to correct an administrative oversight. It begs the question that it is yet another blunder. The Opposition supports the Bill but, of course, criticises the Government in general and the Minister in particular for sloppiness.

The Hon. J.H.C. KLUNDER (Minister of Mines and Energy): I appreciate the support of the Opposition. This was one of those situations in which, because it did not go along standard lines but was pulled out to wait for other States to come into line with South Australia, an act of omission rather than commission took place. This is a way of ensuring that no-one in this State suffers as a result of that omission. I thank the Opposition for its support.

Bill read a second time and taken through its remaining stages.

ADJOURNMENT

At 5.55 p.m. the House adjourned until Tuesday 10 April at 2 p.m.