HOUSE OF ASSEMBLY

Wednesday 20 March 1991

The SPEAKER (Hon. N.T. Peterson) took the Chair at 2 p.m. and read prayers.

RACING (SPORTING EVENTS BETTING AND APPEALS) AMENDMENT BILL

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

PETITION: GUARDIANSHIP

A petition signed by 14 residents of South Australia requesting that the House urge the Government not to seek to amend the present legislation relating to guardianship was presented by Mr Becker.

Petition received.

PETITION: BICYCLE HELMETS

A petition signed by 11 residents of South Australia requesting that the House urge the Government not to make the wearing of bicycle helmets compulsory was presented by Mr Becker.

Petition received.

PETITION: BLOOD ALCOHOL LIMIT

A petition signed by 11 residents of South Australia requesting that the House urge the Government to set the blood alcohol concentration limit for fully licensed drivers at .05 per cent was presented by Mr Meier.

Petition received.

PETITION: LAW AND ORDER

A petition signed by 112 residents of South Australia requesting that the House urge the Government to increase police presence in the Mount Barker and Stirling areas and review penalties for vandalism, larceny and assault offences was presented by the Hon. D.C. Wotton.

Petition received.

QUESTIONS

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

STATE GOVERNMENT INSURANCE COMMISSION

In reply to **Mr S.J. BAKER (Deputy Leader of the Opposition)** 12 March.

The Hon. J.C BANNON: I have received the following report from the Chief General Manager of SGIC in relation to the directorships held by senior SGIC executives in companies in which SGIC has an investment:

The question from the Estimates Committee was: 'does SGIC provide any Directors to firms in which it has an investment?' (Mr Ferguson). At the time Mr Gerschwitz took the sense of the question to refer to publicly listed companies—as is the normal commercial practice when referring to directorships. Given that Mr Gerschwitz did tell the committee that he was answering the question 'off the top of my head', the only directorships of publicly listed companies which he inadvertently omitted were SAMIC and Health and Life Care Limited.

Mira Consultants is an unlisted joint venture between SGIC and all the Government insurance offices in Australia; Systems Service is an unlisted joint venture (providing qualified computer specialists) between SGIC and Mutual Community; Spaceguard is an unlisted joint venture with the Government Insurance Office of New South Wales and Soda Software Pty Ltd; Torrens Property Funds Management, Bouvet, Elders Trustee and Executor Company, SA Projects Ltd, SGIC Financial Services, SGIC Health and SGIC Pty Ltd are all SGIC subsidiaries, which are listed on page 53 of the Annual Report.

Elders Trustee (which has been renamed Austrust Limited and operates under the Trustee Act), SGIC Health (which operates as a registered health benefits association) and SGIC Financial Services (which has an unrestricted financial advisers licence), are all part of the core operation group or direction of SGIC, but are registered as separate legal entities under the Acts under which they operate. Torrens Property Funds Management is a dormant company, SGIC Pty Ltd is the holding company for Austrust, Bouvet Pty Ltd, SA Projects and SGIC Financial Services.

Barclays Bank (Australia) Ltd, Barclays Finance Holdings Ltd and Barclays Australia (Finance) are all wholly owned directly or indirectly by Barclays Bank Ltd London, and are unlisted. Of course SGIC has no shareholding in any of these companies and it is not reasonable that they should be referred to—having regard to the original question which was asked. Mr Gerschwitz was and is also a Director of First Radio Ltd—the operators of Radio Station 102 FM (which is not publicly listed)—as is Mr Les Carlaw—Manager of Investments. Mr Gavan Kelly was (and is) a Director of the Health and Life Care Group, in which SGIC has a shareholding and from which SGIC purchased assets. These transactions were conducted on any arm's length basis—Mr Kelly was not involved in any discussions or any of the decision making process.

In reply to **Mr D.S. BAKER (Leader of the Opposition)** 12 March.

The Hon. J.C. BANNON: I have received the following report from SGIC in relation to the shareholdings and directorships of executives in companies in which SGIC has made a substantial investment:

Titan—Senior SGIC Manager, Mr Gavan Kelly, joined the board of Titan following the purchase of 80 per cent of its shares by Health Development Australia in June 1990. (SGIC was a 50 per cent joint partner in HDA). Titan's major marketing focus was the private health care and gym market, and it was believed that Mr Kelly, as a former State Manager (both Tasmania and SA) for Medicare/Medibank Private, as well as the first General Manager for SGIC Health, would be able to bring considerable expertise to the board.

Dr Wayne Coonan, who also joined the board was not employed by SGIC, but by Health Development Foundation (HDF). Dr Coonan became a part-time employee of SGIC on 1 March 1991. Neither Dr Coonan or Mr Kelly are now Directors of Titan following SGIC's decision to forgive loans to Titan in such a way as to ensure that this small South Australian owned value-added manufacturer and exporter has the opportunity to survive (and to pay a royalty to SGIC for each piece of equipment sold).

SAMIC—Mr Brian Jones is Secretary to SAMIC under a management agreement between SAMIC and SGIC (for which SGIC is paid a management fee). Mr Jones has been company secretary since 1984. Mr Jones has been a subsantial private investor in SAMIC since 1984, both on his own account, and through a family company—Brianian Pty Ltd (which first bought shares in 1987). Mr Jones has 58 000 shares and Brianian has 300. SGIC has 3 000 080. Mr Jones has also been a private shareholder in Brileen since October 1989 (with 22 200 shares), and SGIC has 49.99 per cent of the company with 66 600 shares.

Mr Jones is SGIC's Investment Administrator, and does not make investment decisions, and is not on any SGIC investment committees. Mr Gerschwitz has been a member of the SAMIC board since 6 December 1984 and holds 5 400 shares and 30 800 options (which expire on 20 June 1991) in SAMIC.

Health and Life Care Group—Mr Gavan Kelly is a Director of the Health and Life Care Group, and holds 20 000 options in

that company. The question of propriety and/or code of conduct is that of normal commercial private enterprise operations, where the person concerned declares an interest and is excluded from any discussions or decision making on any matter relative to the company in question.

STATE BANK

In reply to **Hon. D.C. WOTTON (Heysen)** 13 December.

The Hon. J.C. BANNON: Mr M. Hamilton was appointed to the board of Pegasus Leasing Limited on 31 August 1990 to replace Mr J.A. Baker following Mr Baker's retirement from the Beneficial Group. Mr J. Malouf was appointed on 16 November 1990 to replace Mr M. Chakravarti following Mr Chakravarti's resignation from the Beneficial Group. These appointments enabled Beneficial Finance to maintain equal board representation in line with its 50 per cent shareholding in Pegasus Leasing Limited. I have been informed by the State Bank that a series of investigations using both internal and external resources is still under way regarding the affairs of Pegasus Leasing Limited. Until these investigations are complete it is not possible to draw any firm conclusion on the precise financial position of Pegasus Leasing Limited.

In reply to **Mr GUNN (Eyre)** 13 December.

The Hon. J.C. BANNON: Since the question was asked the Governor has appointed the Auditor-General pursuant to section 25 of the State Bank Act to inquire into the circumstances of the bank's losses. The Government has also announced that in conjunction with a royal commission of inquiry the Auditor-General's terms of reference will be expanded. The matters which are the subject of the honourable member's question fall within these terms of reference.

STATE GOVERNMENT INSURANCE COMMISSION

In reply to **Mr INGERSON (Bragg)** 13 March.

The Hon. J.C. BANNON: I have received the following report from SGIC in relation to its policy on the reinsurance of potential large liabilities:

SGIC's practice regarding reinsurance of potential large liabilities is to reinsure the amount of the risk that SGIC believes it is unable to handle on its own account, having regard to its own financial resources. The question of the put on 333 Collins Street is different to other insurance transactions where, in the event of a loss, an amount is paid covering that loss. As regards 333 Collins Street, if the put is called, an amount is paid in exchange for an asset, that asset being the building located at 333 Collins Street. In this instance, reinsurance was not taken, but SGIC could have sold down part of the risk. This was not done as it believed there was little likelihood of the put being called, and indeed at the time of entering into the transaction professional advice indicated that the building should have a value in excess of the amount of the put, at time of completion.

In reply to **Mr S.J. BAKER (Deputy Leader of the Opposition)** 14 March.

The Hon. J.C. BANNON: Mr Gerschwitz has been a member of the board of Barclays Bank since 1982. The Minister at that time, the Hon. David Tonkin, gave his formal approval prior to Mr Gerschwitz's appointment to the board. I understand that the approval was based on the view that SGIC and South Australia could benefit from the association with a large international bank.

It is conceivable that Mr Gerschwitz's position on the board of Barclays Bank could give rise to a potential conflict of interest given SGIC's shareholding in Standard Chartered Bank. This in itself, however, is not sufficient reason to preclude Mr Gerschwitz from being a Director of Barclays Bank. I have been advised that Mr Gerschwitz has and will continue to exclude himself from any deliberations which may compromise his position as a Director on the Barclays board and Chief General Manager of SGIC.

METROPOLITAN ABORIGINAL YOUTH TEAM

In reply to **Mr OSWALD (Morphett)** 14 March.

The Hon. D.J. HOPGOOD: It is not true that there is a $400 000 'blow-out' in the budget of the Metropolitan Aboriginal Youth Team. As a new program it began operation in 1990 and incurred significant expenditure in the first half of the financial year. However, the budget overrun for the program is expected to be in the vicinity of $20 000-$30 000 by 30 June 1991. This overrun will be met from reallocations within the department.

The former manager of the Metropolitan Aboriginal Youth Team left the department in December 1990 to take up a position in the corresponding department in Queensland. No other senior officer has left to work in Queensland since his departure.

MINISTERIAL STATEMENT: STATE BANK

The Hon. J.C. BANNON (Premier and Treasurer): I seek leave to make a statement.

Leave granted.

The Hon. J.C. BANNON: Members will be aware of some media reports this morning concerning a joint investigation by the Australian Federal Police and the Australian Tax Office which involves a subsidiary of the State Bank of South Australia. I want to take this opportunity to report to the House the information that has been relayed to me concerning the joint investigation. Under section 16 (2) of the Commonwealth Income Tax Assessment Act 1936, such investigations are covered by secrecy provisions. The section provides:

> . . . an officer shall not either directly or indirectly, except in the performance of any duty as an officer, and either while he is, or after he ceases to be an officer, make a record of, or divulge or communicate to any person any information respecting the affairs of another person acquired by the officer . . .

While I was aware of a general tax audit of Beneficial Finance, because of the secrecy provisions of the Commonwealth Act, I was not informed of any details of the joint investigation until after the Federal Police began executing warrants in Adelaide today. Subsequently I have been informed of the following facts, and I believe it is in the public interest that the nature of the investigation is placed on record. The joint investigation involves a number of companies, including Beneficial Finance Corporation and Luxcar, which is a client of Beneficial Finance Corporation. The investigation relates to whether Beneficial Finance Corporation and Luxcar, among others, conspired not to pay the full tax arising from the income from the leasing of luxury vehicles. The investigation also involves some past and present employees of Beneficial Finance.

The Australian Federal Police executed eight search warrants in South Australia today in relation to the alleged offences and another 15 in Sydney, Brisbane and Melbourne. The Australian Federal Police, in a statement issued late this morning, said that, as the execution of the warrants was part of an ongoing investigation, they were unable to issue any further details on the matter. It is not anticipated that today's actions will cause any undue delays or problems

in the Auditor-General's inquiry into the State Bank or the royal commission into the affairs of the State Bank.

The Commonwealth legislation which has empowered the Australian Tax Office and the Australian Federal Police to investigate this matter supersedes the powers vested in the Auditor-General. The Auditor-General has informed me, however, that he will be notified of any documentation which the Commonwealth authorities recover. The Auditor-General will also be liaising closely with these authorities to determine what information they have, and to request copies of documentation which may be relevant to his inquiry. The news of today's action by the Australian Federal Police vindicates the decision taken by the Government to establish the royal commission and the investigation by the Auditor-General—

Members interjecting:

The SPEAKER: Order! The Premier has sought and been given leave to make a statement. The House gave that permission. Interjections are way out of order, and I caution members on their behaviour while a ministerial statement is being made. The honourable Premier.

The Hon. J.C. BANNON: Thank you, Mr Speaker. The news of today's action by the Australian Federal Police vindicates the decision taken by the Government to establish the royal commission and the investigation by the Auditor-General into the State Bank. The terms of reference for both inquiries contain—

Mr S.J. BAKER: I rise on a point of order, Sir.

The SPEAKER: Order! The Premier will resume his seat.

Mr S.J. BAKER: Mr Speaker, does that ruling extend to when the Premier is untruthful?

The SPEAKER: There is no point of order. The allegation of being untruthful is made by the Deputy Leader. There is no Standing Order that covers that. The Chair can make a decision only on the point of order that is raised, and there is no point of order. I would just caution the Deputy Leader about making frivolous points of order. The honourable Premier.

The Hon. J.C. BANNON: Thank you, Mr Speaker. The terms of reference for both inquiries contain specific requirements for the Royal Commissioner and the Auditor-General to report on whether civil or criminal proceedings should be undertaken as a result of their investigations. Section 4 of the terms of reference for the royal commission requires the Royal Commissioner to:

> . . . report whether any matter should be referred to an appropriate authority with a view to further investigation or the institution of civil or criminal proceedings.

Section E of the terms of reference for the Auditor-General's inquiry is required to:

> . . . report on any matters which in his opinion may disclose a conflict of interest or breach of fiduciary duty or other unlawful, corrupt or improper activity and the Auditor-General is to report whether in his opinion such matters should be further investigated.

Mr Speaker, matters such as allegations of tax fraud are very serious. My Government is determined that where any such activities are identified, whether they be in public or private institutions, they should be prosecuted to the fullest extent.

QUESTION TIME

STATE BANK

Mr D.S. BAKER (Leader of the Opposition): My question is directed to the Treasurer. Before giving four separate assurances to this House last December that some arrangements of the State Bank Group had not been designed to avoid Federal taxation in any untoward way, what independent advice did he seek or did he simply rely on the advice given by the State Bank?

The Hon. J.C. BANNON: I had to rely on the advice provided to me. I did not seek specific advice or an investigation or inquiry into the particular taxation arrangements of those organisations. I was advised that they were done in the normal—

Members interjecting:

The SPEAKER: Order!

Mr Hamilton: Why don't you listen?

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

The Hon. J.C. BANNON: —commercial course. The Taxation Commissioner makes his assessment of the tax returns of those organisations. As I have just announced today, quite clearly in relation to at least one taxation area, the Commissioner is not satisfied and, indeed, has embarked on proceedings.

Members interjecting:

The SPEAKER: Order!

The Hon. J.C. BANNON: That is the situation that the Australian Taxation Office has initiated. That office is the one to judge whether or not offences have occurred, not me: it is neither my job nor my duty—

Members interjecting:

The SPEAKER: Order!

The Hon. J.C. BANNON: —to intervene in the proper commercial proceedings of any organisation. It is and must be subject to the law. If any offences or breaches were involved, they needed to be prosecuted fully and completely; that is, in fact, happening. But that is not a judgment I can make; I am not the prosecutor in this case, nor am I the Taxation Commissioner making an assessment. Those assessments have been made and that action is now taking place.

LANGUAGE AND LITERACY COURSES

The Hon. T.H. HEMMINGS (Napier): Will the Minister of Employment and Further Education say how workers in public and private industries can get access to language and literacy courses? The Minister will be aware that the process of award restructuring has placed greater emphasis on the creation of career pathways and on training as a means of career progression. The Minister will also be aware that one in seven workers lacks adequate literacy skills. It has been put to me that the demand for a flexible, multi-skilled work force means that the literacy, numeracy and English language needs of current workers must be addressed.

Mr Lewis interjecting:

The SPEAKER: Order! The member for Murray-Mallee is out of order. The honourable Minister.

The Hon. M.D. RANN: The Workplace Education Service of the Department of Technical and Further Education is Australia's first integrated language, literacy and communication program for workers in both public and private industries. Statistics tell us that one million adult Australians have difficulty with language and literacy on the job and that this is costing the country several billion dollars a year in lost production. In South Australia, an estimated 80 000 workers have problems with English and literacy in the workplace.

The Workplace Education Service was developed to ensure that workers would have equal access to career paths without the impediments of poor levels of literacy, numeracy

or other communication skills. The Workplace Education Service combines on-site courses for workers from English and non-English speaking backgrounds alike. Whilst basic skills programs are given priority, more advanced courses for professional or technical staff are also conducted. All classes conducted by the Workplace Education Service are linked to current and future job needs.

I am pleased to be able to announce to the House today that the Workplace Education Service in South Australia will conduct more than 60 courses in companies and organisations such as GMH, the E&WS Department, Bridgestone, the Woods and Forests Department, Monroe Industries and the Queen Elizabeth Hospital this year. The service is based at the Adelaide College of TAFE with smaller programs in place across the TAFE system, with the South-East, Noarlunga and Elizabeth colleges now directly involved in program delivery, and Whyalla likely to begin soon. I believe that the South Australian service is well-placed to create a model of coordinated delivery that will enable employers to meet their objectives more effectively. Although the larger employers are the main participants, strategies for reaching small businesses, regional and rural industries and outworkers are also being explored.

STATE BANK

Mr S.J. BAKER (Deputy Leader of the Opposition): My question is directed to the Treasurer. When was the Premier first made aware that the Federal Taxation Department was undertaking a general tax audit of Beneficial Finance Corporation, and why did he not communicate this advice to the House in answering questions late last year about the tax implications for the affairs of the State Bank Group?

The Opposition raised a number of concerns about State Bank Group tax avoidance in a series of questions to the Treasurer last December. This afternoon, Mr Swift, National Liaison Officer for the Federal Police, said on ABC radio that the Federal Police had executed 23 search warrants at premises in Adelaide, Brisbane, Sydney and Melbourne to pursue the investigation of alleged tax offences. I have also been informed that the premises searched include a number of law offices and the homes of former group executives like Mr John Baker.

The Hon. J.C. BANNON: Those points were covered in the statement I have just made. I am not sure why the honourable member wants to indulge in repetition, unless he has some pre-prepared text. To get back to the point—

Members interjecting:

The SPEAKER: Order!

The Hon. J.C. BANNON: As far as the general tax audit was concerned, I understand that it was a routine examination of the sort that is conducted with many businesses.

Mr D.S. Baker interjecting:

The Hon. J.C. BANNON: I don't know—the Leader of the Opposition claims experience in this. I am sure that on occasion he would have been subjected to some tax inquiry, desk audit or something of that sort, as have all businesses in some way. There is nothing untoward or unusual in that. I was not advised of the outcome of any such activities, nor was it appropriate that that should be done.

Mr D.S. Baker interjecting:

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

'COPS ON BIKES' PROGRAM

Mrs HUTCHISON (Stuart): Will the Minister of Emergency Services say whether the South Australian Police Force has introduced or will consider introducing the 'cops on bikes' concept which appears to be operating very successfully in Northern America? A recent article in the *Law and Order* magazine entitled 'Heat on the Pedals' states that bike cops are the hottest new community relations players in town but, more importantly, they are also proving to be potent crime controllers. There is evidence that in the United States and Canada the concept is taking hold as a legitimate, economical and surprisingly effective means of enforcing the law when used in conjunction with the more conventional forms of police presence.

The Hon. J.H.C. KLUNDER: I do have some knowledge of the article to which the honourable member refers. It may well be a development that is worth further examination by the South Australian police. However, that is not to say that pushbikes do not already have a role to play in local policing. I am advised by the police that as long ago as 1977 the then Deputy Commissioner, Mr Draper, defined departmental policy on bicycles patrolling in the following terms:

> a crime preventative action in relation to specific objectives by policemen in clothes other than uniform.

The use of bicycles by operational police has occurred on an irregular basis since about 1974, subject to the following criteria: clear objectives are to be identified and documented by patrol supervisors; members are to perform bicycle patrols in plain clothes only; effective radio communications are to be maintained at all times by way of handsets; and the supervising sergeant of a particular operation is to ensure adequate backup resources are available while a bicycle patrol is operating.

The police have said that no studies have been made within the department on the effectiveness or otherwise of bicycle patrolling. Perhaps, in the light of the development in the United States, it might be appropriate if I ask the Commissioner to examine whether such an approach might be useful here. It is probably worth pointing out that in a number of other cities in the world traffic conditions are such and the streets are so narrow that it is very difficult for police cars—or, indeed, any cars—or motorbikes to get through some of the alleys that exist.

In South Australia we have been rather fortunate because, due to Colonel Light's design of the city, we do not suffer those problems, and it may well be that the need for bicycle patrolling is less here than it is in other places. The overriding factor we need to consider is that the need for the various kinds of patrol is, indeed, to get police to the scene of an incident as quickly as possible.

STATE BANK

The Hon. TED CHAPMAN (Alexandra): As the Minister responsible for the State Bank Group, and in view of his statement at the commencement of Question Time today, does the Treasurer still believe it is appropriate for the group's off balance sheet companies like Kabani to be used in artificial schemes to avoid Commonwealth income tax? I have been advised that the principal reason why the State Bank Group used off balance sheet companies like Kabani as the vehicle for the construction and ownership of the State Bank building was tax avoidance. If an elaborate trust scheme was created with the primary aim of tax minimisation based on transferring the depreciation of the State Bank building to clients who, unlike the State Bank, are not tax exempt, it would I am informed be considered illegal under the Income Tax Assessment Act. As has been stated earlier today by several members on this side who have

asked questions, on several separate occasions last December the Treasurer assured the House that he was satisfied there has been no untoward avoidance of Commonwealth tax.

The Hon. J.C. BANNON: I do not believe that anybody can be in a position to object to any normal commercial practice or arrangement which is acceptable in the business world, carried out by any commercial institution, and which is appropriate within the law. What we can object to is if tax evasion and illegalities have been committed under the Act. As I have already made patently clear to the House, if illegalities have taken place, they should be uncovered, dealt with and prosecuted.

Members interjecting:

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

The Hon. J.C. BANNON: Apart from the Australian Taxation Office's primary responsibility to ensure compliance with its Act—and we have seen an example in action here today—I believe that the Auditor-General's inquiry and the royal commission we have established can look at those matters and, indeed, will look at them. Therefore, they are being dealt with adequately and appropriately. If in consequence of those investigations criminal or other activities are uncovered that require further legal action of that type, it will be vigorously supported and pursued by this Government.

Members interjecting:

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

NATIONAL ESTATE GRANTS PROGRAM

Mr HERON (Peake): Can the Minister for Environment and Planning advise the House of assistance to be provided to South Australia under the National Estate Grants Program, which is coordinated by the Australian Heritage Commission?

The Hon. S.M. LENEHAN: I thank the honourable member for his question and I hope that some members of the Opposition might find the answer as inspiring as I am sure members on this side will.

Members interjecting:

The Hon. S.M. LENEHAN: Some of them actually relate to electorates for which members opposite are responsible. Some 32 Australian projects totalling $599 400 will be assisted under the National Estate Grants Program funding, which is spread over three years. Aboriginal heritage projects in South Australia will benefit from eight grants totalling $166 450. These include a $35 000 grant for Aboriginal communities to carry out protection and conservation works on sites of particular traditional and historic significance.

Other grants that have been approved include a $10 000 grant to the University of Adelaide for a study of plant ecology in the remnant wetlands in the South-East of the State to help in the management and rehabilitation of wetlands listed in the register of the National Estate. A $17 750 grant also has been made to the Australian Conservation Foundation to evaluate the impact of tourism on the Coongie Lake/Innamincka region and to design an ecologically sustainable tourism management strategy for the region.

Finally, a $50 000 grant has been made to the National Trust of South Australia to reconstruct and stabilise the threatened pumphouse at Moonta so that the building, which has a most significant place in the mining history of South Australia, can be retained and, indeed, used for future generations. I think the list of those grants indicates the breadth and spread of grants to South Australia and how relevant they are to the ongoing management of some of our conservation areas and the preservation of our cultural and national history.

BENEFICIAL FINANCE

The Hon. D.C. WOTTON (Heysen): I direct my question to the Treasurer. Following two questions the Opposition asked him on 7 August last year about reasons for the sudden departure of two executives of Beneficial Finance Corporation, Mr John Baker and Mr Eric Reichert, and whether the State Bank had taken papers from Beneficial Finance, did the Treasurer initiate any independent investigation of these matters? Can he say now, taking into account the statement earlier today, whether they had anything to do with tax irregularities; or does the Treasurer still accept the explanation of the bank at the time that Messrs Baker and Reichert left because of differences with the Beneficial board?

The Hon. J.C. BANNON: It is not, nor would it be, appropriate for me to indulge in public speculation on those matters. I provided to the House the information that was provided to me. I was not advised that there was any case for an independent or separate investigation to be undertaken.

REFUSAL OF ADMISSION

The Hon. J.P. TRAINER (Walsh): I direct my question to the Minister of Education in his capacity as Minister representing the Attorney-General. Does current legislation allow for refusal of admission to licensed premises, or places of public entertainment, to be made on the basis of a person's physical characteristics, such as the colour of his or her eyes, the style or quantity of his or her hair, or the presence—in the case of males—of features such as moustaches or beards? Mr Speaker, I am sure that you would be particularly interested in this question.

My question arises after a conversation with the proprietor of a reputable small business in my electorate who informed me that he had been refused admission on Saturday night to Jules disco in the city because he had a small beard in a goatee or Vandyke style, somewhat like mine.

Members interjecting:

The SPEAKER: Order!

The Hon. J.P. TRAINER: If members opposite can hang on to their tonsorial appendages, I will continue. The employee at the door was asked whether the patron refused admission would somehow become a different more reputable person if he went home for some depilatory activity and came back a little later with his small neat beard shaven off. The bouncer indicated that that was not his concern as he was merely implementing management policy in refusing entry to men with this hirsute feature, even though this particular facial adornment was at one time an indicator of genteel refinement.

The Hon. G.J. CRAFTER: I thank the honourable member for his question and I will be pleased to refer it to my colleague in another place for due investigation. I point out to the honourable member that the proprietors and managers of licensed premises and places of public entertainment have wide discretion as to whom they admit or refuse admission. They have those powers for good reason—it is well settled in law. However, representations I have received over the years indicate that there is great flexibility in the attitudes exercised by such persons and particularly by the

bouncers delegated this responsibility. This has resulted in attention being paid to licensing requirements for bouncers in our community, and that is the subject of investigation currently by my colleague.

I cannot understand why a bouncer would want to exclude persons on the basis of their having a beard. If the honourable member who asked the question is any indication, I can attest to his being quite harmless in these circumstances, although when acting in his position as Government Whip he may take on a different mantle. The matter requires serious investigation.

STATE BANK

Mr BECKER (Hanson): Will the Treasurer advise whether the State Bank Group has ever engaged in tax avoidance through the use of forgiveness loans to its employee? I have been informed by a former senior executive of Beneficial Finance Corporation that loans were made to employees which were later forgiven by the company. The effect of this could be a tax-free gift to the employee not declared as income which the company could write off as a bad debt against their tax bill.

The Hon. J.C. BANNON: I certainly have not had any information brought to my attention regarding such a practice. I will certainly refer the question to the bank.

Members interjecting:

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

AWARD SUPERANNUATION

Mr QUIRKE (Playford): Will the Minister of Labour advise what is available for employees and employers to assist them in understanding their responsibilities and entitlements in respect of award superannuation?

The Hon. R.J. GREGORY: A number of services are available for employers and employees in this State to provide assistance in respect of award superannuation. The Department of Labour and the Federal Department of Industrial Relations both run offices which supply information to unions, employers and employees. In recent weeks the Department of Labour has issued a pamphlet entitled 'State award superannuation—what it's all about.'

The pamphlet addresses the most often asked questions about occupational superannuation. It is very important that this matter is raised amongst employers and workers, so that they can be assured that they are in receipt of that superannuation. Considerable evidence indicates that in the State and Federal award areas there is an unnacceptably high level of non-compliance. I issue this warning to employers: if they are not paying award superannuation, first, they are in breach of the award and can be liable to prosecution and, secondly, they are liable to pay that amount of money which they have not put into the appropriate fund with interest.

I am aware of two employers who have had bankruptcy proceedings taken against them by trade unions and who have not made provisions and payments for award superannuation. This is a benefit to which workers are legally entitled, and employers should make sure that they are making those payments. The documents in respect of the South Australian situation are available from Department of Labour offices in metropolitan, regional and country areas, and the department's inspectors carry them with them when they visit workshops, factories and other places of employment.

STATE BANK

The Hon. JENNIFER CASHMORE (Coles): My question is to the Premier. Following his ministerial statement this afternoon that the joint investigation by the Federal Police and the Australian Taxation Office involves a number of companies, are any of those companies either off balance sheet entities of the State Bank Group or associated with the group other than in a client relationship like Luxcar?

The Hon. J.C. BANNON: I have been advised that they are not off balance sheet companies. I do not have any more details at present than I have been able to provide to the House in the course of my ministerial statement. I would also point out, as members would well understand, the constraints in relation to an ongoing prosecution situation in providing that information. But certainly, as my statement today indicated, I will undertake to provide whatever it is possible to provide to the House to put on the public record.

Mr S.J. Baker interjecting:

The SPEAKER: Order! I draw to the attention of the Deputy Leader that he may not be here if he carries on as he is.

SOUTH AUSTRALIAN HOUSING TRUST

Mr HAMILTON (Albert Park): Can the Minister of Housing and Construction advise the House of the savings to be achieved by the South Australian Housing Trust as a result of the planned introduction of Australia Post as a rent collection agency from 1 May this year? The Minister will be aware of my previous question on this matter. I seek clarification on behalf of my constituents as to whether South Australian Housing Trust offices will continue to collect rent from such tenants.

The Hon. M.K. MAYES: I thank the honourable member for Albert Park for his question. As he said, he has raised this matter on previous occasions. He has been very active in ensuring that the issue of rent payment for his constituents has been the most convenient for them. I think it is important to acknowledge, in answering his question, that what we are offering through the Australia Post service is 500 locations for trust tenants to pay their rent. That compares with the existing situation of 60 facilities located throughout the State. We are offering a much more accessible service to trust tenants.

The honourable member asked about the savings. The estimated savings for the Housing Trust, as part of our overall review of efficiency, will be 50 positions. Those people will be relocated within the trust establishment. We are currently discussing with the Public Service Association and with management and staff the process of relocation, and career counselling is being offered. In terms of dollars, about $930 000 will be saved by the introduction of Australia Post as a rent collection facility. In regard to the location of existing facilities, 60 or so Housing Trust offices are now available. What I did not mention clearly in answering the honourable member's question previously was that we shall be closing those as part of the savings arrangements.

Trust tenants can be assured that the arrangements that we have put in place for them will, from 1 May, offer a much wider and more accessible service. As part of the overall process that I have mentioned, we are continuing

with the Commonwealth to work through a program of having deductions or voluntary procuration orders—I stress the word 'voluntary'—for those people in receipt of pensions. Of course, it will be much more beneficial for them to be able to sign a form and have the deduction taken automatically from their payments, thereby saving them the inconvenience of having to troop off to the Australia Post office or agency in order to—

Mr Hamilton interjecting:

The Hon. M.K. MAYES: Yes, as the honourable member says, it will be an excellent arrangement. As I said, the Federal Minister has agreed to that—

Mr Venning interjecting:

The Hon. M.K. MAYES: The honourable member has raised the question of country areas. The 500 locations cover the whole of the State. I think that most members will find that in their constituencies this arrangement will be much more convenient for trust tenants. The option regarding deductions for pensioners will be instituted; the Federal Minister has agreed to that and we look forward to negotiating it. I am sure that next week at the Housing Ministers conference we will obtain further advice on the progress of those discussions.

STATE BANK GROUP

Mr INGERSON (Bragg): Will the Premier advise the House today or, if not, tomorrow, what are the assets and liabilities of the 20 State Bank Group off balance sheet companies in New Zealand that he revealed yesterday?

The Hon. J.C. BANNON: I will attempt to ascertain that information. Incidentally, reference has been made by the Opposition to the brevity of my reply in answer to the question. I answered the question that was asked of me based on the information that I obtained. I accept the further question and I will see whether an answer can be obtained.

MARINE ENVIRONMENT PROTECTION COMMITTEE

Mr FERGUSON (Henley Beach): Will the Minister for Environment and Planning advise the House whether the Marine Environment Protection Committee established by the Marine Environment Protection Act has been appointed and whether it has commenced work on developing regulations and advice on the form and conditions of licences for discharges into the marine environment?

The Hon. S.M. LENEHAN: The committee has been established, has already met on two occasions and will meet regularly each month. The priority task of the committee will be to recommend to the Government the appropriate regulations concerning licences that will be given to those industries and other facilities that discharge directly into the marine environment. These regulations are expected to be issued before the end of this year.

The members of the new committee have very diverse and extensive experience in issues involving the marine environment. They include Mr Geoff Inglis, the Chair of the Environmental Protection Council; Ms Jean Cannon, nominated by the EPC, a PhD candidate studying such matters as red tides; Dr Alan Butler a nominee of the EPC, a lecturer in zoology at the Adelaide University; Dr John Rolls, a nominee of the Conservation Council, who has vast experience in water resource management; Mr Allan Fox, nominated by the Chamber of Commerce and Industry and the South Australian Employers Federation, the Chief Environmental Engineer of Petroleum Refineries Australia; Mr Pat Harbison, nominated by the Chamber of Mines and Energy, an environmental consultant; Mr John Johnson, nominated by the Minister of Fisheries, whose expertise is in the area of research and development in the Department of Fisheries; Mr Peter Peterson, the Executor Director of SAFIC, formerly a marine biologist with the Australian Fisheries Service; Dr Ted Maynard, nominated by the Minister of Health, whose expertise is in environmental health; and Marjorie Schulze, the nominee of the Local Government Association, a member of the Marion council, an LGA executive member and Chair of the Metropolitan Seaside Councils Committee.

I have listed the membership to highlight to the Parliament the breadth and strength of that committee. At the recent ministerial council meeting of all Ministers responsible for water resources in this country, it was agreed that there should be national guidelines both for receiving water bodies and for drinking water standards. Indeed, this mirrors the recommendations of the environment Ministers some time last year that we should have national standards for receiving waters in our marine and riverine environments.

This State is doing its part in terms of our national commitment to meet national standards and guidelines and to proceed with the protection of our marine and riverine environments.

STATE BANK

Mr SUCH (Fisher): My question is to the Treasurer, as the Minister responsible for the State Bank.

Members interjecting:

The SPEAKER: Order!

Mr SUCH: Just relax! How many current officers or employees of the State Bank Group are under investigation by the Federal Police and Taxation Office?

Members interjecting:

The SPEAKER: Order! Before calling on the Premier, I point out that obviously the noise level is too high in the Chamber; the person asking the question cannot be heard by the person to whom the question is directed. I ask members to quieten down.

The Hon. J.C. BANNON: As mentioned in my statement, I understand that the investigation involves some past and present employees of Beneficial Finance. I will see whether I can obtain further information for the honourable member.

FREE TRAVEL FOR PENSIONERS

Mr De LAINE (Price): My question is directed to the Minister of Transport. Now that the State's country rail services seem to be continually shrinking, will the Minister give consideration to allowing pensioners one free bus trip per year in lieu of the current free rail trip that is fast becoming useless?

The Hon. FRANK BLEVINS: I feel that the honourable member's question is a little premature. The State Government has still not given up on our country passenger rail services and is in the process of negotiating with the Commonwealth for someone to arbitrate on Australian National's closure of the Blue Lake service. I expect to be able to announce the name of the arbitrator very soon. That arbitration has been made difficult by some of the statements

made, including the statement by the Leader of the Opposition to which I have referred in the House previously. Despite handicaps such as that, we are still hopeful of winning that arbitration.

If so, we will use the results of that arbitration and the victory we hope to gain to persuade the Commonwealth to fund Australian National to keep open the Silver City and Iron Triangle services. If we are successful in that, the question will not arise. However, if we are not successful in that arbitration and Australian National is adamant that it cannot meet the Federal Government criteria for keeping the lines open, unfortunately the concession pensioners have of one free trip per year will go with the railway lines. It would not be financially possible for the Government to offer everyone in South Australia a free trip on a bus once a year. I point out that about 1 266 400 trips are made on buses compared with 80 000 on the trains, so the bus network is clearly much more extensive than the train network has been in recent years.

I could imagine the squeals of outrage from most members opposite, indeed from most members on this side, if we attempted to restrict a free trip on a bus to those who presently are in receipt of the same by rail, that is, people from Whyalla, Port Augusta, Port Pirie and so on, plus those in the South-East. Quite clearly, people who are not on those lines would not tolerate that. So, I do not think it would be a very practical position, although I point out to the member for Price and other members that the State Government already has a 50 per cent concession for all bus trips within the State and reimburses the various operators for 80 per cent of the cost of that concession. That concession itself costs the State Government $1 million a year, and that is paid through the Department for Family and Community Services.

Pensioners in this State already get a 50 per cent concession on their bus trips, which I think is a very generous concession and one that we hope to be able to maintain. That applies to all electorates not only those electorates that were fortunate enough to have a passenger rail. Unfortunately, if we do lose the arbitration, it will not be financially possible, nor would it be equitable, to give certain of our pensioners a free trip every year and exclude all the others.

STATE BANK

Mrs KOTZ (Newland): My question is directed to the Treasurer as the Minister responsible for the State Bank. What assurances will the Treasurer give that misleading information provided late last year by the State Bank Group about the number of its off balance sheet entities and their assets and liabilities was not an attempt to direct attention from tax avoidance schemes and investigations of those schemes by the Parliament, the police and the Taxation Department?

The Hon. J.C. BANNON: That is what I think one in a court of law would call a leading question, and I think the fact that this House is in the process of establishing major inquiries into these matters means that such leading questions are not appropriately asked or answered in this House. In fact, there would be no point in having such an investigation if such matters were not going to be considered by those inquiries.

WEST LAKES WATERWAY

Mr HAMILTON (Albert Park): Will the Minister of Marine advise what progress has been made into the hydrological survey to be conducted at the West Lakes waterway? Following last year's announcement by the Minister of a $160 000 hydrological survey, I have been asked by constituents to ascertain what this study seeks to determine and when it will be completed.

The Hon. R.J. GREGORY: I thank the member for Albert Park for his question, the honourable member having shown considerable interest in the operations of West Lakes.

Mr Ingerson interjecting:

The Hon. R.J. GREGORY: That is the electorate that the current member for Bragg was unable to win when he first ran against the member for Albert Park. Perhaps that is why the member for Bragg thinks he knows so much about it. Water in the lake is tested regularly and sampled by the Engineering and Water Supply Department several times a year as part of an ongoing program to monitor the water quality of the lake. That has been happening since it was first filled. We are now undertaking a study to develop a mathematical model of the lake to help the department and the Woodville council understand how flushing of the lake can best be maximised and cope with developments such as the greenhouse effect.

The model, which we hope will be completed by August this year, will sample a specific storm event and measure the associated water characteristics, such as temperature, velocity and salinity, in order to calibrate the model. The Woodville council has been asked to provide the modelling people with the catchment data for the major drains entering into the lake. That data will be incorporated into the model, and the work is expected to cost approximately $150 000.

ADVERTISING BANS

Mr OSWALD (Morphett): Will the Premier make representations to the Federal Government to exclude from the ban on television and radio advertising any individual or interest group, such as a conservation body, the South Australian Institute of Teachers, an industry body, and a motoring body like the RAA, wishing to advertise a point of view about the policies of a political Party and, if not, why does he condone this outrageous denial of the freedom of speech?

The Hon. J.C. BANNON: I answered the question on this general issue yesterday, when I made clear my view that, in principle, I think it is undesirable to ban the advertising of anything that is legitimately being sold as a product. However, there are occasions—whether it be, for instance, tobacco products in relation to fundamental health matters or, as in this case, political advertising and the problems that can be caused by political fund raising—involving matters of major public interest that need to be addressed, and the legislation seeks to address them.

I do not believe that that will exclude the points of view of all sorts of interest groups and issues being canvassed. Obviously they will be newsworthy in the course of a campaign, and they will get some sort of airing. I guess the same problem arises: it is all very well to talk about free access to the media—access to the media by all groups—but it is not free access where one has to provide paid time and where an extremely well-bankrolled organisation can buy all the time it wants to peddle its particular measure and some other group, which may be very broadly based and representative, is denied it because it does not have access to the same funds. Those distortions can inevitably arise.

We are talking about attempting to create some sort of level playing field in this very sensitive and difficult area.

The details of any legislation to be introduced have not been placed on the record yet and it has a long way to go. I think that we should look at those details before we react in the way the honourable member suggests. I come back to the point: it is not that these groups will not be able to get their messages across—they will find ways and means of doing that, I am sure—it simply means that they will not be able, in that context, to have immediate access to the electronic media, nor will the political Parties. I would have thought the lessons of the Fitzgerald Inquiry in Queensland and some of the things that are coming before the Western Australian royal commission at the moment indicate—

Members interjecting:

The Hon. J.C. BANNON: Well, I believe that this cuts right across Governments and Parties. As far as I am concerned, we believe television is a very powerful weapon indeed, and for us to be denied that in a State context actually could be a severe disability. However, if those are the rules we will obviously have to play by them.

Members interjecting:

The SPEAKER: Order!

FRUIT-FLY OUTBREAK

The Hon. T.H. HEMMINGS (Napier): Will the Minister of Agriculture advise the House whether consideration has been given to the use of sniffer dogs in connection with fruit-fly road blocks, as suggested by the member for Fisher in today's *News*?

The Hon. LYNN ARNOLD: I did see, in the stop press of the first edition of the *News* today, the reference to the member for Fisher's suggestion that sniffer dogs should be used at fruit-fly road blocks. I think it was a sensible decision on the part of the editorial team that they cut it out of the later editions of the *News*. I appreciate that all members in this place are concerned about the fruit-fly outbreak in the Riverland. In many cases they have come up with reasonable suggestions that we should consider. Yesterday the member for Chaffey very pertinently addressed the question of sanctions, and that does need to be addressed.

Members interjecting:

The Hon. LYNN ARNOLD: I noted the member for Hanson's interjection—to which I know I should not respond—about the personnel levels at fruit-fly road blocks, but I believe I answered that question yesterday. I think that we have given adequate resources to that.

The real question relates to those who choose to deliberately break the system. Despite four years of fruit-fly outbreak in the Sunraysia district, we have managed until this year to avoid an outbreak in the Riverland. The member for Fisher would have been better served had he made inquiries about the situation before talking about sniffer dogs trying to sniff out either fruit-fly or peaches—I am not sure what he believed the sniffer dogs would smell. There have already been discussions and inquiries on this issue by the Australian Quarantine Service, which determined some years ago that sniffer dogs would be a very inefficient way of addressing the fruit-fly question. I do not know the basis on which it made such a decision, but it may be that it doubted the capacity of the dogs to sniff the fruit, or it may be the fact that it takes $30 000 to train each dog in the appropriate skills to do whatever sniffing may be necessary.

The point I made yesterday bears reiterating today, namely, that it is not feasible to have a 100 per cent stoppage rate at our roadblocks. If we were to have that, there would be a major interruption to interstate traffic into the State, and that is not the best way to achieve our aim. Our officers have to make the best judgment in terms of stopping vehicles at random and doing appropriate checks. Whenever they stop a vehicle they do a thorough check of it. If somebody wants to break the system, they will still get fruit into the State, no matter how rigid the system. The example I used yesterday was that, if we had roadblocks as rigid as those used in the Iron Curtain countries for their customs checks, it would still not be sufficient for somebody determined to break their way through. These people will break through, as they have done through customs checks in other countries.

The more pertinent way to examine this question is in the terms suggested by the member for Chaffey, and I have already said that we are looking at his suggestion, that is, once someone is discovered breaking the system the sanctions be so heavy that the offender really feels their weight. That gives us the armoury to fight against those who have no sense of social responsibility in these issues. We rely upon the fact that the community has a sense of social responsibility and accepts the need to protect the horticultural industries in the Riverland.

STATE BANK

Dr ARMITAGE (Adelaide): As Minister responsible for the State Bank, has the Premier been advised that severance payments were made to the three senior excutives of the State Bank whose redundancy was announced last Thursday; if so, will he provide that information to the House; if not, will he make a statement to the House tomorrow to reveal those details?

The Hon. J.C. BANNON: As with any employees whose services have been terminated, they would have been terminated in accordance with contract. No doubt there would have been appropriate terms of notice and other arrangements for an enforced redundancy. It is a bit rough on the individuals concerned that the honourable member wants me to provide these details and broadcast them further. It is certainly reasonable, as I have acknowledged, in the case of the Chief Executive, but these people—these three senior executives—were employees of a commercial institution and their services have been terminated. The honourable member's concern should be whether some special arrangement or other unreasonable qualification was imposed. I am not aware of such, but I shall make inquiries along those lines. However, it really is very petty of the Opposition to pursue individuals in this way when their jobs have been made redundant.

Members interjecting:

The Hon. J.C. BANNON: It is quite petty to pursue them in this way.

Mr D.S. Baker interjecting:

The Hon. J.C. BANNON: The Leader says, 'Who is running the show?' As far as the bank is concerned, Mr. Nobby Clark is the Chairman, and I will discuss with him whether it is appropriate that this be done. As I say, it is an unreasonable pursuit by the honourable member concerned.

SACON ACCOUNTS

Mr De LAINE (Price): Will the Minister of Housing and Construction advise the House of the average time lapse from receipt of invoice to the payment of accounts by

SACON? Yesterday on radio 5AN the Hon. Legh Davis from another place claimed that a number of Government departments are extremely slow in paying their accounts.

The Hon. M.K. MAYES: It is important to get the facts on the record as quite often the honourable member from another place makes allegations about various arrangements, particularly in the public works areas, and he is often wrong.

Members interjecting:

The Hon. M.K. MAYES: He has been wrong on numerous occasions, including in respect of the new entertainment centre. However, I am sure that he will be there at the opening enjoying the hospitality and conveniently forgetting what he has said about the building in the past. Yesterday on 5AN at 11 a.m. the Hon. Legh Davis made the claim that a number of Government departments were extremely slow in paying their accounts.

Mr S.J. Baker: Hear, hear!

The Hon. M.K. MAYES: The Deputy Leader says, 'Hear, hear'. That is an assurance that the figures are wrong! SACON was singled out by the honourable member as being one of the worst culprits. He claimed that this poor performance existed despite an instruction from the Premier that all accounts be paid within 30 days of receipt. Statistics from SACON for accounts over the past six months show that the average time lapse from receipt of invoice to payment was 26 days. To give a breakdown of those figures—

An honourable member interjecting:

The Hon. M.K. MAYES: You are not average, I can tell you that. My record stands a lot better than yours, and you still owe me an apology.

Members interjecting:

The SPEAKER: Order! The Minister will direct his remarks through the Chair.

The Hon. M.K. MAYES: The figures for February show that 83 per cent of accounts were paid within 30 days, with 12 per cent being paid in the 30 to 60 day period and 7 per cent over 60 days. The majority of those outstanding payments which were more than 60 days were disputed accounts. Members who have been in business or been near a business in their time will know that on occasions accounts are disputed and that resolution of those comes about because of a different attitude between the two parties. I worked in an industry where on occasions I had to audit those situations, and it was quite regular. I think that those statistics stand alone. From the statements made by Mr Davis, I think that he owes SACON an apology. I am sure that will be forthcoming very shortly.

STATE BANK

Mr MEIER (Goyder): Can the Treasurer advise the House of the total number of State Bank Group off balance sheet entities and their assets and liabilities and whether there are any in countries other than Australia and New Zealand?

The Hon. J.C. BANNON: This question has been asked previously. I recall that as regards the initial information provided I had to make a statement to the House because I received further information from the State Bank that it had not provided the full number. Therefore, I am very cautious about what information is provided. Again, I point out to the honourable member that we are having an expensive full-scale investigation into this area. I should have thought that was the appropriate place for these questions to be dealt with.

MINISTERIAL VISITS

Mrs HUTCHISON (Stuart): Will the Minister of Agriculture inform the House whether the itinerary for country visits by him and the Premier has yet been finalised and, if so, when will these visits take place and what areas will they cover?

Members interjecting:

The SPEAKER: Order!

The Hon. LYNN ARNOLD: I cannot give the exact dates for all the visits which are to take place, but, as I indicated before, there is a visit next week to Yorke Peninsula and Eyre Peninsula. I heard the member for Goyder interject earlier, 'When will local members be informed?' I hope that will already have happened. My office has always been assiduous in advising members when I am visiting an area. The member for Custance acknowledges that. Occasionally there have been mistakes, and the member for Eyre once drew that to my attention. But I might say that it is a lot different from what happens to me when members of the Opposition in their shadow ministerial capacities come into my electorate. The former Leader of the Opposition—not the present one—on three occasions came into my electorate and never once had the courtesy to inform me that he was there.

Mr Meier interjecting:

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

The Hon. LYNN ARNOLD: I wrote to him on two occasions advising him of that and never even had the courtesy of a reply. If the member for Goyder wants to raise an issue, I suggest that he looks to his own side to find out the courtesy, or lack thereof, that is expressed by his own side. If we have not informed the member for Goyder about a trip that has not yet taken place and will not take place until next week—

Members interjecting:

The SPEAKER: Order!

The Hon. LYNN ARNOLD: If we have not informed him that we are going to be there, I can assure him that we will correct that. But the record, as I think that he would have to admit, with respect to visits that I have made to his electorate is that we do take the trouble to inform him when we are there. If he is going to be churlish enough to say, one week in advance of a trip, that we have not yet advised him, I am certain that he will correct that.

Members interjecting:

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

The Hon. LYNN ARNOLD: The point that I also want to make is that these trips are an important part of a program for hearing the views and opinions of people in the various areas. I pay public tribute to the member for Flinders and the role that he has played in terms of the visit next week. I also want to make the point that the member for Goyder has asked whether he can bring a group to see the Premier and myself, so I do not know what he is talking about when he says that he does not know that we are going to his electorate. He has already rung my office about that. I do not know whether he has yet received a response. However, the Premier and I have indicated that we are happy to meet him and a group of his farmers. I do not know what he is talking about, but I do know that he has contacted my office as to whether or not he can bring a group to see us.

Anyway, I am diverted. The member for Flinders has on a number of occasions asked us to meet people in his area, and we are doing that. The purpose of next week's visit,

and other visits, is for us to hear the views and opinions of those in various parts of the State about the very serious situation that they are facing. We are very happy to do that, because we know that when decisions are being made, either by us as a State Government or by the Federal Government, unless we can say with confidence that we know the views and opinions of people in rural South Australia, we shall be less able to make those decisions with proper certainty. These visits are important and I look forward to them.

The member for Goyder can tell us whether he wants us to let him know about these things. It is our view that we should. We want him to be a part of that program. If he does not want to be a part of that, he has to make his own decision. If he wants to be a smart alec about it, we can make appropriate decisions about that, too. We have dealt with these things in good faith. The member for Flinders has dealt with them in good faith. He obviously has his own political views on these matters, which are different from ours, but he has dealt with them in good faith. It is about time that the member for Goyder chose to do so in the same vein.

Members interjecting:

The SPEAKER: Order!

RACING (SPORTING EVENTS BETTING AND APPEALS) AMENDMENT BILL

The Hon. M.K. MAYES (Minister of Recreation and Sport) obtained leave and introduced a Bill for an Act to amend the Racing Act 1971. Read a first time.

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

That this Bill be now read a second time.

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

Leave granted.

Explanation of Bill

This Bill proposes various amendments to the Racing Act 1976. The Bill proposes minor amendments relating to the Racing Appeals Tribunal. It proposes to allow bookmakers to offer betting services on approved sporting events and remove the restrictions applying to bookmakers and bookmakers clerks regarding involvement in the liquor industry. It also proposes to amend the Act to remove the restriction that the Minister may not grant approval for TAB betting on some major sporting events unless a resolution is passed by both Houses of Parliament.

To deal with the amendments in more detail:

First, the Bill proposes amendments relating to the Racing Appeals Tribunal to remove some doubt as to the matters that may be the subject of appeals to the tribunal and as to the hearing of evidence and orders for costs. The Government has consulted the codes on this matter and has their full support with respect to the proposed amendments.

Secondly, the Bill seeks to allow bookmakers to offer betting services on approved sporting events. This proposal is a recommendation of the working party established by the Government to examine the viability of licensed bookmakers. The main features of the amendments are as follows:

—It is proposed that the Minister be empowered to approve betting with bookmakers on major sporting events. It is considered appropriate, given the inevitable requests for future changes, that the sporting events not be listed in the Act but be approved by the Minister following consultation, where appropriate, with the particular sporting body. Should the local controlling authority of any sporting organisation object to the principle of bookmakers providing a betting service on their particular activity, those wishes will be respected. Consultation would not be needed, however, on submissions relating to national or international sporting events such as Australian Football League matches or the Wimbledon Tennis tournaments.

—Approval of sporting events is to be published in the *Government Gazette.*

—Bookmakers are to be permitted to offer such bets only from within a racecourse or in registered premises at Port Pirie.

—The tax on those bets is to be 2.25 per centum. It is estimated the annual bookmakers turnover would be in the range of $1 million to $2 million and the turnover tax generated would be between $20 000 and $40 000 per annum.

—The money collected as turnover tax is proposed to be allocated in the same manner as for the current bookmakers tax on racing events—that is 1.4 per centum to the sporting organisations, subject to the Minister's approval, on whose events betting occurs, and the balance to be paid to the Recreation and Sport Fund.

Currently licensed bookmakers in Victoria, Queensland, Tasmania and the Northern Territory are permitted to offer bets on approved sporting events. The Government has consulted closely with the racing industry on this proposal. While the industry supports sports betting with bookmakers in principle, there is some debate over the rate of turnover tax and the disbursement of that tax.

The Government has also consulted closely with a representative section of the sporting bodies on which sports betting is proposed to occur. Indications are, at this stage, that there is general agreement.

Thirdly, the Bill seeks to delete the restriction that the Minister may not grant approval for TAB betting on major sporting events, other than the Australian Grand Prix, America's Cup races conducted in Australia and international cricket matches conducted in Australia, unless a resolution is passed by both Houses of Parliament. Deletion of this restriction would bring the provisions for TAB sports betting into line with the scheme proposed for bookmakers. Given extensions to the availability of gambling such as Keno, TAB facilities in licensed premises and video gaming machines recently introduced into the Casino, it is considered appropriate to remove the current restriction. The racing industry supports this proposal.

Finally, the Bill seeks to remove the restrictions applying to bookmakers and bookmakers clerks regarding involvement in the liquor industry. The Government has consulted with the Commissioner of Police and he has no objection to the proposal. It is considered that the current situation seems to unfairly discriminate against bookmakers given that TAB provides betting services on licensed premises. The racing industry supports this proposal.

Clause 1 is formal.

Clause 2 provides that the measure is to be brought into operation by proclamation.

Clause 3 amends section 41g of the principal Act which sets out the matters in respect of which an appeal lies to the Racing Appeals Tribunal. The section provides, amongst other things, for an appeal against a decision disqualifying or suspending a horse or greyhound from participating in

the relevant racing code. This wording does not adequately cater for the decisions made in practice which include decisions to disqualify horses or greyhounds from the race in which a breach of the rules occurs. The clause amends the section so that it allows an appeal against any disqualification or suspension of a horse or greyhound provided that, as under the section in its current form, the disqualification or suspension is imposed in conjunction with the disqualification or suspension of a person or imposition of a fine exceeding the prescribed amount.

Clause 4 amends section 41i of the principal Act which provides for the proceedings on an appeal to the Racing Appeals Tribunal. Under the section appeals are required to be conducted by way of rehearing except where the tribunal determines otherwise. The clause amends the section so that it is clear that the right of a party to call or give evidence applies only where the tribunal determines that it will receive fresh evidence.

Clause 5 amends section 41m of the principal Act so that it is clear that an order for costs against a party to an appeal will be the exception and that each party will bear his or her own costs unless the tribunal considers that would be unjust.

Clause 6 amends section 84i of the principal Act which provides that the Totalizator Agency Board may conduct totalisator betting on the Australian Grand Prix, America's Cup races in Australia, international cricket matches in Australia and other sporting events approved by the Minister. The clause removes the restriction that approval of other sporting events for TAB betting may only be granted in pursuance of a resolution of both Houses of Parliament.

Clause 7 amends section 85 to provide for approval by the Minister of sporting events as events on which betting with bookmakers may be conducted. Any such approval must be given by notice in the *Gazette*.

Clause 8 amends section 93 so that the Betting Control Board's functions extend to the control of betting with bookmakers on approved sporting events.

Clause 9 amends section 100 which provides for the licensing of bookmakers and bookmakers clerks. The clause removes the restriction that a licence may not be granted to a person who holds a liquor licence for the sale of liquor for consumption on the premises to which the licence relates or to a person who is a full-time employee in such licensed premises.

Clause 10 amends section 105 so that the provision for registration of Port Pirie betting premises also operates in relation to betting on approved sporting events.

Clause 11 amends section 112 which provides for issuing by the Betting Control Board of permits for betting on races by licensed bookmakers within racecourses or in registered premises. The clause amends the section so that such a permit also authorises licensed bookmakers to accept bets on approved sporting events made within racecourses or in registered premises.

Clause 12 makes an amendment to section 113 consequential on the proposed extension of bookmaker betting to approved sporting events.

Clause 13 amends section 114 of the principal Act which requires bookmakers to pay a percentage of their betting revenue to the Betting Control Board. The clause amends the section so that bookmakers are also required to make weekly payments to the board of 2.25 per cent of the amounts paid or payable to the bookmakers in respect of bets on approved sporting events made during the preceding week. The clause requires the board to pay 1.4 per cent of the amount paid or payable to bookmakers in respect of sporting event betting to the body that conducted the event or some other related body in cases where the Minister has determined that such a payment is to be made. The balance of the money paid to the board in respect of sporting event betting is to be paid into the Recreation and Sport Fund.

Clauses 14 to 17 all make amendments that are merely consequential on the proposed extension of bookmaker betting to approved sporting events.

Mr OSWALD secured the adjournment of the debate.

CLEAN AIR (OPEN AIR BURNING) AMENDMENT BILL

The Hon. S.M. LENEHAN (Minister for Environment and Planning) obtained leave and introduced a Bill for an Act to amend the Clean Air Act 1984. Read a first time.

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

That this Bill be now read a second time.

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

Leave granted.

Explanation of Bill

I propose to introduce a Clean Air (Open Air Burning) Amendment Bill 1991, the principal purpose of which is to aid the administration of regulations relating to fires on domestic, commercial and industrial premises.

The amendments are being sought in response to requests by local councils which have delegated responsibility for administering the provisions controlling fires in the open on non-domestic premises and fires both in the open and in incinerators on domestic premises.

The first provision of this Bill seeks to clarify what is meant by a fire in the open and, additionally, to empower local councils to administer the provisions controlling domestic incinerators that are used by occupiers of flats and other multiple household dwellings.

The Clean Air Regulations 1984 prohibit a fire in the open on non-domestic premises except by written consent of council and subject to such conditions the council may wish to impose to minimise nuisance.

The Minister for Environment and Planning through the Department of Environment and Planning has responsibility for controlling emissions from incinerators on non-domestic premises. Some units, depending on type and capacity, require a licence to operate under the Clean Air Act.

These units are often technically complex, designed to burn specific materials. Local councils generally do not have the technical expertise or equipment necessary to assess the design and operation of these incinerators, hence the State provides this service.

A problem encountered by local councils is determining what constitutes an incinerator on non-domestic premises and whether a fire within a semi-permanent construction is a fire in the open.

A notable example of this dilemma is that faced by a council officer when responding to the nuisance caused by the disposal of waste by burning in a 205 litre drum.

This means of waste disposal does not meet the department's incinerator criteria and provides an inefficient means of combustion. There is no means by which the burning or the emission of pollutants can be controlled.

Nevertheless, these problems hardly need the technical expertise of the authorised officers appointed by the Min-

ister for industrial air pollution control, and could be solved more quickly and effectively by local council officers.

The Bill seeks to clarify the position by regarding any fire in the open air, that is, any fire not within a building, as an open fire unless the products of combustion are discharged into the atmosphere via a chimney.

There is no point in simply adding a chimney to a rudimentary container to call it an incinerator. I would point out that such action would allow air pollutants to be tested and the unit would most surely fail the statutory emission standards.

This amendment therefore will eliminate a problem of interpretation and provide local councils with the opportunity to control what is essentially a matter of local nuisance.

The second provision of this Bill is also intended to assist authorised officers appointed by a local council in the execution of their duties under the Act.

Currently, despite a fire in the open or in a domestic incinerator adversely affecting the public, a council officer only has the power to issue a notice of an offence against the Act.

There is no power to eliminate the source of the complaint, by either requiring the fire to be extinguished, or causing it to be extinguished. This has led to the unacceptable situation of the law appearing to be administered, yet the air pollution problem remains.

The Bill therefore contains a provision to provide authorised officers with specific power to require a person to extinguish a fire where it contravenes the regulations.

Recognising that some offenders may refuse, the officer is also empowered to extinguish it personally or through another appropriate agency.

These provisions are necessary to ensure the effective administration of air pollution regulations relating to burning rubbish, and to prevent unwarranted nuisance associated with that activity.

I commend the Bill to members.

Clause 1 is formal.

Clause 2 provides for the operation of the Act to be by proclamation.

Clause 3 amends section 3 of the principal Act, which is an interpretation provision. The definition of 'domestic incinerator' has been broadened by the removal of the restriction that for an incinerator to be regarded as domestic, it must be used to burn refuse from less than three private households.

New subsection (2) provides an interpretation of the term 'fire in the open'. For the purposes of the principal Act and the regulations, a fire burning in the open air will be regarded as a fire in the open notwithstanding that it is burning in connection with the operation of any fuel burning equipment or within a container, unless such fuel burning equipment or container has a chimney.

Clause 4 amends section 53 of the principal Act, which deals with the powers of authorised officers.

New subsection (1a) widens the powers of authorised officers. If it appears to such an officer while on any premises that matter is being burned by a fire in the open or in a domestic incinerator in contravention of the regulations, the authorised officer may require the fire to be extinguished. If it is not extinguished, or if there is apparently no person in charge of the fire, the authorised officer may extinguish the fire himself or herself.

The Hon. D.C. WOTTON secured the adjournment of the debate.

GEOGRAPHICAL NAMES BILL

The Hon. S.M. LENEHAN (Minister of Lands) obtained leave and introduced a Bill for an Act to regulate the practice of naming geographical places; to repeal the Geographical Names Act 1969; and for other purposes. Read a first time.

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

That this Bill be now read a second time.

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

Leave granted.

Explanation of Bill

This Bill is the culmination of a review of the provisions for assigning geographical place names. The current Act has remained unchanged since its proclamation in 1970.

The review was mounted as part of an overall examination of the Department of Lands legislative program.

The review identified a number of specific problems that needed to be addressed. It questioned the need for a board to administer geographical naming requirements; it highlighted the problems caused to Australia Post and emergency services organisations by the uncontrolled use of estate names in advertising property development; it identified the inflexibility of the Act in the area of assigning dual names to places which have both Aboriginal and European significance; and it demonstrated the inability to level charges for activities carried out by Government in geographical names matters. The review concluded that a completely new Act was appropriate.

As part of the review process, comments were sought from interested parties. A number of submissions were received from local government bodies and property developers, demonstrating that the sector of the community involved in geographical activities had a keen interest in the development of the Bill. Subsequently, draft proposals for a new Geographical Names Act were distributed to those groups which had lodged submissions. The responses were then considered in the formulation of this Bill.

Attention may now be given to specific aspects of the Bill. The object of this Bill is to repeal the Geographical Names Act 1969 and to provide new legislation for assigning geographical names to places.

The purpose of the new Act is to provide an orderly means of determining and assigning geographical names to places in South Australia.

A major departure from the former Act is the removal of the Geographical Names Board and the transfer of this body's responsibilities to the Surveyor-General and the Minister of Lands. All applications for the assignment of, or change to, geographical names are currently directed to the Geographical Names Board. The board, after consideration of the facts, recommends to the Minister that the application be either accepted or rejected. Under the new Act, applications will be forwarded to the Surveyor-General. The Surveyor-General, in consultation with the Geographical Names Advisory Committee established under the new legislation will then advise the Minister on the appropriate course of action. The final determination of the geographical name will lie with the Minister.

Another area of change is in the assignation of dual geographical names to places. The current legislation makes no allowance for assigning dual names to places which have both a European and Aboriginal name. The new legislation will provide the legislative authority for this procedure. This will be unique in Australia.

A matter which has been of concern in the past has been the uncontrolled use of estate names in urban land developments. Although the current legislation provides that it is an offence to display any name other than the assigned geographical name in advertisements, etc., the Crown Solicitor has advised that the wording is ambiguous and prosecutions would most likely be unsuccessful. The use of estate names is a concern to both Australia Post and the emergency services organisations which rely on the assigned geographical name in carrying out their responsibilities. Complaints of misrepresentation have also come from members of the public who have claimed that when they purchased their land they were not aware of the official suburb name. For example, one person who bought a property in an estate named Huntingdale, on later discovering that the official suburb name was Hackham, contacted the Geographical Names Board expressing his concern that the official suburb name was not shown on any advertising material relating to the land. He claimed that there had been misrepresentation by the developer.

Estate names, however, provide a valuable marketing tool for the land developer. In order to take into account the needs of both bodies, the new legislation will require that in the advertising of all new estates, the assigned geographical name must be prominently displayed on any material issued to the public. The Surveyor-General has contacted representatives of the land developments industry with a view to developing acceptable standards in this area.

Some existing advertising material used to market land may fall outside the guidelines established by the industry. Provided this material does not grossly misrepresent the situation and cause a public mischief, its use will not be considered an offence against the Act.

The administration of geographical names activities costs the State approximately $100 000 per annum. Much of this is spent in investigating naming applications necessary for the development of the State. Applications are, from time to time, lodged by individuals or organisations requesting that suburb boundaries be altered for various reasons. The costs associated with researching these applications is considerable. It is proposed in the new legislation to allow the Surveyor-General to levy charges on applications of this type.

The Government trusts that this Bill will be well received and looks forward to its passage through Parliament and its successful implementation.

I commend the Bill to members.

Part I comprising clauses 1 to 5 contains preliminary provisions.

Clauses 1 and 2 are formal.

Clause 3 defines words and expressions used in the Bill. In particular—'geographical name' is defined as a name assigned or approved under this Act to a 'place', which is, in turn, defined as any area, region, locality, city, suburb, town, township, or settlement, or any geographical or topographical feature, and includes any railway station, hospital, school and any other place or building that is, or is likely to be, of public or historical interest.

Clause 4 provides that this Act does not apply to the name of a municipality, district or ward constituted or established under the Local Government Act 1934, an electoral district, division or subdivision established under the Constitution Act 1934 or the Electoral Act 1985, or to a road or street. The Governor may by proclamation exempt any place or any place of a type or kind from the provisions of this Act. The Governor may, by subsequent proclamation, vary or revoke a proclamation made under this clause.

Clause 5 provides that the Crown is bound by this Act.

Part II comprising clauses 6 to 11 contains administrative provisions.

Clause 6 sets out the functions of the Minister. In particular, the Minister is responsible for assigning names to places.

Clause 7 provides that the Minister may delegate any of his or her powers or functions under this Act to the Surveyor-General, to the Geographical Names Advisory Committee or to a person for the time being occupying a particular office or position.

Clause 8 provides for the manner in which the Minister assigns a geographical name to a place.

Subclause (1) provides that where the Minister is satisfied that the recorded name of a place is the name that is, by common usage, assigned to that place, the Minister may publish a notice in the *Gazette* declaring that from the date of the publication of the notice, the recorded name is approved as its geographical name.

Subclause (2) provides that, except where subclause (1) applies, where the Minister proposes to assign or alter a geographical name of a place, he or she must cause to be published in the *Gazette* and in a newspaper circulating in the neighbourhood of that place a notice that sets out a description of the place together with the proposed geographical name or proposed alteration to the geographical name of that place. It must also invite any interested person to make a written submission to the Minister in relation to the proposal within one month of the publication of the notice.

This clause further provides that, after taking into account any submission received, the Minister may, by notice published in the *Gazette*, declare that the geographical name of a place is the name set out in the notice or that the geographical name of a place is altered to the name set out in the notice. The Minister may assign to a place a dual geographical name that is comprised of an Aboriginal name that is the Aboriginal name for that place and another name and may, by notice published in the *Gazette*, declare that from the date specified in the notice the use of a geographical name of a place is discontinued.

Subclause (7) provides that the Minister must take into account the advice of the Surveyor-General in carrying out his or her functions under this clause.

Clause 9 sets out the functions of the Surveyor-General under this Act. In particular, the Surveyor-General is responsible for advising the Minister with respect to any matter relating to the administration or operation of this Act.

Clause 10 provides for the establishment of the Geographical Names Committee consisting of the Surveyor-General (the presiding member) and five other persons appointed by the Minister on the recommendation of the Surveyor-General.

Clause 11 provides that the functions of the committee are to advise the Minister and the Surveyor-General on the performance of their functions under this Act, to monitor the operation of this Act and to make recommendations where appropriate on its administration.

Part III comprising clauses 12 to 18 contains the miscellaneous provisions.

Clause 12 provides that, on application, the Surveyor-General may approve a name given to a hospital or an educational institution or to an area of land that is divided for residential, industrial or commercial purposes after the commencement of this Act or to any other place or type of place specified by the Surveyor-General by notice published in the *Gazette*.

Clause 13 provides that where a geographical name has been assigned to a place under clause 8 or a name for a place has been approved pursuant to an application under clause 12, it is an offence (carrying a division 6 fine) for a person to produce or cause to be produced a document (which is defined to include a book, guide, manual, map, newspaper, notice or billboard) or advertisement in which a name is specifically or impliedly represented to be the name of that place unless the assigned geographical name or the approved name is also prominently represented.

Clause 14 provides that an offence against this Act (which is a summary offence) must not be commenced without the consent of the Minister. In any proceedings for such an offence, a certificate apparently signed by the Minister giving his or her consent to the proceedings is, in the absence of proof to the contrary, to be accepted as proof of the Minister's consent.

Clause 15 provides the Surveyor-General with the power to recover the reasonably incurred costs and expenses in dealing with an application from any person who applies for the assignment of a geographical name to a place, a change to the geographical name or boundaries of a place or an approval under clause (12). In any proceedings under this clause, a certificate apparently signed by the Surveyor-General certifying the costs and expenses incurred in dealing with such an application is, in the absence of proof to the contrary, to be accepted as proof of the costs and expenses.

Clause 16 provides that nothing in this Act and nothing done pursuant to this Act affects the operation or validity of any instrument or agreement that creates or imposes any rights or liabilities. Nothing in this Act imposes any obligation on or otherwise applies to the Registrar-General.

Clause 17 provides for the making of regulations by the Governor.

Clause 18 repeals the Geographical Names Act 1969.

Mr LEWIS secured the adjournment of the debate.

PHARMACISTS BILL

Consideration in Committee of the Legislative Council's amendments:

No. 1. Page 1, lines 22 and 23 (clause 4)—Leave out the definition of 'company' and insert the following definition:

'company' means a company as defined in section 9 of the corporations law:.

No. 2. Page 6, line 25 (clause 18)—Leave out 'traditionally' and insert 'commonly'.

No. 3. Page 8, line 36 (clause 23)—Insert 'by the board' after 'attached'.

No. 4. Page 9 (clause 26)—After line 16 insert the following paragraph:

(ab) a company that carried on a business consisting of or involving pharmacy on 1 August 1942 and that has continued to do so since that date;.

No. 5. Division IV, page 11, line 32—Heading to part III—Strike out 'REGISTERED'.

No. 6. Page 12, line 2 (clause 36)—Insert 'or exempt under section 26 (2) *(ab)* from the requirement to be registered' after 'Act'.

No. 7. Page 12, line 7 (clause 37)—Insert 'or exempt under section 26 (2) *(ab)* from the requirement to be registered' after 'Act'.

No. 8. Page 12, line 11 (clause 38)—Insert 'or exempt under section 26 (2) *(ab)* from the requirement to be registered' after 'Act'.

No. 9. Page 12, line 15 (clause 39)—Insert 'or exempt under section 26 (2) *(ab)* from the requirement to be registered' after 'Act'.

No. 10. Page 13, line 16 (clause 42)—Insert 'or to a person nominated by the board' after 'board'.

No. 11. Page 14, lines 1 to 3 (clause 44)—Leave out all words in these lines and insert:

or

(b) suspend the registration until the registered pharmacist has recovered from the incapacity or for such lesser period as the board determines.

No. 12. Page 16—After line 39 insert new clause as follows:

Variation of conditions imposed by the court

50a. (1) The Supreme Court may, at any time, on application by a pharmacist, vary or revoke a condition imposed by the court in relation to his or her registration under this Act.

(2) The board and the Minister are entitled to object to an application under this section.

No. 13. Page 18, lines 19 to 23 (clause 59)—Leave out paragraph *(j)*.

The Hon. D.J. HOPGOOD: I move:

That the Legislative Council's amendments be agreed to.

Amendment No. 1 relates to a matter which was raised in this House during the passage of the legislation and which also had the attention of the House in relation to other legislation. When the Bill was introduced, the Companies (South Australia) Code was the correct reference. Since then, the Corporations (South Australia) Act has been enacted and the definition of 'company' has had to be changed to be consistent with the new Corporations Law. So, I am happy to urge the acceptance of this amendment.

Amendment No. 2 follows an undertaking that I gave to re-examine the wording of the clause and, if necessary, to seek to have it amended to ensure that that clause is not more limiting in its application than was intended. As members would be aware, one can now buy a wide range of products from a pharmacy that years ago one would not have expected to find in a pharmacy. There seems to be a general acceptance that this is appropriate and convenient. However, one could perhaps draw the inference from the former wording in the Bill as it left this House—'carrying on any business traditionally associated with the practice of pharmacy'—that there was some intention to step back in time and impose restrictions on the current practice. As I indicated to the House when the Bill was previously before the Committee, that was never the intention, and this amendment seeks to spell out the situation with a little more clarity.

Amendment No. 3 is a machinery amendment and does not require any further attention. In relation to amendment No. 4, I am on record as giving an undertaking that it was proposed to achieve the same result by the use of the regulation-making powers of exemption. This is now contained in the Bill in terminology other than that which I and, I think, the board would have preferred, but it is not worth having a conference of managers on an issue such as this and I see no harm in accepting the amendment as it stands.

Amendments Nos 5 to 9 are consequential upon amendment No. 4 and therefore do not require further comment. Regarding amendment No. 10, clause 42 obliges a medical practitioner, who is treating a registered pharmacist in relation to an illness that he or she believes does or could impair the pharmacist's ability to practice, to submit a written report to the board. The amendment seeks to enable a report to be referred to 'a person nominated by the board' if the board sees fit—for example, an expert panel. I am advised that in the medical profession there is a panel that deals with doctors who are ill, and that this would be a similar arrangement. The board is happy with this amendment and the Government is therefore prepared to accept it. Amendment No. 11 removes the ability of the board to suspend for up to three years a registered pharmacist who is mentally or physically unfit to practise and replaces that with the power to suspend for a period until the pharmacist has recovered, or such less period as may be considered reasonable and safe by the board. I have no objection to that.

Amendment No. 12 adds a little more flexibility to the procedure and I again urge the acceptance of that amendment on the Committee. Amendment No. 13 is consequential on amendment No. 4, which I have already outlined to the Committee.

Dr ARMITAGE: I agree with the Minister's summation of the amendments and signal the Liberal Party's acceptance of and agreement with them. However, in relation to amendment No. 11, on first reading it seemed to me that paragraph *(b)* actually meant that the board could suspend the registration of a pharmacist for a shorter period than might have been deemed necessary given the incapacity. I understand the rationale for that is that there may well be cases where someone has an incapacity that prevents them from practising as such but they may be able to teach or tutor, or something like that. Given that that is the understanding of this amendment, the Opposition is completely happy with it.

Motion carried.

CHIROPRACTORS BILL

Consideration in Committee of the Legislative Council's amendment:

Page 1, lines 27 and 28 (clause 4)—Leave out the definition of 'company' and insert the following definition:

'company' means a company as defined in section 9 of the Corporations Law:.

The Hon. D.J. HOPGOOD: I move:

That the Legislative Council's amendment be agreed to.

The explanation of this amendment is the same as for the first amendment in relation to the previous Bill: it is consequential upon the passage of the Corporations (South Australia) Act.

Dr ARMITAGE: The Opposition accepts the amendment as proposed.

Motion carried.

STATE BANK OF SOUTH AUSTRALIA (INVESTIGATIONS) AMENDMENT BILL

Returned from the Legislative Council with the following amendments:

Page 1, lines 20 to 30 (clause 2)—Leave out subclause (3).

Page 2 (clause 2)—After line 12 insert subclause as follows:

(6a) Where the investigator forms the belief or suspicion while undertaking any investigation under this section that there has been in connection with any transaction entered into in the course of the operations of the bank or the bank group—

(a) any conflict of interest or breach of fiduciary duty or other unlawful, corrupt or improper activity on the part of a director or officer of the bank or a subsidiary of the bank;

or

(b) any failure to exercise proper care and diligence on the part of a director or officer of the bank or a subsidiary of the bank,

the investigator may, if practicable, investigate the matter (whether or not it falls within the matters determined by the Governor to be the subject of the investigation), and must in any event report on the matter to the Governor and advise whether, in his or her opinion, the matter should be the subject of further or other investigation or action.

Consideration in Committee.

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

That the Legislative Council's amendments be agreed to.

The Government accepts these amendments. They are an amalgam of the amendments that were first moved in the other place and the amendments subsequently moved in lieu thereof in this place, and now they return to us in a form that is acceptable to the Government.

Mr S.J. BAKER: Obviously, the Opposition supports the amendments. Importantly, they do two things: first, they ensure that the Governor does not direct the investigator as to the way in which the investigation should be run, and that was the subject of clause 2 (3). Secondly, they clarify the right of the investigator to pursue matters beyond the normal scope of investigations of an Auditor-General, namely, in the realms of improper conduct, improper motives and lack of exercise of diligence. For those reasons, the Opposition is very happy with the amendments carried in the other place.

Motion carried.

LEGAL PRACTITIONERS (MISCELLANEOUS) AMENDMENT BILL

Received from the Legislative Council and read a first time.

The Hon. G.J. CRAFTER (Minister of Education): I move:

That this Bill be now read a second time.

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

Leave granted.

Explanation of Bill

This Bill seeks to make several amendments to the Legal Practitioners Act 1981 ('the Act'). First, the Bill amends section 51 of the Act to allow a legal practitioner acting on the instructions of the Australian Securities Commission ('ASC') to be entitled to appear before any court or tribunal established under the law of South Australia. On 1 January 1991 the Corporations (South Australia) Act 1990 came into operation. One of the effects of this was that the ASC replaced the Corporate Affairs Commission ('CAC') as the body administering corporate law in South Australia. Reference to officers of the CAC is made to allow legal practitioners acting on the instructions of the CAC to deal with matters arising under legislation that has remained with the State.

Secondly, the Bill amends section 70 (6) of the Act to allow the Legal Practitioners Complaints Committee ('the Committee') to operate out of the same premises as the Law Society ('the society'). Until last year the society occupied premises in Gilbert Place where accommodation was inadequate, and it was thought that, to preserve its independence, the committee should not meet at the premises of the society. Since that time, the society has moved into premises in Waymouth Street and the secretariat of the committee is situated on the 1st floor of those premises, completely separate from the Law Society's general office and staff. This amendment to the Act is supported by both the committee and the society. I commend the Bill to members.

Clauses 1 and 2 are formal.

Clause 3 amends section 51 of the principal Act by striking out paragraph *(c)* of subsection (1) which gave legal practitioners employed by the Department of Corporate Affairs the right of audience and substituting new paragraphs *(c)* and *(ca)* that give, respectively, the right of audience to legal practitioners acting on the instructions of the Corporate Affairs Commission or the Australian Securities Commission. It is necessary to make these amendments as

a result of the recent Commonwealth legislation in the area of corporate law.

Clause 4 amends section 70 of the principal Act by inserting after 'society' in subsection (6) 'except with the approval of the Attorney-General'.

The Hon. D.C. WOTTON secured the adjournment of the debate.

FREEDOM OF INFORMATION BILL (No. 2)

Returned from the Legislative Council with amendments.

Mr S.J. BAKER: On a point of order, Mr Speaker, is it appropriate for a Minister to parade around this Chamber while you are on your feet, Sir, as was the Minister for Environment and Planning?

The SPEAKER: Order! Standing Orders provide that people will not parade around the Chamber. It escaped the attention of the Chair. However, if the Minister was parading around the House or moving—

An honourable member interjecting:

The SPEAKER: Order! Speaking while the Speaker is on his feet is also out of order and I ask all members to pay due regard to the Standing Orders.

NATIONAL PARKS

Adjourned debate on motion of Hon. S.M. Lenehan:

That this House requests Her Excellency the Governor—

(a) to make a proclamation pursuant to Part III of the National Parks and Wildlife Act 1972 that—

(i) abolishes the Belair Recreation Park and constitutes as a national park the land formerly comprising the Belair Recreation Park and assigns to it the name 'Belair National Park'; and

(ii) abolishes the Katarapko Game Reserve and constitutes as a national park the land formerly comprising the Katarapko Game Reserve and assigns to it the name 'Murray River National Park';

(b) to make a proclamation pursuant to Part III of the National Parks and Wildlife Act 1972 on or after 1 January 1993 that abolishes the Coorong Game Reserve and alters the boundaries of the Coorong National Park so as to include in the park the land formerly comprising the Coorong Game Reserve,

and that a message be sent to the Legislative Council transmitting the foregoing resolution and requesting its concurrence thereto.

(Continued from 20 February. Page 3080.)

The Hon. D.C. WOTTON (Heysen): At the outset, I wish to ask a question of you, Mr Speaker. Is it appropriate that this matter should be voted on prior to the conclusion of the 14 sitting days from which notice of the motion was given?

The SPEAKER: I understand that the honourable member seeks a ruling from the Chair.

The Hon. D.C. WOTTON: Yes.

The SPEAKER: Just as a matter of precaution, the Chair took advice on this matter. The situation is that sections 31 (5) and 33 (5) of the National Parks and Wildlife Act 1972 contain similar provisions in that they require a notice of motion to be given 14 sitting days before the motion passes both Houses. In other words, if notice is given in the House of Assembly, a motion may pass this House today but could not pass the Legislative Council before a total of 14 sitting days has passed.

It may assist the House to know that section 14 (2) of the Botanic Gardens Act 1978 is in similar form, and on two previous occasions we have debated such a resolution and the same procedure has been followed. On one occasion the resolution passed the House in two days and lay on the Legislative Council Notice Paper for 14 days before being passed, and on the other occasion it lay on the Notice Paper of the House for 18 days before being passed in the Legislative Council on the same day. I therefore rule that it is in order for the motion to be proceeded with today. The honourable member for Heysen.

The Hon. D.C. WOTTON: Thank you, Mr Speaker. As this is a very complicated question, I move:

That under Standing Order 155 the motion be divided into its three constituent parts.

If we look at the motion before the House, we see that it requests the Governor to make a proclamation pursuant to part III of the National Parks and Wildlife Act 1972, and it really is in three parts. The first part abolishes the Belair Recreation Park and constitutes as a national park the land formerly comprising the Belair Recreation Park and assigns to it the name 'Belair National Park'.

The second part of the resolution abolishes the Katarapko Game Reserve and constitutes as a national park the land formerly comprising the Katarapko Game Reserve and assigns to it the name 'Murray River National Park'. I can only presume that that comes into effect when this motion passes both Houses.

The third part of the motion requests the Governor to make a proclamation again pursuant to part III of the National Parks and Wildlife Act 1972 on or after 1 January 1993 that abolishes the Coorong Game Reserve and alters the boundaries of the Coorong National Park so as to include in the park the land formerly comprising the Coorong Game Reserve. I perceive these as being three separate issues, hence my motion today.

The Hon. D.C. Wotton's motion carried.

The Hon. D.C. WOTTON: I appreciate the concurrence of the House in dealing with this matter in this way. In support of the motion that she moved in this place on 20 February, the Minister for Environment and Planning makes a number of statements regarding park management and, in particular, refers to the three parks that are being dealt with specifically in this motion.

The Minister stated that since successive Bannon Governments have been in office, policies associated with the conservation and management of natural resources have been given considerable priority. I would like to think that that was the case. I do not want to dwell on this, because there are too many other issues in this motion to deal with. However, I and I believe the community in this State are concerned at the lack of management resources being provided within national parks. The Minister would probably concur that in some way. I do not believe that we will ever have enough people in national parks if we are to manage them properly: I think that is something we recognise. However, at this time I would suggest the appropriateness of using volunteers even more than is the case at present.

In this State we are very fortunate to have a large number of volunteers. The last time I heard a figure quoted it was somewhere in the vicinity of 6 000 volunteers who are involved in assisting with the management of national parks. Indeed, we are very fortunate that that is the case. These people, who are involved with Friends of National Parks organisations, do an excellent job and are to be commended and, indeed, supported. I was pleased recently to attend with the Minister a function at Cleland Conservation Park where recognition was given to those people and the work

they do for national parks in this State. The other bodies to which I would like to refer briefly are the consultative committees which, again, do an excellent job in improving liaison between national parks officers and the community as a whole, and I am delighted that that is happening. I am pleased that the volunteers are receiving such support from the Government and, recognising the need for more resources in national parks, I hope that those volunteers who want to become involved are given every opportunity and every encouragement to do so.

In her speech the Minister also referred to the five categories of park, namely: national parks—areas nationally significant by virtue of their wildlife and scenery; conservation parks—areas of major biological significance by virtue of the plants and animals they contain; recreation parks—areas where people may undertake recreational activities in a natural setting; game reserves—areas managed for conservation and at certain times of the year where species of game can be taken under certain conditions; and regional reserves—areas of conservational significance where utilisation of natural resources can take place under agreed conditions. I would be interested if, at the appropriate time, the Minister could tell the House what progress is being made to establish standards regarding the nomenclature of the various categories of parks throughout Australia. I realise that this matter has been on the agenda of Conservation Ministers for some time. I believe it is necessary that this matter should be dealt with, as it is appropriate to have standards in this matter throughout Australia, and I would be most interested if the Minister could indicate that. In her contribution the Minister also said:

> To undertake any alteration of name, or to abolish any park, requires a resolution of both Houses of Parliament. I believe that this requirement is at this point appropriate; it provides an excellent way to ensure that these areas, which were established for public benefit, are not tampered with without considerable thought as to the consequences of any change.

I would certainly support that. I would hope that that would always be the case, and I would do everything in my power to ensure that that requirement was not removed. In a matter of importance it is essential that Parliament have the opportunity to be involved in debate on such matters.

The first section of the motion deals with the Belair National Park: it 'abolishes the Belair Recreation Park and constitutes as a national park the land formerly comprising the Belair Recreation Park and assigns to it the name "Belair National Park".' The Opposition and I support that very strongly indeed. With the passage of the National Parks and Wildlife Act in 1972 the National Park, Belair as it was known for many years, was changed to Belair Recreation Park.

I am very much aware of and only earlier today looked up some of the press that referred to that particular measure at that time. It was not a popular choice, even back in 1972. According to the Government of the day, the change was made to reflect the type of use to which the park had been put in the past and which was envisaged for the future. Nobody would suggest that there are not a lot of recreational activities in the park but it should also be recognised that it contains very important conservation areas, and I believe it is more essential that it should return to national park status.

I am sure that all members would know that the State is celebrating the centenary of parks this year and I would again like to commend the National Parks and Wildlife Service for the excellent program it has put together to help celebrate this very important goal. I would also like to commend the Friends of the National Parks and Wildlife Service for the contribution they are making to a lot of the activities currently taking place. As part of those celebrations, the Minister has announced the Government's intention to change the classification of the Belair Recreation Park to the Belair National Park.

I concur with the Minister in her suggestion that the change reflects very much the views of the majority of the South Australian community. It has always been referred to as a national park even when, officially, that situation changed. If one were to ask people at any particular time what they called that park, I am sure that, in general, it would be referred to as a national park. So I and the Opposition support this move very strongly indeed. Given that it is at the centre of the parks system in this State, and given that it is celebrating its centenary and is one of the oldest parks of its type in the world, I believe it is important that its distinguished history be recognised by reconstituting the Belair Recreation Park as the Belair National Park. So, the Government has no argument with the Opposition on this matter and, indeed, we support it very strongly.

I now want to move on to the second part of the motion which relates to the Katarapko Game Reserve. In the Minister's contribution she did not really say very much about this reserve: more reference was made to the Coorong, and I can understand that because the Coorong has always been a very contentious issue. I believe it is one of the most stunning parts of this State; it is one of the most beautiful parts of South Australia; it has always been a very important tourist asset to the State; and, even more importantly, it is a very important asset in terms of conservation in this State.

The thing that has concerned me about Katarapko is that, from what I can gather, there has been little if any consultation with local people. I have been advised that there certainly has been no consultation with the Loxton council. I have been advised that no opportunity has been taken to seek information from local people in that area, and I believe that is totally inappropriate. The member for the district, the member for Chaffey, will have more to say about that issue later. I believe it is regrettable that such a move should be made without seeking appropriate consultation.

I was interested to note that the Katarapko Game Reserve and national park will be assigned the name 'Murray River National Park'. I presume, that, from public statements and from what the Minister has said in this House previously in answer to questions, it is the Government's intention eventually to make this part of the tri-State park and to link it up with Victoria and New South Wales along the Murray River. I would also like to have more to say about that at a later stage.

The Minister stated that the Coorong had gone through various public management debates since 1984 and that a public consultation process had been continued that resulted in the exhibition of a draft plan of management for the Coorong in 1988. She indicated that the Government was separately considering the wider issue of the future of duck hunting and said that Western Australia had banned the sport, and she then referred to the policy that the Minister has just brought to the notice of the House regarding duck hunting. She then went on to say that the policy consideration dovetailed with the Coorong planning process, and that it was decided to seek the incorporation of the Coorong Game Reserve into the Coorong National Park.

In arriving at this policy, the Minister said it was intended to honour the earlier undertaking of Dr Hopgood the former Minister for Environment and Planning. Members would be aware that I have before the House a motion to which I have been given the opportunity to speak but on which,

regrettably, at this stage we have not heard from members on the other side. I can only presume that this debate today will obviate the need for the Government to reply on that matter. The Opposition is very concerned about what has happened in the Coorong, and I want to refer to a number of issues that have been raised about this matter. I will go back quite some time to a statement that appeared in one of the local South-Eastern papers where it was made quite clear (and this was when the previous Minister, Dr Hopgood, was in charge of the portfolio):

> The State Government will continue to allow vehicle access to the Coorong beach and retain the present location of the game reserve.

The report then stated:

> ALP candidate for Mount Gambier, Mr Humphries, said he received this firm policy commitment from the Deputy Premier and Minister for Environment and Planning, Dr Hopgood. Mr Humphries said a consultative committee for the Coorong would be established and would have as one of its tasks a responsibility to review the best means of access to the beach and future boundaries to the game reserves.

Further, the article stated:

> Whatever the finding of the committee, there will be no alteration to the present arrangement for seven years. Recreational fishermen and others can continue to enjoy the Coorong without any additional restrictions.

It is interesting that he should have said that because, as I understand it, that was just prior to an election, and I am sure Mr Humphries was looking for some votes in the statement that he made at that time. The Minister has referred to the consultative process, and throughout her contribution on this matter in the House last month she continually refered to that process. However, I suggest that in this instance the consultative process to which the Minister has referred is nothing more than a farce.

A considerable number of contributions have been made in the South-Eastern papers particularly through letters to the Editor by a lot of people who have expressed their concern about what the Minister would want to do. One of those contributions was from a Mr Watts, who on 14 January referred to his interest in this issue and, in particular, his interest in the fact that only three of 108 submissions the Minister had received supported the closure of the game reserve. The Minister had called for contributions to be made for expressions of interest, for people's views to be made clear on the management plan, and that is a very important part of the whole process, which the Minister had requested should take place.

Mr Lewis: Where did they come from?

The Hon. D.C. WOTTON: Those three came from Victoria. Only three out of 108 submissions supported the closure and those three came from outside South Australia. Yet the Minister says that she is moving to close the game reserve as a result of this consultative process. I have taken the trouble to look up the legislation on this matter. Section 38 (7) of the National Parks and Wildlife Act provides:

> At the expiration of the period during which representations may be made, the Minister shall refer the plan of management together with any representations received by him to the advisory council for its consideration and advice.

It is appropriate that that should happen. Further, section 38 (8) provides:

> After consideration by the advisory council, the plan of management shall be forwarded to the Minister together with any comments or suggestions of the council.

Again, totally appropriate. Section 38 (9) provides:

> The Minister may adopt a plan of management without alteration or with such alterations as he thinks reasonable, having regard to the representations received by him, or may refer the plan back for further consideration by the advisory council.

If that is the case, and if the legislation has been followed—and I would sincerely hope that it has—some questions need to be asked of the Minister. I would appreciate, when the Minister responds, if she could answer these questions. They are based on public submissions. So, did the advisory council recommend to the Minister; first, the takeover of the beaches from local government control; secondly, the transfer of game reserves to the national park; thirdly, the takeover of public roads; fourthly, the takeover of Lake George, any other lake areas or parts of lake areas; and, finally, a number of other recommendations in the management plan that are unacceptable, certainly to the local people?

I hope that the Minister addresses this in her reply. It is essential that the Minister also provides information on the recommendations of the advisory council, because the Government keeps talking about the importance of public consultation. I am sure it would be of interest to everyone in this State, particularly local people, to know whether the advisory council, which is after all an unelected body, takes into account in its recommendations the views expressed in public submissions. In her contribution, the Minister stated:

> The most suitable way of reaching the necessary compromises is through a park management planning process that provides wide opportunity for public input and public evaluation of comments.

Not one person in this House, I hope, would disagree with the Minister's view about public input: it is essential and I hope it is supported by all members. After all, it is a worthy democratic process. However, the question needs to be asked again: how much notice did the Minister take of input in the form of public input submissions? I would suggest that she took very little notice, if any.

As I said earlier, to my knowledge 108 submissions were put forward and only three favoured the closing of the game reserve, and those three submissions came from outside this State. Again I ask the Minister, at the appropriate time, to table the public submissions in relation to the draft management plan so that we can see exactly what the local people and other people who had an interest in the Coorong wanted to see happen.

The Minister made reference to Dr Hopgood's giving an undertaking to widen the public consultation framework and agreeing to a seven-year moratorium on any alteration to the contentious issues of the boundaries of the Coorong Game Reserve or beach access. If the Minister knew of Dr Hopgood's ministerial promise, why did she originally want to place before the Parliament a resolution immediately to abolish the game reserve? I believe that the resolution was changed only after the Minister had raised the matter in Caucus and with her own backbench environmental committee. As I understand it, there was quite a debate on this subject in Caucus and the Minister won with only two votes in support of this action. Again, as I understand it, it is only because of the pressure that was put on the Minister that she determined that she would make some changes and would look at introducing it at a later stage.

Dr Hopgood's promise was related to the management of the game reserve and the national park. The Minister stated that a public consultation process was continued that resulted in the exhibition of a draft plan of management for the Coorong in 1988. After all that wonderful talk about appropriate consultation, which the Minister and the previous Minister—now the Deputy Premier—indicated was so well organised, did Dr Hopgood recommend at that time the abolition of the game reserve? Did the draft management plan recommend the abolition of the game reserve? Certainly it did not recommend beach closures. Indeed, the

final promulgated management plan had very little in common, if anything, with the draft management plan of 1988.

As I said earlier, the public consultation process followed by this Minister and this Government is nothing more than a farce. Further, in the Minister's contribution she stated:

> After receiving public comments on the draft management plan, I went to the Coorong to look into the many problem management issues. In conjunction with the chairperson of the consultative committee the key issues were discussed and studied in the park. This led to the formal adoption of the plan of management in December 1990. One of the issues raised in the planning process was the classification of the Coorong Game Reserve.

The Minister needs to answer a further question: did the chairperson advise the Minister of the decision made by the consultative committee, or was the discussion between only two people—the Minister and the chairperson of that consultative committee? As far as I know, the consultative committee made no decisions on any recommendation for closure of the game reserve. What were the key issues discussed by these two people? We know that the Minister wrote a letter to the *Advertiser* on this issue, which was most effectively rebutted by John Kentish of the Recreational Rights Group. I will refer to that a little later. Did these two people discuss the public submission? I hope that, if the Minister responds today, she will take into account a number of these questions. Will the Minister table the reports of the consultative committee as well as the 108 public submissions that I earlier requested be tabled?

Mr Lewis: They've probably been lost.

The Hon. D.C. WOTTON: Well, I would not be at all surprised if they have been lost. I regret that at this stage the Minister has had to leave the Chamber because there are a number of significant questions about this matter that need to be asked. I hope that the Minister will be able to respond in detail to a lot of these questions. In her contribution, the Minister went on to state:

> Submissions questioned the presence of a game reserve, with associated hunting, within the external boundaries of the national park.

As I understand the position, the game reserve was declared south of the national park. After declaration of the national park and the game reserve some years later a further declaration was made in respect of a section of Crown land south of the game reserve. Then the claim is made that the game reserve is within the external boundaries of the national park. How many public submissions questioned the presence of a game reserve within the external boundaries of the national park? Again, the Minister should table the 108 submissions and the recommendations of the consultative committee in relation to this subject as well. The Minister went on to state:

> Particular concern was expressed about hunting in an area that was internationally recognised as a vital habitat for birdlife.

If that is the case, I would like to know who expressed that concern. Was that part of the discussion between the Minister and the chairperson of the consultative committee, or was it the reserves advisory committee, the public submission, or an official document from the consultative committee? Or, did the Minister make up her mind without any consultation at all? I again refer to the Minister's contribution:

> It should be mentioned that, in fact, only between 1 per cent and 3 per cent of licensed hunters actually use the Coorong, so its importance for hunting is now not significant.

What in the world does that have to do with the Minister's action? The Minister's decision in regard to that statement is beyond any logic. Does this mean that, if all licensed hunters used the Coorong Game Reserve, suddenly it would become significant? Is that what the Minister is saying? How did the Minister determine that only 1 to 3 per cent of licensed hunters actually use the Coorong Game Reserve? In 1988-89 there were approximately 4 000 hunting licences. According to the Minister, only 40 to 120 of the 4 000 hunters use the Coorong Game Reserve. She stated:

> The Government was separately considering the wider issue of the future of duck hunting. Western Australia has banned the sport.

We all know about that. Will the Minister explain to the House in more detail the banning of duck hunting in Western Australia? Her statement has about the same degree of accuracy as most others she has made. Further, the Minister stated:

> While the resolution before the House is a result of detailed public discussion and debate . . .

That is absolute nonsense. On the Minister's own admission, the detailed public discussion and debate was only between herself and the chairperson of the consultative committee on a very short visit to the Coorong. Is it any wonder that there is so much concern about this decision?

Mr Lewis: Anger.

The Hon. D.C. WOTTON: Yes, as the member for Murray-Mallee says, there is much anger about this decision. Earlier I asked whether it is acceptable for the passage of a resolution on the Coorong Game Reserve to be effective only after 1 January 1993. Surely this has to be opposed on the ground that this tenuous Government should not proceed with the resolution almost two years prospectively. I also refer to the promise made by the Deputy Premier—the then Minister for Environment and Planning—in 1985 that there would be no changes in the Coorong until at least 1993. This did not refer to the abolition of the game reserve but rather to the management of the reserve. This certainly does not satisfy the then Minister's promise. He also said that, irrespective of any recommendation for change by the consultative process, it would not change that promise.

No consultative committee has recommended closure of the game reserve. Indeed, in the last public submission on the draft management plan (as I stated earlier and will continue to state), only three of the 108 submissions supported closure of the game reserve. So much for the consultative process! Indeed, if one looks at the draft management plan for the Coorong and then reads the final draft and the gazetted plan, one finds very little agreement to the plan from the public, the consultative committee or the reserves advisory committee.

Previously I referred to sections 38 (3) to (6) and (8) of the National Parks and Wildlife Act. After the public process, section 38 (9), which deals with the processes through which a draft management plan must go, provides:

> The Minister may adopt a plan of management without alteration or with such alterations as he thinks reasonable—

one can only wonder how long it will take before we see some amendments to the National Parks and Wildlife Act, as the wording is not appropriate in its present form—

> having regard to the recommendations received by him, or may refer the plan back for further consideration by the advisory committee.

The amended draft management plan took very little notice of the legislative requirements of section 38. So, why go through the entire five year process of section 38 and then take an entirely different course? Before moving this resolution, did the Minister refer the matter to the consultative committee or the reserves advisory committee? I doubt it! She went through a process of public submissions and public scrutiny over a period of five years and promulgated a management plan which included the future management of the Coorong National Park, including the game reserve, only to move a resolution for abolition soon after promulgation of the management plan, which included the game

reserve. So much for the integrity of the Minister! This is the reason for the continuing public distrust of this Minister, particularly in relation to the matters that we are discussing today.

We can look at how local people feel about the subject. A short time ago the Recreation Rights Group, at the Lions Club fishing contest, took some steps. Of 541 people interviewed on the beach that day, 97.4 per cent did not want the beaches taken over by the National Parks and Wildlife Service, 2 per cent were in favour and 6 per cent did not have an opinion. Regarding closure of the beach for two months, only 4.8 per cent were in favour; and in regard to the park being controlled by a locally elected board, 92.6 per cent were in favour, 6.5 per cent were against and 1.3 per cent did not have an opinion. In regard to the game reserve being abolished and transferred to the national park, 94 per cent opposed such a move. If only the Minister had gone down to talk to the people, her views may have changed. Obviously she has not even bothered to read the press releases, letters to the editor or any of the actions that have been taken by people who live in or use the area and who have respect for it. The opinions of those people have been totally neglected and rejected by this Minister.

My view is shared by many other people, particularly the local people, that it is only phase one of the denial of the historic recreational rights of ordinary people in this State. That is why there is so much concern. I am not a duck hunter. Duck hunting does not appeal to me one iota. I would not want to duck hunt, but a large number of people in this State do. It is recognised as an important part of conservation and as an important conservation management tool. The vast majority of people involved in duck hunting are totally responsible and should be given the opportunity to continue with that sport. My main concern in this matter is the way in which the Minister has gone about it, ignoring the opinions of the vast majority of people who have made their wishes very clear to the Government. However, the Minister has refused to listen.

I want now to refer to a letter that has been received by all members of this House from the Recreational Rights Group. It is dated 5 February and is signed by John Kentish, the President, and by Alan Gurney, the Secretary. I wonder how the Minister answered this letter, if she has answered it at all. The letter states:

> The Recreational Rights Group has been formed by a number of associations who believe that their members' rights to use beaches and public reserves are threatened by the policies recently announced by the Minister for Environment and Planning.

Shortly stated, in that letter they describe their aim as being 'to protect and foster the rights of recreational users of public land provided always that this will not be achieved at the expense of the natural environment.' The letter continues:

> The issue of the Coorong beaches and the game reserve goes back some years. The public, through submissions on the draft management plan, through protest meetings and through representations to politicians, made plain their opposition to the proposed takeover of the beaches and any change to the game reserve.

They go on about the promise that was made in 1985 by the then Minister and ask a number of questions, the first being whether all people who have an interest in recreation should be entitled to expect promises to be kept and honoured by future Ministers. They ask:

> If the Reserves Advisory Committee recommended the closure of the game reserve, how could it properly have done so when the revised draft management plan did not propose its closure and less than 3 per cent of submissions received were in favour of closure?
>
> By the same token, how could the Minister have thought it 'reasonable in the view of the representations which were made' to adopt a plan closing the reserve?

A number of questions have been asked in that letter and I should be interested if the Minister would indicate how she answered that letter.

I want to comment briefly on the matter that I raised earlier regarding the suggestion that the Katarapko Game Reserve should become part of the Murray River National Park which in turn should become part of a tri-State park. I have received a considerable number of representations from people whose properties will be part of that proposed park. Concern is being raised about the fact that they are not being consulted. They are not receiving answers to questions that are being put to the National Parks and Wildlife Service in this and other States. Indeed, I have received very strong representations from people in New South Wales who are not being given the opportunity to be involved in any consultation process in that State.

There is a particular concern about that issue. It is one that I wish to address separately on another occasion when the Minister for Environment and Planning is in the House. I regret that the Minister is still not in the House to learn about the concerns and the questions that we on this side of the House want to put to her. I do not know how she will be able to answer questions if she is not in the House to participate in the debate. It is not good enough.

Finally, I indicate that, as far as this motion is concerned, the Opposition would have no problem in supporting the first part which abolishes the Belair Recreation Park and renames it the Belair National Park, but it opposes strongly the other two parts which abolish the Katarapko Game Reserve and the Coorong Game Reserve for the reasons that I have indicated. I hope that the House will recognise the points that have been made and will oppose those two parts of the motion.

The Hon. P.B. ARNOLD (Chaffey): I support the position which has been put on the record by the member for Heysen and indicate my support for the Government's intention to change the status or title of the Belair Recreation Park to the Belair National Park, but that is where my support for the motion ends. The Katarapko and Coorong Game Reserves were created in good faith to service a legitimate pastime or recreational sport in this State—to provide areas where hunting could take place, as it is a legal pastime and occupation. To turn around now and remove that status from the game reserves and to reduce the area of game reserves by 70 per cent when the Minister has recently increased the cost of hunting permits by 50 per cent is absurd. It is hypocritical and it does the Minister no good to act in that way. As I said, the game reserves were established in this State to service a legitimate need for a section of the population. I am pleased to say that the National Parks and Wildlife Service supports the right and the legitimacy of duck hunting in this State. An article in the *Murray Pioneer*, dated 15 March, headed 'Duck hunters supported by NPWS' states:

> Anti duck hunting groups should not blame duck hunters for the destruction of the species.

Referring to an officer of the National Parks and Wildlife Service, one of the rangers, it goes on to say:

> While he believed anti duck hunting lobbyists were 'entitled to their own opinion' he said unfortunately many reacted on emotionalism and not on fact. There is no biological substance to their claims and in a lot of cases those groups are quite ignorant of some important facts. The National Parks and Wildlife Service closely monitors duck numbers and sets bag limits based on facts and figures. There is also no substance to the claim that some species could become extinct through duck hunting.

He went on to say it was not duck hunters who destroyed the majority of ducks: it was the destruction of their habitat. He continued:

About 7 per cent of ducks are shot by hunters. Hundreds of thousands die each year from various diseases. In the wild, a species such as teal has a life expectancy of 16-18 months. In captivity that life span could be six to eight years. That means hunters either shoot them and have them for meals, or they die of various diseases and are left to rot in a swamp—while affecting other wildlife at the same time.

He further said:

Many lobbyists did not realise . . . that duck hunters were protecting the wetland habitat through their licence fees.

The fees collected from hunting permits are quite extensive in South Australia. I believe that the member for Mount Gambier, during his contribution to the debate, will refer to the extent and value of the fees that are collected. It was further stated:

They spend thousands of dollars to conserve the wetlands—not many other sections of the community spend that amount of money on them.

While the duck hunting debate was very topical at this time each year, [he] did not believe duck hunting would eventually be banned.

The majority of hunters we've come in contact with are very responsible and we've had few contraventions of the hunting regulations. Generally the hunting fraternity is very professional and a lot of people know that.

It is very heartening to know that that attitude is prevailing within the National Parks and Wildlife Service. So often we have heard the contrary point of view from the Minister, and I believe there has been a major step forward when we see responsible management in the National Parks and Wildlife Service. I believe that the service has done itself a lot of damage over the years by aligning itself so closely to the radical conservation group and that this has stopped it from effectively carrying out the work that needs to be done.

Wildlife management can be carried out very effectively, as it is in other countries. If one visits a number of other countries, one finds that wildlife officers, rather than being just collectors of fines for breaches of the National Parks and Wildlife Act, are out there actually helping, instructing and teaching people who are interested in hunting as a sport how to go about it and how to do it effectively and properly. This is a responsible approach to hunting and there is no-one better placed or in a better position to instruct and teach the public than officers of the National Parks and Wildlife Service. Of course, that happens in many other countries and I am delighted to see that that approach is coming into the service in South Australia.

Obviously, the Minister's move to change the title 'Katarapko Game Reserve' to 'River Murray National Park' is part and parcel of the overall scheme to create a tri-State park on the eastern boundary of South Australia between this State, Victoria and New South Wales. There is a long way to go before that will be achieved. There is a lot of objection to this proposition from Victoria and New South Wales, particularly from people who live in the near vicinity of the proposed tri-State park.

I am currently involved with a tri-State committee in relation to the Murray-Darling Basin. From reports of representatives on that tri-State committee, I can see that there is a great deal of objection to the concept of a tri-State park. It is difficult enough to operate a national park within the State's own boundaries, but to try to operate a tri-State park involving three separate Governments and three separate departments will, I believe, be an absolute nightmare, and a lot of people feel as I do. Certainly, there is a great deal of objection to this proposal in the Riverland, as has been borne out by seminars on this subject in the Riverland in recent times.

My comments in relation to the Katarapko Game Reserve could relate to the Coorong Game Reserve. Both reserves make up a large percentage of the game reserves available to hunters in South Australia. As I said, to alter their status and to remove them from the game reserve category would mean a reduction of 70 per cent in the area of game reserves available to hunters in this State. When one considers the contribution that has been made by hunters to the wildlife habitat and the protection of wetlands in South Australia, one sees that it is time the Government rethought its position. I certainly support that paragraph of the motion relating to the change of title from 'Belair Recreation Park' to 'Belair National Park', but I will strongly oppose the move to change the status of both the Katarapko and Coorong Game Reserves.

The Hon. H. ALLISON (Mount Gambier): This issue is by no means new to the House. As long ago as 1984 the then Minister for the Environment proposed to close off access by the public to the Coorong beaches. I recall moving a motion in the House asking the Minister to reverse his decision and also to take steps to improve public access so that there would be less need for people moving through the Coorong Game Reserve to go into the scrub and therefore to inflict whatever damage might be attributed to them.

Furthermore, the Liberal Party, at that time and since, has maintained a consistent policy of access to the Coorong and Katarapko Game Reserves, of improving the access tracks, of preventing the use of dune buggies and off-road vehicles in the more fragile areas, and of generally using the willingness of the hunting, shooting and fishing fraternity to cooperate with the Government in order to protect the environment while at the same time ensuring that working class and rural recreational practices are continued.

I understand that the Minister is by no means completely backed by members of her Party and that, in fact, they are greatly divided on this issue. That alone, if for no other reason, should make the Minister rethink her position. However, Caucus is Caucus and narrow minds can prevail. I support the member for Heysen who put forward a very comprehensive argument in favour of the retention of the two game reserves. I will not reiterate everything that he said, but I agree with all his comments.

The number of people who have made representation to the Government is interesting. The Minister's claims that she has consulted publicly I believe are open to question and should be laid open to public scrutiny. For example, will the Minister release the 108 public submissions that have been received by her department so that they can be dated precisely? Are these submissions nothing more than the submissions that were put forward to the previous Minister as long ago as 1984 and 1985, 103 of which were strongly supportive of the retention of the Coorong and Katarapko Game Reserves and of retaining public access to the beaches and to those reserves for proclaimed hunting purposes and, if the Minister will not release those submissions for public scrutiny, why not? She could at least release the dates of the submissions and the intent behind the majority of them.

It concerns me that of the few submissions that opposed the retention of the game reserves, two were from a Victorian group, at least one member of which was prosecuted in the court in Mount Gambier for trespass during the Bool Lagoon open day, which was proclaimed by the Minister. That prosecution was subsequently withdrawn at the eleventh hour and the fifty-ninth minute, just prior to prosecution, much to the consternation, perplexity and surprise of the Minister's National Parks and Wildlife Service officers who felt sure that their prosecution would be sustained in the courts.

The Minister's intention by that action was patently obvious: that ultimately national parks would include the game reserves, that game reserves would be out of bounds to the public in general and that that would be the end of another 70 per cent of South Australia's proclaimed hunting, shooting and fishing areas.

Incidentally, it would be the end of most of a sport that is still perfectly legal. The Minister has admitted that a considerable number—I believe over 4 000—of hunting licences are issued in South Australia and there are over 120 000 gun licences, 60 000 of which would be held by shooters who are actively involved in the sport of hunting and shooting. In South Australia there are some 290 000 fishermen. Those are figures that I obtained as long ago as 1985-86, and the numbers would have increased considerably since then.

It is estimated that these people are placing approximately $300 million as a minimum into industry or into commercial retailing in South Australia, because they are buying arms, equipment, tackle and boats. There are 45 000 or 50 000 boats registered in South Australia. The number of people involved in these recreations is really astronomical: they comprise a major industry. Not only that, but they comprise a substantial lobby group. As would have been evidenced, in 1984 the former Minister turned down my motion that he should keep open the Coorong beaches. The motion was defeated on the floor of the House. I have a copy of the debate, and remember transmitting a copy on 18 November 1984 to an interested newspaper, saying, 'Well, we lost, but at least we argued the case.'

At the time of the 1985 election, not really surprisingly, after the member for Murray-Mallee and I had placed on the table of this House some 10 000 signatures from people throughout metropolitan Adelaide, the South-East and other rural areas of South Australia, the Minister suddenly had a rethink to the extent, as the member for Heysen said, that the candidate opposing me in the South-East was able to say 'I have the Minister's assurance, brethren, that the Coorong will remain open, and not only in the short term, but the Minister has promised that until 31 December 1992 no further action will be taken. The management plan will be reviewed at that date.'

Significantly, however, the present Minister has not only overturned the previous Minister's decision prematurely but has actually taken it a considerable step further, because the previous Minister intended only to review the management plan. There was no indication from his words or actions at that stage that he ever intended to convert the game reserves to national parks—never any suggestion—nor was there even any recommendation in official Government reports handed down in 1984, from which I quoted during the debate in the House at that time.

There were suggestions that additional land might be acquired to include in the national parks and game reserves, but no suggestion that they might be totally amalgamated and that hunting, shooting and fishing would be excluded from those reserves. The fear within the sporting fraternity is that this is the thin end of the wedge. It was a fear which was expressed in 1984-85 and one which is being reiterated throughout the length and breadth of South Australia, that once the areas have been included in the national parks the Minister will prevent any hunting, shooting or fishing. The people concerned may be wrong, but they are very cynical.

How vicious can legislation be? One sparkling example occurred only recently. I have an extract from the *Advertiser* of 22 December 1990 reporting that two Millicent fishermen, Bob Coxon and John Sneath, were booked by the National Parks and Wildlife Service for allegedly parking their vehicles only four metres inside the Coorong National Park. The boundaries are not all that clearly defined, anyway. This was adjacent to the unmarked boundary between the park and the beach. These two people believed that they had not infringed, so they declined to pay the fine, and it was only after $4 438 in residual costs that they were ultimately found not guilty and, although they had won the case—and it really was a very trivial offence for which they were prosecuted—they had to pay that very substantial sum in defending what they thought was a moral right.

How vindictive can legislation be: obviously, it can be very vindictive when misapplied. So, an act such as that gives the hunting, shooting and fishing fraternity absolutely no confidence in the Minister's future intentions—and I do not blame people for viewing the Minister's latest incursion into this area with tremendous suspicion. As I said, I spoke in 1984-85 against the motion of the then Minister, but this motion is far more serious, because it intends to include the area in a national park, which is virtually the end for fishing and for public access to a 90 mile beach which is really the only way people can get to the Coorong to fish.

Other specious arguments have been put forward, such as that boats up and down the Coorong are eroding the sand dunes. When you have seen the strength of the prevailing westerly wind that blows for about three-quarters of the year directly onshore, you would realise that plants have enough difficulty in surviving without the Minister's trying to blame boats which are offshore and which have nothing to do with the strength of the breakers rolling on to the beach. Any birds that nest on the beach are under considerable threat from the elements themselves.

In any case, about 120 hooded plover were seen on the beach at a count taken towards the end of last year during the breeding season. You would not see that many crows on the beach, so perhaps we should proclaim crows a threatened species, too. No wonder the Minister's comments have come under fire. A number of organisations have made representation to me over the past six or seven years. They include the recently established Recreational Rights Group, whose chief spokesman is Mr John Kentish who, incidentally, has been a key spokesman in this area since 1984-85, along with Graham Hughes, who was then associated with the South-East Fishermen's Association and, as the member for Heysen said, long before that.

We have had representation from the Desert Anglers Club at Keith and Coonalpyn, from anglers at Naracoorte, at Mount Benson, from the South Australian Recreational Fishermen's Advisory Council, from Jeparit, (interstate representation), from the South Australian Field and Game Association and from four-wheel drive groups across South Australia. I listed some 15 or 16 key groups that had been in touch with me over the past few months. I am not allowed to hold aloft the file for members to view, but the size of the file I have on my desk—which is my ancillary file and not my main file—is about two or three inches high with letters and various representations that have been made to me on this very issue. So, it is not insubstantial, as the Minister would appear to want us to believe.

I ask the Minister seriously to reconsider her approach to inclusion of the Katarapko Game Reserve and the Coorong Game Reserve into the national parks system of South Australia. The people who hunt, shoot and fish are essentially working-class city folk and working-class country folk. In the main, they do not have access to the great diversity of entertainments and recreations that are available in a large metropolitan area such as Adelaide. Their pastimes and recreation are more primitive and, as hunting author-

ities and game authorities the world over will acknowledge, these pastimes are part and parcel of the culling of wildlife.

In the south of England, if the deer—that are among the most cherished and treasured animals the length and breadth of the United Kingdom—were not culled annually from the New Forest, they would grow to greatly excessive numbers, as would the Dartmoor moorland ponies, and unless some action is taken to relieve the pressure on that fragile environment the animals sicken and die. They cannot be supported in winter-time.

It is just part and parcel of wildlife management across the world which the Minister might well heed and which she appears to be ignoring, oddly enough, in another part of South Australia. In the Flinders Ranges absolutely no attempt is being made to curtail the depredations made by wild goats. You would think that, if the Coorong was an area of such great concern, the first efforts to be made would be up there in the Flinders Ranges. But I suspect that that will continue and that the Flinders Ranges, for all the outcry against the establishment of a hotel in the area, will still be suffering from mismanagement in the next decade if it is left in the Minister's hands.

I see a great thread of inconsistency running through the Minister's proclaimed intentions and the Minister's actual achievements. There must be far easier areas to get stuck into than the Coorong, which is not really a thorn in the Minister's side, either. Here is another piece of lack logic: if it is an area which must desperately be protected from these wicked hunters who trample all over the sand dunes, why does the Minister, of her own accord, say in one of her press releases that it does not really matter because there are only a hundred-odd hunters using this area, anyway; they are not going to miss it. By the same argument, if one just plays the devil's advocate—if only that many hunters are going to be involved in hunting there—it is not really a great loss to the Minister if she decides not to include it in the national park, because these people are not doing a great deal of damage.

But, significantly, the hunters who have made representation to me are only too anxious to cooperate with the Minister and to ensure that tracks are followed; that offroad vehicles are not allowed to go across the parks just at will (they would prefer to see them out of the area); and that, if access tracks are improved to the beach, the beach itself is a natural 90 mile long causeway which suffers very little damage from the tracks of a vehicle because at high tide twice a day the tracks are washed out and it is no real problem. So I strongly support the opinions which have been expressed by the South Australian Field and Game Association, by the South-East Recreational Rights Group and by the host of interested groups—fishing, hunting, shooting and camping groups—across the length and breadth of Australia who over the last seven years have repeatedly expressed their fears about future ministerial intentions. I endorse all their fears, mainly because their rights will be completely removed if the Minister achieves her aims.

Mr LEWIS (Murray-Mallee): In so far as the measure relates to the Belair Recreation Park, I, like our lead speaker on this question, have no difficulty. This Minister finds herself in a position of hypocrisy over that. The member for Davenport—I am sure he will make a contribution in this debate and I bet it is on this point—tried to make the Government understand that everybody knew the park at Belair as the Belair National Park.

Mr Ferguson interjecting:

Mr LEWIS: And the regrettable part about it was that the member for Henley Beach, along with the Minister and other members of the Government, opposed the member for Davenport's private member's motion.

Mr Ferguson: Nobody's convinced us.

Mr LEWIS: Because you would not listen to facts. I would have to say to the honourable member for Henley Beach that he would not listen to facts. He would not listen to the understanding which a man so close to the people, as the member for Davenport is, was putting to the House about the way in which people regarded that space and the way in which it ought to be named. It was a pity that in arrogance the Minister directed her minions on that side of the House to simply tell him, 'Naff off! Go away!' That is a term that Princess Anne has used and I am quite sure, Mr Acting Speaker, that you will not be offended if I use it. It was unncessary for him to be treated in such a cavalier fashion at that time, and it was also inappropriate.

Mr Ferguson interjecting:

The ACTING SPEAKER (Mr Blacker): Order!

Mr LEWIS: Let me turn to the rest of the proposition. It was never envisaged that game reserves ought to be abolished. The gimmickry in which the Minister engages in her attempts to gain favour with the Kamikaze duck-loving Left makes one wonder how long she really wants to survive, and how many of her colleagues in the Upper House she expects will survive the next election. I think ducks are lovely creatures. Indeed, the mallard is the epitome of nature's example of a sound family unit. The drake and the duck get around together with the ducklings for a considerable time after they take to water and first take flight. I believe that is a very wholesome model and image to promote. Of course mallards and many other duck species known to me mate for life. Therefore, they are animals with which it is possible for us as humans to closely identify in the way they relate to each other and behave. I enjoy watching all birds—ducks are no exception—to assess their behaviour patterns and the reasons for them—

Mr Atkinson: You like to watch?

Mr LEWIS: Yes, I like to watch. I don't have feathers, but I am voyeuristic in every other respect. I cannot swim as easily and elegantly as a duck, nor can I fly. The important point is that game reserves form an essential, integral part of public lands set aside for recreational purposes—nobody can deny that fact. Just because many of us in this place find other ways of using our time or, indeed, have temperamental dispositions which lead us more into social contact than into the seclusion of bushwalking alone, bird-watching alone, and even greater seclusion, as is necessary for the hunter, is no reason to suppose that hunting is an illegitimate way of passing time. It is more fundamental to our nature than any other of our recreational activities because it was the most important aspect of our survival as a species, and it is deeply ingrained in our psyche and temperament.

Not everybody has the hunting instinct but most people do to some degree, and a substantial percentage—and this is the point that the Minister set out to recognise—have that instinctive part of their psyche and temperament to go and hunt. In fact, it can substantially alter a Government and its complexion, if a Government ignores it, and not only ignores it but judges it harshly as inappropriate, immoral or whatever else it wishes to describe it as being.

I do not know whether the Minister is aware of this, but over 150 000 South Australians see their right to recreation being threatened by this Government, and over the years they have watched the way in which those rights have been attacked. That number of people feel so strongly that they would be, in my judgment, prepared to vote for a recreational rights candidate ahead of any other political Party to

ensure the survival of recreational rights. That means that at least two Legislative Council seats are theirs if they want them. If they wish to field candidates and run the campaign, that group will easily put two Legislative Councillors into the other place. The balance of the third seat would have a substantial say in which of the major Parties ended up with the greater number in the Upper House. There is no question about that fact. If the Minister wants to hand it to us on a plate, we will gladly take it because it will not be the Liberal Party's vote that suffers anywhere near as much as the vote for the Minister's party. I have no doubt whatever that it would cost the Labor Party at least one Upper House seat. I am quite happy to allow the Minister to be stupid if she so wishes.

The SPEAKER: Order! The honourable member is well aware of the motion before the House, and I draw the requirement for relevancy to his attention.

Mr LEWIS: The Minister's proposition would abolish about 80 per cent or more of the State's game reserves in which duck hunting and other forms of recreation not permitted in national parks but permitted in game reserves can be pursued and enjoyed. That is the relevance of the remarks I am making to this proposal. The Minister, by putting this proposal and insisting upon its passing, is alienating a large number of people in the community who feel very strongly that she has no mandate to do it, and the Government has no mandate to do it. Accordingly, the Minister's proposal is very ill-advised.

As if there was no evidence other than my voice: indeed there is! As my colleague the member for Heysen said, of all the submissions received in the process of public consultation on the future of the Coorong Game Reserve, only three out of more than 108—and that figure varies from 105 to 108—submissions agreed with the proposal. None of the authors of those three submissions came from this State, or used those game reserves, particularly the Coorong; in fact, they were people fanatically committed to the abolition of hunting.

The Minister seeks to assuage the group that she believes exists in the conservation body that she and her Government has offended over Wilpena and win their favour by abolishing that game reserve. Initially, it was to be from day 1 this year. This proposition makes it day 1 two years hence from that time. I do not think it behoves this forum as a hung Parliament to make decisions in prospect for 1 January 1993 where this Government may well be out of office, most Ministers of which it is comprised in this place having lost their seats, including the Minister for Environment and Planning.

In that case, I do not think it appropriate for us to visit a decision by motion of this chamber on a chamber then properly constituted. This debate about what should happen in two year's time ought to be undertaken closer to that time. If for no other reason, in all good sense we ought not to attempt to influence the course of future events by fixing in time something that must happen when that would not necessarily represent the views of the majority of South Australians, or even the views of those in this place, at the time it is introduced.

I now refer to the way in which the Minister has ignored the very processes contained in her own legislation. The Government has set up the National Parks and Wildlife Act and the consultative process within it. The advisory committee responsible for these areas and the areas adjacent at no time has recommended the abolition of game reserves, as sought in this motion. However, it has been contemplated and, by degrees, has been strongly opposed on every occasion on which it has been discussed. Moreover, the procedure that the Minister has adopted in making this decision ignores the procedures established in legislation in ways that were detailed and defined by the member for Heysen in his contribution to this debate.

I have no intention of repeating that or the very important remarks made by the member for Chaffey and the member for Mount Gambier, who spoke before me, although I endorse what they have both said and draw their contributions to the attention of people who may seek to discover what was said about this matter. I want to underline the extent of feeling there is and always has been expressed about access to the long beach at the Coorong and about the kinds of activities which are permitted in a game reserve but which are not permitted in a national park.

I recall, shortly after I was elected here, the strength of feeling that was expressed to me prior to and at a meeting held at Heatherleigh over 10 years ago—during my first term in this place. I know the member for Mount Gambier is aware of that, as is the member for Heysen, because as Minister at that time, after strong submissions had been made to him by me in the first instance, and by other people in my Party, he quite sensibly and readily agreed to set up consultative committees that enabled him to obtain first-hand information from the communities and from the users of those parks. Those consultative committee opinions have been ignored in the process pursued by the Minister. That is a matter of fact.

I do not know how she comes to the conclusion that there has been extensive public consultation, agreement and approval for what is proposed here. No such thing has occurred. What she has stated is an absolute contradiction of the truth, and there is a three-letter word to describe that. As I said earlier in my remarks, one needs to remember that hunting is a very important part of our psyche and many of us enjoy it as part of our temperament. I have hunted throughout my life—once of necessity and now as a recreational pursuit. Nonetheless, I am a committed bird-watcher, as was my father. I, along with most of my brothers, enjoyed my father's company when visiting the Coorong on a regular basis, which we did for the last 20 years of my father's life.

We also need to bear in mind that, if we make one law for ourselves and another law for another group of people in our society, it is called apartheid. The forebears of the Aborigines hunted in order to sustain their life. The law now permits their descendants to continue hunting in places that were previously hunting grounds; that means simply everywhere. It is not appropriate to divide society in that fashion to any greater degree than we do already. To enable people of Aboriginal extraction in the Meningie or Kingston areas to go hunting in the Coorong without other people being able to do likewise on the basis of their skin colour and racial descent is really quite stupid. Indeed, I think it will do more to exacerbate racial disharmony than resolving it. We ought to remember that parks are for people, and game reserves are also for people. To believe that by the stroke of a pen in legislative fiat we can wipe out things which come to us from hundreds of thousands of years ago is a nonsense, and it will serve to anger the community at large if we attempt it.

The last couple of points I want to make relate to the necessity to understand why two rare species are sought to be protected in the Coorong. I am also aware of what goes on in the Katarapko Game Reserve, but I will not waste time on that issue as the member for Chaffey has quite properly covered it. The member for Heysen said that the Minister is on an ego trip in relation to this proposal. I do not know how one gets to do that when things are not

contiguous, but she can have her ego. Rabbits, cats and foxes have done more to destroy the range of habitat of the orange-bellied parrot and the hooded plover and the population of those two species than any other factor. All other factors put together would not represent a fifth of the impact that those feral animals have had, unless, of course, we look at mice. The reason why the orange-bellied parrot and hooded plover populations of the Coorong area and, indeed, along the samphire swamps of the South-East fell so dramatically about eight years ago, and during the intervening period, was the effects of the mouse plague that we had in the early 1980s as a consequence of the good season followed by the warm winter of the drought. That is my assessment and I, along with other ornothologists, have sought to discover what happened.

The hooded plover and the orange-bellied parrot are now back in numbers, as is their food supply. Of course, if the mice ate their food, there was nothing left for them, and the mice most certainly attacked the clutch sites of the hooded plover. Even I saw that on the two occasions on which I visited the Coorong during that year. It is a pity that we now have a Minister who is willing to believe any sort of nonsense at all, rather than to seek the truth about the cause of the problem that she believes she is addressing with this ill-advised motion. It is for that reason that I urge all members to oppose this motion.

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

Mr S.G. EVANS (Davenport): I hold similar views on this matter to those of my colleagues. The Belair park renaming is not a matter of contention for me; in fact, I support the change. However, I think it clearly shows the doggedness and the bitchiness of Governments when in power. When someone puts up an acceptable proposition which is supported by the vast majority in this State and which is accepted as a reasonable proposition, and the Government votes against it for reasons that cannot be justified—if the present move is correct—by the same Government with the same philosophy, but with different personnel, then one has to doubt the sincerity of people in relation to doing what is right and proper. I will speak for some time on this issue, and I will use the time of *Hansard* and public money in doing so. This has been done once before, and the time, material and labour used in that debate could have been avoided.

They are the cold hard facts. On 28 August 1986 I moved the following motion:

That in the opinion of this House the name of the 'Belair Recreation Park', which was the first national park in South Australia, second in Australia and tenth in the world, should be altered back to the 'Belair National Park'.

I went on to say:

In so moving, I wish to point out to the House that, as far as the general public are concerned, the Belair park is still referred to as the Belair National Park or the National Park.

That was true and still is to this day—4½ years later. I further stated:

In the 1970s, I believe the Parliament, or more particularly the public, was conned into having the name changed from a national park to a recreation park.

I will not go through all the history, but will refer to some of it as it needs to be recorded in this debate; the Minister has failed to do so, and my colleagues have left an opportunity for me to do so. I also stated (page 762 of *Hansard*):

When talking about national parks, we have to realise that that term was given to parks in the early days and it has been continued in various countries. We know that the first national park established was in the United States and, in Australia, the first one established was in 1879 in New South Wales at Port Hacking (now called the Royal National Park), which is some 400 hectares in size. That park was in fact the first in the world created by statute of Parliament.

A lot of the American parks are owned privately or by community groups and are not necessarily created as a result of an Act of Parliament.

That is interesting and at least we should recognise that on this occasion when we are celebrating the centenary of the park becoming a national park. I continued:

The Belair park as a recreation park turned 105 years old this year.

In other words in 1881 the park was declared a place for recreation and has been used for recreation for 110 years. The declaration of the national park came later. I further pointed out that in December 1881 the *Advertiser* stated:

They [the people] want a large park of their own where, under only such restrictions as are necessary to preserve the property from injury, they can freely roam and enjoy themselves.

I continued:

The editorial in the *Advertiser* called on the Government of the day to support the people's wishes for the creation of a park at Belair.

It has been used freely and openly for all these years, except for a period when the commission manned or controlled it. It asked people to offer a silver coin upon admission. More recently, under ALP philosophy, people have been charged. However, it found that the return was not as much as it would like or enough to cover wages, so now it mans the gate only on public holidays and at weekends, and at other times people are asked to make a voluntary contribution. If one goes to the nursery in the park, one may be reimbursed the admission fee upon leaving the park. The *Advertiser* editorial further stated:

What is wanted now is some security that the Government Farm shall not be parted with or diminished in size by the ministry without the sanction of Parliament.

At that time people were talking about selling the farm. I continued:

The threat to sell off Government Farm in 1881 was not the first of its kind. When Governor Grey arrived in the infant colony in May 1841, one of his first proposals to raise finances for the insolvent Government was to sell the farm.

The Government is heading that way now—perhaps it should be thinking of selling the farm. I further stated:

Such an intention was announced formally on 15 July 1841, but the sale was cancelled, because the land had not been acquired according to the law. Under the Wakefield scheme, the land should have gone up for tender and, because through Governor Gawler that had not occurred, it was considered that the farm had not been acquired legally.

So, of course, it was not sold. I continued:

The position was later regularised with the payment of £800 to convey 10 sections of the area consisting of 330 hectares, but, in fact 13 sections making up 800 hectares were transferred. From 1841 the farm was used to rest and shelter stock.

I further stated:

In 1858 a cottage for the Governor was built on the farm at a cost of £1 600, but it was rarely used. In the 1870s the farm was the site for a factory to produce carbon bisulphide, which is used for the destruction of rabbits, as they were becoming a problem.

Credit for the establishment of the original park goes to Walter Gooch, and members of his family over the years have worked in the park as rangers, park keepers or attendants and carried out the ideals of the founding father of the park. I recognise that family's contribution. The *Advertiser* was encouraging support for Gooch and stated that the notion of a national recreation ground was under discussion and that Gooch was advocating a national requisition. I stated:

The petition was presented to the Commissioner of Crown Lands in January 1882, and was signed by no fewer than 213 influential commercial and business gentlemen.

That was presented to Parliament and a Bill was introduced by a private member to prohibit the sale of the farm at any time without the permission of Parliament. That Bill was defeated but subsequently, in 1883, another Bill was introduced under which the property was protected.

I did not say all that I wanted to say on that occasion. I finished my speech so that the Government could put a viewpoint. It chose a member who had been involved in the national parks and wildlife scene as an employee or adviser before coming into Parliament. She was the then member for Newland, Ms Gayler. The Government knew what she was putting to the Parliament on its behalf. There were no ifs or buts because all Government members voted with her, including about eight members who are not here today: some of the present members did not vote as they were not here. On 12 February 1987—that is how long it took for the Government to express a viewpoint (more than five months)—the member for Newland said that she opposed the motion for a number of reasons. She stated:

> The recently exhibited supplement to the Belair Recreation Park draft plan of management looked into the question of the name of that park. There were only five responses in relation to that issue, three of which supported the current classification and name of the park and two of which suggested an alternative classification of 'Heritage Park'. The supplement was a well publicised document, particularly as it dealt with other controversial issues—

and she was admitting that it was a controversial issue, but had said initially that it had no relevance—

> most particularly the question of horse riding within that park. So, there was a good deal of publicity about the management plan and the proposals.
>
> The South Australian National Parks and Wildlife Act provides for proclamation as a national park area: containing wildlife or natural features of national significance. Notwithstanding the historic and conservation importance of Belair its natural features are not, according to the National Parks Service—

the same body advising the Minister now, the same person in many cases—

> considered to be of national significance.

What has changed? A few exotic trees have been cut down, a few native trees skittled, a few native plants knocked out and a lot of exotic plants skittled.

Members interjecting:

Mr S.G. EVANS: Native plants have been planted; that is correct. What has changed in the landscape? There has been some improvement in playing facilities, which were very badly neglected. I hope that continues. However, that tends to lean in the other direction—a recreation park, not a national park. The then member for Newland said:

> The definition of 'national park' by the International Union for the Conservation of Nature states:
>
> A national park is a relatively large area . . .

I suppose it is a matter for interpretation as to what is large. To somebody who owns a quarter acre, 400 or 500 hectares would be large, but it would not be large to somebody like the member for Eyre in terms of the area that he represents. The honourable member continued:

> (1) Where one or several ecosystems are not materially altered by human exploitation and occupation, where plant and animal species, geomorphological sites and habitats are of special scientific, educative and recreative interest or which contains a natural landscape of great beauty; and (2) where the highest competent authority of the country has taken steps to prevent or to eliminate as soon as possible exploitation or occupation in the whole area and to enforce effectively the respect of ecological, geomorphological or aesthetic features which have led to its establishment; and (3) where visitors are allowed to enter, under special conditions for inspirational, educative, cultural and recreative purposes.

Let us think about that. What has changed? Nothing, as far as that definition goes. That was another reason why the then member for Newland rejected it at the time. She went on to say:

> Members can see from that that the Belair Recreation Park does not meet the International Union's definition of a national park. Nevertheless, to proceed to proclaim Belair as a national park would result in policies and practices which apply to national parks being applied to Belair.

I hope that the Minister will answer these questions when she speaks on this occasion and will take note of what her then colleague said about the policy changes that would have to take place.

The Hon. T.H. Hemmings: This Minister will never let you down.

Mr S.G. EVANS: The honourable member continued:

> Amongst other things that would mean that the entry of dogs into the Belair Recreation Park would be prohibited.

Does that mean that dogs will be prohibited from the park? The honourable member went on to say that that was 'an issue which does not seem to have been dealt with by the member for Davenport. The entry of dogs on a leash is common in South Australian recreation parks, as opposed to national parks.' Are we being told that from now on, if we change the name to 'national park', people who have dogs on a leash will not be allowed to take them into the park in future? I find that very interesting, and so will the many hundreds of people who use the park to exercise their dogs, under proper control, if they are to be prohibited. If they are not to be prohibited, let us be told that the park will be an exception in the category of national parks in that provision. The member for Newland then said:

> The alternative to that would be to allow dogs in national parks, and that would be at variance with a nationwide policy applying in Australia adopted after extensive debate and agreed to by the various State and Territory conservation Minsters.

We are told that it is agreed by the Ministers that dogs, even on a leash, will not be allowed into a national park. I support Belair becoming a national park, but I do not support the idea that dogs should not be allowed in if they are under proper control on a leash. People should be allowed to take dogs on a leash into a national park, as they have done for many years, even dogs without a leash, but in more recent years, under both philosophies of Government, they have had to be on a leash. I think that should continue, even if it means that the Minister has to go back to her ministerial colleagues throughout the country and say, 'We need to be able to use our ministerial discretion at times.' The member for Newland went on to say:

> In conclusion, while there is some limited sympathy for a change of name in relation to the Belair park on historic grounds, such a suggestion did not receive much public support and it would create a number of policy and implementation problems which would be difficult to solve.

No-one has shown me where the difficulty has been over those 4½ years. It is a total disregard of the role of the people's House of Parliament to put a point of view—a view which has support in the community and in which a group of people elected to Parliament believe—and, through sheer doggedness, to say, 'We will not let an individual win a point on something that is close to conservation, close to nature and close to people.' As young person I spent a significant part of my weekends and so on in the park. During the war years, as a boy, I sometimes hunted illegally.

Mr Ferguson: Hunting what—rabbits?

Mr S.G. EVANS: They might not always have been rabbits. I will tell the honourable member one thing that we did that we would not be allowed to do today. Indeed, I am not sure that we were allowed to do it then. As part of the war effort, children would take the gum off the golden wattle when it oozed out of the trunk. We then got little badges or bars for the pounds of gum that we collected. It was used for glue in the war effort. I think that was against the law. But as young people, with our relatives away, we

thought that we were doing something good and we went into an area where perhaps we should not have gone. That is one example for the honourable member. Of course, we did hunt rabbits and foxes, and maybe we even caught rosella parrots when they were young and sold them for a few bob.

I am disappointed that the Labor Government—the same Premier and many of the same Ministers and members—did not accept the challenge and say, 'Evans is right. We will not debate it very much; just get rid of it. We will support the move and call it the Belair National Park.' I am glad that it has happened now; I am disappointed that it did not happen then.

Mr FERGUSON (Henley Beach): It is appropriate that I should follow the member for Davenport. I extend my congratulations to him on the stand that he has taken about the change of the name of the Belair National Park. I do not agree that his point of view has not been accepted. Although it has taken him some years to put forward his point of view, we are in fact accepting the proposition that he put to this Parliament. I express my absolute pleasure at the fact that the Minister is abolishing the name Belair Recreation Park and returning it to its original name—Belair National Park. I have visited the national park for more than 50 years. During most of my lifetime it has been known as the national park, and I have struggled with the name 'recreation park' since it was changed in 1972. I believe that most people in Adelaide refer to the Belair Recreation Park as the Belair National Park. In my youth everybody referred to it as the national park and everybody knew where the national park was.

In many ways the people of South Australia must thank the *Advertiser* for the establishment of the park in 1891. It was the *Advertiser* through Mr Walter Gooch who, after a 10-year campaign, was successful in having the Belair National Park enacted as a national park in that area. I quote from the book *The Park at Belair* by Dene D. Cordes who, on page 23, states:

> A crucial word is 'national'. Gooch envisaged the farm as a national recreation ground and a national asset. When it was finally gazetted as Belair National Park it attracted people from all over Australia and even royalty from England. It truly was a national haven. This title 'national park' was retained until 1972, when it was changed to 'recreational park'. I hope that time will see its original name restored. The people and the Government in 1891 declared it a national park and people still refer to it as such today.

The park has a longer history than 1891. As early as 1840 it was taken over, on behalf of the Government, to become a farm under controversial circumstances. In 1841, Governor Grey actually set out to sell the farm. Fortunately, the sale did not go through and people even in those days were fighting to make sure that this area was maintained for the Government and the people of South Australia.

There were settlers who occupied the farm in the Depression of 1841-42 and the history of the various buildings is available and provides interesting reading. It is not widely realised that unemployed people were sent to the national park area to clear it in the early part of the last century, the very opposite of what we are attempting to do these days. Unemployed people have been used to develop Belair National Park on several occasions, the latest being as recently as 1970. Ironically, one of these projects was the revegetation of Belair National Park. I believe that the Minister should be congratulated for returning to the original name of the Belair National Park.

I was disturbed to hear the shadow Minister's unkind remarks about the present Government's policy on national parks. He mentioned that there was a lack of support for national parks. I do not think that there will ever be a time when this Parliament will be satisfied with the number of people working as park rangers and support staff in the national park.

What has been forgotten, and is always forgotten by the Opposition, is the fact that South Australia has managed to purchase 17 per cent of its land mass to provide national parks for the people of this State. This is a magnificent effort and it has not been repeated in other States, the reason being that we took the opportunity of buying and acquiring national parks when we could. There is only one way that this can be done and that is out of the money that is available for this portfolio. Decisions had to be made as to whether we would acquire land or whether we would put people into management positions. We took the course of buying land, and history will prove this Government to be right.

I was extremely pleased to see that Katarapko, five kilometres from Berri, has been earmarked as Australia's first true national park to run along the Murray River. South Australia has many firsts in the environment and planning area, and this is not the least of them. I was disturbed to note that Opposition members were not prepared to look at the principle of establishing Katarapko as a national park. I understand that the Opposition intends to vote against this proposition, but the only argument that I have heard thus far from members opposite is that not enough consultation has taken place. There is no argument as to the principle of providing a national park along the Murray River, which is something that has been agreed to by three States. Merely to oppose the principle of this proposition and not to put forward an argument for doing so is something that I find quite difficult to understand.

When suggestions were made by participants in the second Fenner Conference, housed by the Australian Academy of Science in September 1989, for an Australian National Park, with Katarapko being part of a stage of national parks along the Murray River, South Australia was the first State to take up this suggestion, and we should all be very proud of the fact that we are leading the rest of Australia in this important move. The Katarapko Game Reserve is one of the most attractive recreation areas on the riverfront and I believe it is necessary to recognise the increasing recreational use of Katarapko as distinct from its decreasing use for game hunting.

The other encouraging thing about this move is that at last we are getting a national view of the Murray River system as a whole and members should take pleasure in the fact that this is a national effort as far as parklands are concerned. The importance of the move to establish a tri-State national park should be obvious to all members and the fact that we are joining together with both Victoria and New South Wales to provide this park should be sufficient reason for all members of the House to support this proposal. I trust that members in another place will see the significance of this move.

In relation to the Coorong National Park, I am extremely disappointed with the attitude of members opposite. Not one of those opposite who are noted for their conservation views has spoken in this debate. Where are they? Where are the conservationists on the other side of the House? Those members opposite who over the years have been recognised in debate in this House as conservationists will not join their colleagues in opposing this proposition. Very few speakers on the other side referred to this motion, which proposes:

> To make a proclamation pursuant to Part III of the National Parks and Wildlife Act 1972 on or after 1 January 1993 that abolishes the Coorong Game Reserve and alters the boundaries

of the Coorong National Park so as to include in the park the land formerly comprising the Coorong Game Reserve.

All they could do was pick up the carping criticism of those people who are not prepared to look to the future, to our heritage, in order to try and prevent this important part of South Australia—the Coorong—from being included in a national park. The member for Chaffey hit the nail on the head when he spoke about the number of ducks that are disappearing in South Australia. He said that the reason for this was not the shooting that was going on but the destruction of their habitat. I think that is a perfectly proper comment to make when the habitat of the bird life in the Coorong is being destroyed.

Because it is being destroyed, one would have thought that we would have the unreserved support of people on the other side to try to do something to save this important part of South Australia for future generations. But what do we get—nothing more than criticism. I understand that members opposite will vote against the motion. Dr Hopgood gave an undertaking concerning this area, and the Minister will uphold that undertaking, despite suggestions from members opposite that that would not happen. It will happen. We have met some of the shooters in this House, and I must say that they are an intelligent group of people. We met with them amicably and came to a decision with them, as a result of which they obtained 90 per cent of what they asked for. The suggestion we have heard on the other side about this matter, that the shooters are not getting what they ought to get out of this, is absolute nonsense.

I do not have the time to say all I should like to say on this subject, but in two minutes I should like to answer what the member for Murray-Mallee is suggesting about candidates at the next State election. He is suggesting that there will be political candidates for the right to recreation, that they will sweep all before them and that we will have two members elected in another place. I have heard rumours, too. I understand that the conservationists will stand. They might even have two candidates, and I should say that the conservationists would have at least as much chance—probably more—of winning seats in another place as candidates for the right to recreation. I should like the time to take apart some of the issues raised by members opposite, but I am afraid that time is against us. I and all members on this side support this measure, and I hope that those conservationists on the other side will also be prepared to support it.

The Hon. B.C. EASTICK (Light): I suppose that after a number of years in this House one should not be surprised at the ease with which people who live in the metropolitan area know how to manage the affairs of the country. The honourable member who has just taken his seat has sought once again to advise those people who live alongside these establishments on what is best for them and to give an indication that only those who have made the decision can be right in this matter. I have no hesitation in voting for the one and denying the passage of the other two.

One of the very first questions I asked in this House in 1970 was about Katarapko Island. Katarapko Island at that stage had been leased by the Bennett family for many years yet, suddenly, without prior warning their lease was terminated at the whim of a Government department that was going to take over and develop Katarapko Island immediately. Now, 21 years later, we are still talking about Katarapko Island.

The Hon. H. Allison: More haste, less speed.

The Hon. B.C. EASTICK: Exactly. One of the major problems is that, whilst these decisions about how to manage Katarapko Island or the Coorong are being made by the Government at the moment, there has been totally inadequate discussion with local government and with other persons with considerable interest in these sites who wish to put forward ideas to the Government in order to meld together a considered view that will be in the best interests of the areas under consideration.

Certainly, we have had a very clear indication from those in the vicinity of the Coorong of their grave concern at the hamfisted way in which the Minister has been dealing with that aspect. Yet, at the same time, the Government has been prepared virtually to give away some of the same area to a trade union in order to build a motel. Where is the justice in that? It is purely and simply a situation in which the Government suddenly gets a whim, becomes full of all knowledge and wants to take over total management.

People in the Coorong area have played a very significant role in the wetland areas, in national parks, in the wilderness movement and in various other areas, and I cite Mr Vern McLaren, who is very well recognised for work that goes back to 1966 and before that. When he was developing his property, I think I am correct in saying, the area was known as Blaxland, and it was very close to a great deal of the Coorong area.

Mr McLaren has made a vital contribution and has a great deal to contribute, but he is the first to recognise that there are points of view other than his own. I am certain that he would wish for proper consultation for the Coorong area. I know that people in the Riverland have been vitally interested in wetlands, people who have a very keen interest in the future of the Murray River and who would want an input into further activities directly associated with the Katarapko Island park area.

I have no qualms in debating against the propositions, because I believe that I would be doing a great disservice to large numbers of people in the community if I did not take up that point. I mentioned earlier that the questioning relative to Katarapko started over 20 years ago. My colleagues have turned up for me page 278 of *Hansard* of 23 July 1970, being the answer to a question about Katarapko Island by the then Minister of Works (Hon. J.D. Corcoran), who indicated that it had been divided into two portions and renumbered as sections 73 and 74, etc. On 5 August, on the same subject he provided additional information indicating that the National Parks Commission was aware of the infestation of noogoora burr—and this is the point I made when the member for Henley Beach was speaking—occurring in Katarapko National Park and was making a thorough investigation to determine what remedial action could be taken. The then Minister stated:

The commission is anxious to encourage regrowth of native flora in the park and, as continued grazing would have a detrimental effect on such regrowth, grazing rights will be terminated as at 30 September 1970.

I mention that question and answer to indicate that it is not a matter that has been around for only five minutes for which the Government suddenly has to obtain an answer. The matter has been around for quite a long time, and there has been a continuous denial of proper consultation with people in the community. On 22 October 1970, I asked a question about miscellaneous leases, as follows:

Will the Minister of Works ask the Minister of Lands whether any change in the method of managment of miscellaneous leases is imminent? The Minister will recall that an occupant of Katarapko Island recently lost the lease of the land after having held it for about 36 years. In seeking alternative areas of land, he faces the possibility that, if he takes up a miscellaneous lease, after a period of time (whether it be two years, seven years or 30 years) he may again be denied the use of land he has developed. A brief inquiry of the Lands Department suggests that the further policy regarding miscellaneous leases is being discussed, and I should like to know whether we can have a report on these discussions.

The Hon. J.D. Corcoran indicated that he would obtain information, but he made this point which was quite pertinent:

> Any person who takes a miscellaneous lease would be fully aware of this condition but it seems that, with the effluxion of time, some leaseholders think it should not be enforced. The same position applies to annual licences, for which the security of tenure is, in fact, only one month and the Government can not only give a lessee notice that the lease is to expire but it can ask the lessee to remove, at his expense any structure erected on that annual licence.

So it goes on. It is not something that has happened in the past few minutes. The way in which this particular person of 36 years tenure was divested of his lease was scandalous at the time. It was subsequently agreed that it was scandalous but, worse than that, the island was overrun with lignum and with noogoora burr. Any person with a current lease or with private property freehold land was prosecuted for having the noogoora burr on their property, but not so the department.

It has been a very strange approach in that a person who owns his own land or holds a lease must obey the rules of the Government, but the Government who takes over that land can do with it as it will. The people of the Riverland are fully appreciative of the problems that have existed there, and they have made numerous representations for assistance to bring the island up to a clean development area—but they have been denied.

All of those matters could be resolved and should be resolved by proper consultation. That being the case, I am quite sure that the people in the country who recognise the truth of the matters relative to Katarapko and to the Coorong will have no hesitation in supporting the attitude that my colleagues and I are going to take, fully recognising that they need proper recognition and not the 'thou shalt' attitude which is being forced on them by the Government at the present moment.

Mr SUCH (Fisher): I would just like to make a brief contribution in respect of this motion, in particular to the first component to change the name of the Belair Recreation Park to the Belair National Park. I strongly support that aspect of the motion because I believe the Belair park deserves to be called a national park.

An honourable member: Do you strongly support the other aspects?

Mr SUCH: No, I have very serious reservations about the other two aspects, but I will deal with them later. The Belair park, as we know, is one of the oldest parks not only in Australia but in the world. I am happy to admit that I have a vested interest in that park, because I frequent it often. I enjoy it and delight in its various aspects. Within its boundaries it has some very fine examples of Australian flora.

An honourable member interjecting:

Mr SUCH: When I am not door knocking. Tucked away inside it are some very fine examples of Australian flora, so it is a gem in terms of our national park system and I am delighted that there is a move afoot to restore its proper and correct title. For too long it has been referred to inappropriately as a recreation park. Going back many generations, my family had an association with the park. In fact, the blue cottage in the park was built by early members of my family.

I would like to make a few comments about the restoration and rehabilitation of the park. I know it has come in for some criticism by people who have been disturbed to see the removal of exotic trees. I am not. I am pleased that many exotics have been removed and will continue to be removed. I accept that there are some outstanding exotic species in the park. The sequoias, for example, will be retained but I am delighted that the *pinus radiatus* is being cut out and I hope that that process continues.

Members interjecting:

Mr SUCH: Well, I have a different view to some other members in this place, and I do not walk away from that. It is based on an understanding which I have in respect of ecology. I would like to praise—

The SPEAKER: Order! I draw the honourable member's attention to the fact that the motion we have before us has nothing to do with ecology. It has to do with the declaration of parks. I hope that the member will direct his remarks to the motion before the House.

Mr SUCH: Mr Speaker, with due respect I would be surprised if a national park had little to do with ecology.

The SPEAKER: Order! Let us clarify what is before us. There is nothing in the motion about the ecology of the parks. The motion clearly declares certain areas under a different classification. That is the content of the motion and that is what the debate should link into. I am sure that the honourable member has the ability—and all members are given this freedom—to build an argument and create a situation for the debate, but the motion is for the declaration of areas.

Mr SUCH: Thank you, Mr Speaker. I am supporting the declaration of the park as a national park because it has significant areas within it that I believe warrant that particular classification and, without going over old ground, they do touch on the aspect of the composition of flora within it. I would like to say that, in support of having the name a of the park restored to that of a national park, I would pay a tribute to the general work done by the staff within that park and look forward to the continued enhancement and preservation of the flora and fauna that is within it. So I am pleased to support the first part of the motion dealing with Belair park, and commend the name change to the House.

The Hon. JENNIFER CASHMORE (Coles): I have been advised that the House will vote separately on each of the three components of this motion which requests the Governor to make a proclamation pursuant to Part III of the National Parks and Wildlife Act 1972, first, to abolish Belair Recreation Park and to assign to it the name 'Belair National Park'; secondly, to abolish the Katarapko Game Reserve and assign to it the name 'Murray River National Park'; and, thirdly, to abolish the Coorong Game Reserve and to include in the Coorong National Park the land formerly comprising the Coorong Game Reserve.

I want to address my remarks principally to the assignation of the name 'Belair National Park', and I will address the other two components in due course. The Belair National Park, as other members have indicated, was the first park to be created in South Australia. This occurred 100 years ago at a time when the whole concept of national parks was a new one in world terms. Yellowstone National Park was the first to be created in the world, and Belair was the second in Australia following the Royal National Park in New South Wales.

At the time that these national parks were created there were still large populations in Australia and throughout the developed and undeveloped world living close to nature. Cities were not as large as they are now and we must acknowledge the great far-sightedness of those who recognised the need to conserve habitats for fauna and to conserve flora.

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

I was referring to the history of the declaration of national

parks in this country and in other countries, and paying a tribute to the far-sightedness of our forebears, particularly in Australia and the United States, who recognised that, if certain portions of land that had particular value were not set aside from development, there was be a risk that that habitat would be lost. It is also important to recognise that one of the principal reasons in the last century for the establishment of national parks, as well as the preservation of habitat, was for public enjoyment and recreation. Indeed, in the United States the establishment and expansion of the railroad system was linked very closely to the establishment and expansion of the national parks system because the railway owners wanted attractive destinations which would encourage people to take rail trips, and very often those destinations proved to be national parks.

The Field Naturalist Section of the Royal Society of South Australia was instrumental in urging the Government to acquire the Belair National Park—the first national park in this State and, as I mentioned, the second in Australia. That was followed by Flinders Chase. It is worth noting in the passionate debate about national parks, which is still taking place in this State, it took lobbyists no less than 27 years to achieve the declaration of Flinders Chase as a national park. At times, there were deputations to the Minister numbering up to 100 people, and these people sustained their advocacy for the park for almost three decades before it was achieved. Despite the renaming of the park as a recreation park some time back, there is no doubt that most South Australians still think of and refer to it as 'Belair National Park.' Therefore, it is appropriate that we should revert to that name, and I warmly support that part of the motion.

In her speech moving the motion, the Minister made the point that, because of conflicting demands and conflicting attitudes to parks, the law provides that, if there is to be a change of classification for a park, it requires the consent of both Houses of Parliament. The Minister made the point that there has been public debate about the Coorong National Park and about Katarapko. The Opposition suggests that the level of community support on one side or the other does not justify the Government's action in respect of either the Coorong or Katarapko parks. My colleagues who represent electorates in the South-East have made the point that an enormous number of signatures—no less than 10 000 (which is a great number for this House)—were placed on petitions lodged with the member for Mount Gambier and the member for Murray-Mallee in 1984-85 against the closure of the Coorong beaches; and they were in favour of retaining the Coorong Game Reserve as a game reserve.

Some interjections from the other side of the House before dinner seemed to suggest that anyone with the true interests of conservation at heart would be bound to support this motion in respect of both the Coorong and Katarapko parks. I point out to those members, who are obviously basing their assumptions on false premises, that, if we are talking about the preservation of these areas in the interests of wildlife, it is habitat that is infinitely more important than shooting in terms of the preservation of bird life.

Mr Ferguson: Quite right!

The Hon. JENNIFER CASHMORE: I note that some members of the Government share that view. Accordingly, I have not a shred of doubt that this motion was carried in caucus by a very narrow majority. I think that reflects the division in the community over this proposal that the Government is attempting to have passed by Parliament. The fishing and hunting lobbies are strong, but that in itself does not mean that right is on their side—not by any means.

Members interjecting:

The SPEAKER: Order!

The Hon. JENNIFER CASHMORE: I am happy to be speaking for the member for Spence and the member for Henley Beach in this debate because I am sure that they have not participated themselves in support of the motion.

Mr Ferguson interjecting:

The Hon. JENNIFER CASHMORE: The member for Henley Beach is a wonderful advocate for the Labor Party, and he can always be relied upon to put the Party point of view regardless of whether or not he supports it.

An honourable member interjecting:

The Hon. JENNIFER CASHMORE: I do not think the member for Spence would want to get involved in this debate because his heart simply would not be in it. However, the fact is that the Coorong and Katarapko game reserves comprise 70 per cent of South Australia's game reserves. According to licensing arrangements, there are over 290 000 fishers and 40 000 boat owners in this State, and some 120 000 registered gun owners of whom over 60 000 are regular gun users. Further, more than $150 million is spent annually on fishing and tens of millions of dollars more on shooting. Therefore, it seems that these people who choose these pastimes obviously expect and are entitled to some means of using the permits for which they have paid money. I freely admit that I for one am not interested in fishing and find shooting something that is quite alien. I do not like the notion of it.

Mr Atkinson interjecting:

The Hon. JENNIFER CASHMORE: For the information of the member for Spence, I was born and brought up in the western suburbs.

Members interjecting:

The SPEAKER: Order!

The Hon. JENNIFER CASHMORE: And I went swimming at Henley Beach probably about the same time as the member for Henley Beach.

The SPEAKER: Order! I ask the member for Coles to direct her remarks through the Chair.

The Hon. JENNIFER CASHMORE: I would be pleased to do that, but it seems to me that members of the Government need educating on more than national parks when they leap to their false assumptions. While shooting is alien to me personally, I repeat that if we are looking to preserve wildlife, it is infinitely more important to preserve habitats than to consider the consequences of minimal culling which results from the respective seasons for shooting and, in some cases, for fishing which are at present embodied in the law.

My colleagues who represent the areas which embody these game reserves and national parks have spoken in greater detail. I simply want to speak in support of the motion as it applies to Belair National Park and in opposition to it as it applies to the Coorong and Katarapko game reserves. I believe this is an occasion where Parliament will reflect the will of the people—I certainly hope so—that Belair will be designated a national park, and the other two will remain as game reserves.

The Hon. S.M. LENEHAN (Minister for Environment and Planning): I thank members for their contributions to this motion. A number of points have been raised, but before I actually address them individually I think it really is interesting to note the way in which the debate was conducted from the Opposition benches. First, we heard from only those members who could be considered to be anti-conservation and certainly not pro-conservation. When my colleague—

Members interjecting:

The SPEAKER: Order!

The Hon. S.M. LENEHAN: —the member for Henley Beach actually drew this to the attention of the House and asked where all the green members were who had participated in other debates, suddenly there was a flurry of people into the Chamber. The list of speakers in this debate did not include these people. All I can say is that we saw nothing more than a number of pretenders in terms of the issues raised. There was one red herring after another and I intend to point this out. It will be very interesting—

The Hon. D.C. Wotton interjecting:

The Hon. S.M. LENEHAN: I did not interject once—

Mr S.J. Baker interjecting:

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

The Hon. S.M. LENEHAN: It is interesting that they can certainly give it out but, when it comes to hearing a few facts, they do not like it very much. I most certainly will be abiding by the Standing Orders and by your guidance in this debate Mr Speaker. I think it is important that we note, and I am sure the conservation movement and the thousands upon thousands of conservationists and people who believe in animal welfare will be reading with great interest the contributions of members opposite, particularly that of the member for Heysen, because this is not a move that is anti anything. It is a move taken by this Government that is pro preservation and conservation. It is a balanced way of dealing with a very sensitive and political issue. I will go on to explain why I make that statement.

The member for Heysen started off by asking when the Act will be amended to provide standards of park classification. The answer to that is that I will be introducing amendments to the National Parks and Wildlife Act before this Parliament in the next session. Although we have not enjoyed it in the past, I look forward to some degree of bipartisan support in terms of the amendments that are currently being worked through and negotiated with the conservation movement. So, the honourable member has only to wait until next session. With respect to the questions that he and other—

The Hon. D.C. Wotton interjecting:

The Hon. S.M. LENEHAN: Well, it is interesting that the honourable member was the Minister at one point, and when we look at his achievements—

The Hon. D.C. Wotton interjecting:

The SPEAKER: Order!

The Hon. S.M. LENEHAN: Well, it is interesting that I can sit through his speech, but the honourable member cannot pay me the courtesy of listening to what I have to say. The honourable member and other members raised the question of Lake George. Lake George has nothing to do with this motion; it has nothing to do with the Coorong or, indeed, its management. It is a matter of review at the moment by the Department of Lands, as the honourable member and others would be aware. As far as I am aware, there are no plans to change the status of Lake George. However, it is another convenient red herring to cloud the issue and to try to create misunderstanding and misinformation in the community. I must say that the majority of people in the community do not fall for that kind of misinformation and that type of campaign.

With respect to the honourable member's contribution, let me just pick up one fairly trivial point. The honourable member talked about the Act being full of sexist language and demanded to know when we are going to change it. I remind him that the Act was amended on 11 July 1988 and, three years later, he does not know that. I ask the House to put the rest of the honourable member's contribution in the context of that lack of understanding.

We have heard an enormous amount about the beaches. I have been interrogated in relation to how we got to this arrangement. I am very happy to share with the House exactly how we got to this arrangement. The access arrangement was developed in consultation and in conjunction with local government, and these arrangements were incorporated in the plan of management. I will be delighted to cite exactly what the plan of management says, and I would remind—

Members interjecting:

The Hon. S.M. LENEHAN: Are we to be subjected to this continuous barrage of interjections, Mr Speaker?

The SPEAKER: The Minister will let the Chair worry about that.

Mr Venning interjecting:

The SPEAKER: The member for Custance may not be here to hear it. The Minister will continue her response and address her remarks to the Chair. She will let the Chair worry about interjections.

The Hon. S.M. LENEHAN: Thank you, Mr Speaker. Under the heading 'Management objectives' the management plan, which has been adopted by the Government and implementation which is subject to very strict requirements under the Act, states (page 27) that one of the objectives is to encourage appropriate forms of recreation such as fishing, bush walking, canoeing and sailing, which will not impair the natural state of the area. The plan goes on to state that another objective is to provide for vehicular access across designated roads, tracks and routes, including access along the ocean beach during periods when conflict with wildlife using the beach will be minimal.

To have heard the contributions of members opposite today would have led one to think that not only did the management plan not exist but, certainly, no-one in the Opposition had even read it, yet suddenly they are experts and the Government is now somehow going to close the beaches. For about the fourteenth time I will make another public statement—that access to the beaches for people wishing to use those beach areas along the Coorong for fishing and general recreation will be exactly the same as it is now. We are seeking to extend the boundary of the park to the low water mark, but that is not covered under this motion before the House. It is a commonsense approach which, of course, has been agreed to by the local council, because it finally delineates exactly where that boundary will be, and it will come under the management of one authority. This will not change access, and I do not know how many more times I have to say that.

The game reserve change cannot be divorced from the duck hunting proposition or from the recommendations of the task force upon which this Government has brought down a very sensible, balanced policy for the future of duck hunting in South Australia. That report put forward the proposition that game reserves be investigated individually and that their long-term suitability for hunting be considered. I again refer members of the Opposition to the recommendation of the task force (page 10, section 822), which refers to hunting on private and public lands under the revised strategy. It states:

> The task force considers that investigations should be undertaken to consider the long-term suitability of game reserves for duck hunting. These investigations should consider each of the reserves individually.

I move on from that to some other points. I believe it is important that we look at the overriding Act under which we are bringing this motion before this place and another place. The absolute overriding statutory obligations of the National Parks and Wildlife Act place the responsibility on the Minister of the day for the preservation—and I have to

stress this—of our natural flora and fauna. In fact, I refer very quickly to some of the requirements that this places upon the Minister. I refresh the memory of members opposite, particularly that of the member for Heysen, because he has virtually ignored the plan of management and the statutory requirements. He has certainly been strangely silent about the crucial provisions of the Act that explicitly direct the management framework for the national park.

First, the Parliament has vested in the responsible Minister the control and administration of parks proclaimed under the Act. Final decisions are thus with the Minister. Secondly, the Minister must—and I use the word 'must' because it is in the Act—have regard to certain prescribed objectives in the management of parks. These objectives are listed in section 37 of the Act and they include:

- the preservation and management of wildlife;
- the preservation of historic sites, objects and structures of scientific or historic interest;
- the preservation of features of geographical, natural or scenic interest;
- the encouragement of public use and enjoyment of reserves and education in and a proper understanding and recognition of their purpose and significance.

I acknowledge that the debate about the balance between preservation on the one hand and public use on the other is indeed as old as the parks system itself. I remind members that in South Australia we are celebrating the centenary of parks this year. Strong debate about the correct balance is common wherever there are parks, and we have heard that debate in this House.

The Coorong is established as a national park because, according to the Act, it is an area of national significance and now has been proclaimed as an area of international significance, by reason of its wildlife and natural features. I mention this statutory framework because it imposes solid obligations on a Minister to reach the best long-term conservation management decision for an area of national significance. In other words, it is much bigger than some cheap Party political point scoring because some people feel that a number of votes are involved. In the long term I know how posterity will judge this House on its decision. Taking account of the preservation of wildlife and natural features are indeed legal obligations when these managements decisions are taken. This cannot be overstressed.

With regard to consultation, is eight years of planning and public debate not long enough? The people who are criticising that process may say, because they have not achieved their aims, that there has not been enough consultation. They know perfectly well that that is absolutely incorrect and outrageous. No useful purpose will be served by going on the merry-go-round over and over again. The Act clearly states that, after there has been adequate time for public discussions (and eight years, surely in anyone's language, would cover that), the responsible Minister is charged with taking the decision. That is what I have done.

It is interesting to note that the anomaly of the game reserve has been raised regularly during the planning process. I ask members quite seriously to consider whether a Liberal Government would proclaim the whole of this outstanding piece of waterbird habitat of Australian and international significance a national park; or would it, if it could start again, excise the shooting area (15 per cent) right in the middle of the national park knowing that only 1 per cent to 3 per cent of hunters shoot there? If people are genuine and take their conservation and environmental responsibilities seriously, they will ask themselves this question.

If the Coorong Game Reserve is constituted as a national park, as the Government is proposing, will a future Liberal Government—as has been canvassed in the media—reverse the decision? If the Opposition is saying that it will reverse the decision, it should have the courage to stand up publicly and say that. I will be delighted to debate the issue in terms of the wider conservation movement which has written to me and is not necessarily making an inordinate amount of fuss but which in fact has welcomed this decision. Many members in their local electorates have been contacted. I am amazed that the member for Coles is not supporting constitution of the game reserve as a national park. I am extremely disappointed, as it must be seen as the most sensible, long-term land use decision for the area, particularly given the obligations, of which the honourable member would be aware, on any Minister at any time in the history of this State to preserve and protect the Coorong. The member for Heysen has moved a motion, and he must be aware that I will not be supporting it.

I come back to some of the specific points raised. The member for Heysen stated that he received a number of representations from people whose properties will be affected by the establishment of the Murray River National Park. Once and for all I put on the public record that it is not proposed to include any properties in the park. South Australia is not proposing to include any private properties: it is all Crown land. Again, the honourable member is peddling misinformation. It makes a mockery—

The Hon. D.C. Wotton interjecting:

The SPEAKER: Order! I warn the member for Heysen.

The Hon. S.M. LENEHAN: The honourable member might have been referring to something that may happen in New South Wales. I am not the Minister responsible for national parks in New South Wales. Indeed, the responsible Minister is a member of the same political Party as is the member for Heysen: the Liberal Party is in Government in New South Wales. I would have thought that the member for Heysen might be aware of that situation. To try to peddle misinformation and fear amongst residents of the Riverland that we will somehow acquire their properties for a national parks is an outrage.

I now refer to the comments made by the member for Chaffey. He said that is was hypocritical of the Government to increase the fees for hunting by 50 per cent whilst reducing the area of game reserves. The member for Chaffey was prepared to acknowledge the Government's commitment (although no other member of the Opposition did so), namely, to rehabilitate existing Crown wetlands that need rehabilitation, to establish new wetlands not only in the South-East but also in other parts of the State, and to make a commitment to people who wish to proceed along a path of hunting and shooting that they will be able to be involved in the identification and development of those wetlands.

I have stated in this place that they will be involved in the future management of those wetlands. Not one member of the Opposition had the integrity to acknowledge that what we are doing under this whole policy is increasing the area of wetlands in this State, thereby meeting the objective of conservation, of increasing and protecting biodiversity in so many of our areas that have been degraded and destroyed. One would think that in any balanced debate at least some of the good things acknowledged by everyone in the community would be mentioned. I have not heard any criticism of the Government for these moves, so surely the Opposition could have been big enough to acknowledge that.

The member for Mount Gambier tried to say that the Coorong and Katarapko decisions mean the end of duck hunting—the thin edge of the wedge. Where has he been when the Government, through me, has introduced, acknowledged and enunciated a duck hunting policy which has not prevented duck hunting but has provided that it

can continue, while indicating that there will be proper educational testing for hunters when they obtain their permits. That policy will look at increasing the area of wetlands and at the whole range of initiatives which do the opposite. It is quite amazing that the member for Mount Gambier is prepared to make such inaccurate claims with no basis in fact. It seems that we have a problem in looking at the facts.

A number of members have said that this motion will lead to the end of vehicular access and fishing—that somehow we will stop people from fishing. That is a blatantly incorrect statement. Nowhere has the Government ever said that it was going to inhibit people from going about their lawful business in terms of fishing. The decision to extend the boundary of the park to the low water mark will in no way prohibit the present access that people enjoy to our national parks. Again, this is a great red herring, trying to whip up fear in the community. Unfortunately for the Opposition, it will not work. As I said, it is covered in the Coorong management plan. There is a legal responsibility on the Minister of the day to implement that, and I have great pleasure in doing so.

Another red herring that was drawn across the path was to bring in the Flinders Ranges. One member suggested that no attempt has been made to control feral goats in the Flinders Ranges. What an amazingly sweeping statement. Indeed, the correct position is that 91 000 goats have been taken out of these national parks in the past five years, and in the last three months I believe the figure has been about 6 000. That is the true position. Yet we have the Opposition saying, 'No attempt has been made to control feral goats.' Again, that is a complete misuse of the facts.

The SPEAKER: Order! Would the Minister pause for a moment? Will the member for Henley Beach resume his seat? I draw attention to Standing Order 142 about background noise in the Chamber when a member is speaking.

The Hon. S.M. LENEHAN: Thank you, Mr Speaker. I am disappointed. I might have believed some of the Opposition's rhetoric in terms of the Marine Environment Protection Bill when there was some sort of scramble to tell the community, 'We are greener than you. We would have the highest penalties in the country. We would have $1 million penalties. We would outbid everybody else in the country.' The Government is not about rhetoric or trying to pull the wool over the community's eyes and pretend that we are green when we are not. We are about enacting legislation, and indeed this is part of our legislative program. Admittedly, it is not a major plank of our program.

We have a number of initiatives that have been through this House and are currently in the Upper House which will prove that this Government is not about cheap rhetoric and trying to outbid one another and talking about who can inflict the highest penalties. It is about substance, working with Ministers from other States and ensuring that we have national targets, priorities and standards. It is about ensuring that we have these national targets for everything from water and air quality to noise control. It is about leading this nation in native vegetation protection in terms of retention and management. It is not about scoring cheap political points, saying, on the one hand, 'We totally support the change from the Belair Recreation Park to the Belair National Park, but somehow that is different from changing the status of the Coorong and Katarapko Game Reserves to national parks.'

What absolute hypocrisy. Do Opposition members seriously believe that the community will wear this kind of hypocrisy: that those thinking people in their own electorates will actually buy this kind of nonsense? Of course they will not. I believe the Opposition will find that this kind of 'Let's grab any vote anywhere at any time' principle will backfire. At the end of the day political Parties will be judged on what they have done, how they have performed, what changes they have made and, in this case, how they have moved to preserve the integrity of our native flora and fauna. Therefore, I commend the motion to the House and ask all thinking members to support it in its totality.

Paragraph *(a)* (i) of the motion carried.

The House divided on paragraph *(a)* (ii) of the motion:

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

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

Pairs—Ayes—Messrs L.M.F. Arnold and Mayes. Noes—Messrs Goldsworthy and Gunn.

The SPEAKER: There being 21 Ayes and 21 Noes, I give my casting vote for the Ayes.

Paragraph *(a)* (ii) of the motion thus carried.

The House divided on paragraph *(b)* of the motion:

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

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

Pairs—Ayes—Messrs L.M.F. Arnold and Mayes. Noes—Messrs Goldsworthy and Gunn.

The SPEAKER: There being 21 Ayes and 21 Noes, I cast my vote for the Ayes.

Paragraph *(b)* of the motion thus carried.

The SPEAKER: I now put the remainder of the motion—that a message be sent to the Legislative Council transmitting the foregoing resolution and requesting its concurrence thereto.

Remainder of motion carried.

FREEDOM OF INFORMATION BILL

Returned from the Legislative Council with the following amendments:

No. 1. Page 1, line 15 (clause 2)—After 'proclamation' insert 'or six months after assent, whichever is the earlier'.

No. 2. Page 2, line 9 (clause 3)—Leave out 'prompt'.

No. 3. Page 2 (clause 3)—After line 11 insert new subclause as follows:

(3a) This Act must be administered so as to make the maximum amount of information of the kind referred to in subsection (3) available to members of the public promptly and inexpensively.'

No. 4. Page 2, lines 20 and 21 (clause 4)—Leave out paragraph *(c)* and substitute paragraph as follows:

(c) a body corporate (other than a council) that—

(i) is established for a public purpose by, or in accordance with, an Act;

and

(ii) comprises or includes, or has a governing body that comprises or includes, a Minister of the Crown or a person or body appointed by the Governor or a Minister of the Crown;.

No. 5. Page 2, line 27 (clause 4)—After 'body' insert ', controlled by the Crown, or an instrumentality or agency of the Crown,'.

No. 6. Page 2, line 36 (clause 4)—leave out 'an agency' and insert 'a person or body'.

No. 7. Page 2, line 38 (clause 4)—Leave out 'proclamation' and insert 'regulation'.

No. 8. Page 2 (clause 4)—After line 38 insert definition as follows:

'member of the public' includes an incorporated or unincorporated body or organisation:'.

No. 9. Page 4, lines 12 to 15 (clause 4)—Leave out subclause (6).

No. 10. Page 4—After line 18 insert new clause as follows:

Retrospective operation of Act

5a. (1) An applicant for access to a document containing information concerning his or her personal affairs is, subject to this Act, entitled to access to such a document although the document came into existence before the commencement of this Act.

(2) An applicant for access to a document (other than a document referred to in subsection (1)), is, subject to this Act, entitled to access to the document provided that it came into existence not more than 10 years before the commencement of this Act.

(3) Notwithstanding subsections (1) and (2), where a document contains information of a psychiatric nature concerning the applicant, the applicant is not entitled to access under this Act to the document if it came into existence before the commencement of this Act.

No. 11. Page 5, line 20 (clause 9)—After 'agency' insert '(including of any board, council, committee or other body constituted by two or more persons that is part of the agency or has been established for the purpose of advising the agency and whose meetings are open to the public or the minutes of whose meetings are available for public inspection)'.

No. 12. Page 6—After line 16 insert new clauses as follow:

Statement of certain documents in possession of agencies to be published

9a. (1) This section applies, in respect of an agency, to any document that is—

(a) a report, or a statement containing the advice or recommendations, of a prescribed body or organisation established within the agency;

(b) a report, or a statement containing the advice or recommendations, of a body or organisation established outside the agency by or under an Act, or by the Governor or a Minister, for the purpose of submitting a report or reports, providing advice or making recommendations to the agency or to the responsible Minister for the agency;

(c) a report, or a statement containing the advice or recommendations, of an interdepartmental committee whose membership includes an officer of the agency;

(d) a report, or a statement containing the advice or recommendations, of a committee established within the agency to submit a report, provide advice or make recommendations to the responsible Minister for the agency or to another officer of the agency who is not a member of the committee;

(e) a report (including a report concerning the results of studies, surveys or tests) prepared for the agency by a scientific or technical expert, whether employed within the agency or not, including a report expressing the opinion of such an expert on scientific or technical matters;

(f) a report prepared for the agency by a consultant who was paid for preparing the report;

(g) a report prepared within the agency and containing the results of studies, surveys or tests carried out for the purpose of assessing, or making recommendations on, the feasibility of establishing a new or proposed Government policy, program or project;

(h) a report on the performance or efficiency of the agency, whether the report is of a general nature or concerns a particular policy, program or project administered by the agency;

(i) a report containing final plans or proposals for the reorganisation of the functions of the agency, the establishment of a new policy, program or project to be administered by the agency, or the alteration of an existing policy, program or project administered by the agency, whether or not the plans or proposals are subject to approval by an officer of the agency, another agency, the responsible Minister for the agency or the Cabinet;

(j) any material prepared within the agency that is intended to form the basis on which legislation (including subordinate legislation) is prepared;

(k) a submission prepared within the agency (other than by the responsible Minister for the agency) for presentation to the Cabinet;

(l) a report of a test carried out within the agency on a product for the purpose of Government equipment purchasing;

(m) an environmental impact statement prepared within the agency;

and

(n) a valuation report prepared for the agency by a valuer, whether or not the valuer is an officer of the agency.

(2) The principal officer of an agency must—

(a) cause to be published in the prescribed form as soon as practicable after the appointed day a statement (which may take the form of an index) specifying the documents to which this section applies that have been created since the commencement of this Act and are in the possession of the agency;

(b) within 12 months after first publication of the statement required under paragraph *(a)* and thereafter at intervals of 12 months, cause to be published in a prescribed form statements bringing up to date the information contained in the previous statement or statements.

(3) This section does not require a document of the kind referred to in subsection (1) containing exempt matter to be referred to in a statement published in accordance with subsection (2), if the fact of the existence of the document cannot be referred to in the statement without exempt matter being disclosed.

(4) In this section—

'the appointed day' means—

(a) in relation to an agency in existence on the commencement of this Act—the day of that commencement;

or

(b) in relation to an agency that comes into existence after the commencement of this Act—the day on which the agency comes into existence.

Notices to require specification of documents in statements

9b. (1) A person may serve on the principal officer of an agency a notice in writing stating that, in the opinion of the person, a statement published by the principal officer under section 9a (2) does not specify a document as described in section 9a (1) that was required to be specified in the statement.

(2) The principal officer must—

(a) make a determination within 21 days of receiving a notice as to whether to specify in the next statement to be published under section 9a (2) *(b)* the document referred to in the notice;

and

(b) cause the person to be given notice in writing of the determination.

(3) Where the determination is adverse to the person's claim, the notice must specify—

(a) the day on which the determination was made;

(b) the rights of review and appeal conferred by this Act and the procedures to be followed for the purpose of exercising those rights;

and

(c) the reasons for the determination and the findings on any material questions of fact underlying those reasons, together with a reference to the sources of information on which those findings are based.

No. 13. Page 6, line 28 (clause 10)—After 'policy' insert 'document'.

No. 14. Page 6, lines 40 and 41 (clause 11)—Leave out paragraph *(a)* and substitute:

(a) a Minister of the Crown acting in his or her ministerial office in a personal as distinct from a corporate capacity (unless declared by regulation to be an agency to which this Part applies);.

No. 15. Page 7, line 11 (clause 13)—Leave out 'the agency may determine' and insert 'may be prescribed'.

No. 16. Page 7—After line 18 insert new clause as follows:

Acknowledgement of application

13a. (1) An agency must, within seven working days after receipt of an application, cause to be given to the applicant a written acknowledgement of the acceptance of the application by the agency.

(2) An agency is not required to accept an application if the application fee has not been paid.

No. 17. Page 8, lines 7 to 13 (clause 16)—Leave out subclause (6) and substitute subclause as follows:

(6) An application that is transferred from one agency to another must be dealt with as soon as practicable (and, in any case, within 45 days after it was received by the agency that originally transferred the application).

No. 18. Page 8, lines 14 to 31 (clause 17)—Leave out the clause.

No. 19. Page 8, lines 41 to 45 and page 9, lines 1 to 6 (clause 18)—Leave out subclauses (3) and (4).

No. 20. Page 9, line 40 (clause 20)—After 'usually' insert 'and currently'.

No. 21. Page 9 (clause 20)—After line 40 insert 'or' between paragraphs *(c)* and *(d)*.

No. 22. Page 9, line 41 (clause 20)—Leave out paragraph *(d)* and substitute paragraph as follows:

(d) if it is a document that—

(i) was not created or collated by the agency itself; and

(ii) genuinely forms part of library material held by the agency;.

No. 23. Page 9, line 42 (clause 20)—Leave out 'or'.

No. 24. Page 10, lines 1 and 2 (clause 20)—Leave out paragraph *(e)*.

No. 25. Page 10, lines 12 and 13 (clause 20)—Leave out paragraph *(a)* and substitute paragraph as follows:

(a) it is practicable to give access to a document consisting of—

(i) a copy of the restricted document from which the exempt matter has been deleted;

or

(ii) an extract from the restricted document containing such parts of the document as do not consist of exempt matter;.

No. 26. Page 10, line 17 (clause 20)—After 'copy' insert 'or extract'.

No. 27. Page 10, line 18 (clause 20)—Leave out 'to the document'.

No. 28 Page 10 (clause 21)—After line 30 insert subclause as follows:

(2) Where a document to which subsection (1) applies is required to be published, presented to Parliament, or submitted to a particular person or body on or before a particular day, access may not be deferred for more than three months after that day.

No. 29. Page 12, lines 15 and 16 (clause 23)—Leave out ', having regard to the sum of any advance deposits paid in respect of the application'.

No. 30 Page 12, line 33 (clause 25)—After 'access' insert 'under this Act'.

No. 31. Page 13, line 16 (clause 26)—After 'access' insert 'under this Act'.

No. 32. Page 13, lines 21 to 25 (clause 25)—Leave out paragraphs *(a)* and *(b)* and substitute paragraphs as follow:

(a)—

(i) an agency determines, after having sought the views of the person concerned, that access to a document to which this section applies is to be given;

and

(ii) the views of the person concerned are that the document is an exempt document by virtue of clause 6 of Schedule 1;

or

(b) after having taken reasonable steps to obtain the views of the person concerned—

(i) the agency is unable to obtain the views of the person;

and

(ii) the agency determines that access to the document should be given,.

No. 33. Page 14, lines 8 to 13 (clause 26)—Leave out subclause (5) and substitute subclause as follows:

(5) A reference in this section to the person concerned is, in the case of a deceased person, a reference to the personal representative of that person or any of that person's close relatives of or above the age of 18 years.

No. 34. Page 14, line 21 (clause 27)—After 'access' insert 'under this Act'.

No. 35. Page 15, line 4 (clause 28)—After 'access' insert 'under this Act'.

No. 36. Page 15, line 28 (clause 29)—After 'made by' insert 'a principal officer of an agency pursuant to section 9*b* or".

No. 37 Page 15, line 32 (clause 29)—Leave out 'the agency may determine' and insert 'may be prescribed'.

No. 38. Page 15 (clause 29)—After line 41 insert subclause as follows:

(3a) If on a review the agency varies or reverses a determination so that access to a document is to be given (either immediately or subject to deferral), the agency must refund any application fee paid in respect of the review.

No. 39. Page 16, line 6 (clause 29)—After 'agency' insert '(other than pursuant to section 9b)'.

No. 40. Page 20, line 3 (clause 40)—After 'including' insert ', subject to subsection (3),'.

No. 41. Page 20 (clause 40)—After line 40 insert subclause as follows:

(3) The appellant is not liable to pay the agency's legal costs associated with the appeal if the Court confirms the determination to which the appeal relates.

No. 42. Page 20, lines 19 to 22 (clause 42)—Leave out subclause (2).

No. 43. Page 20, lines 40 to 42 (clause 43)—Leave out subclause (4) and substitute subclause as follows:

(4) After considering any document produced before it, the District Court may make a declaration—

(a) if satisfied that there are reasonable grounds for the claim—that the document is a restricted document by virtue of a specified provision of Part I of Schedule 1;

(b) if not satisfied that there are reasonable grounds for the claim—that the document is not a restricted document.

No. 44. Page 21, lines 5 to 25 (clause 43)—Leave out subclauses (7) to (12).

No. 45. Page 21, lines 26 to 30 (clause 44)—Leave out this clause and insert new clause as follows:

Disciplinary action

44. Where the District Court, at the completion of an appeal under this Act, is of the opinion that there is evidence that a person, being an officer of an agency, has been guilty of a breach of duty or of misconduct in the administration of this Act and that the evidence is, in all the circumstances, of sufficient force to justify it in doing so, the Court may bring the evidence to the notice of—

(a) if the person is the principal officer of an agency—the responsible Minister;

or

(b) if the person is an officer of an agency but not the principal officer of the agency—the principal officer of that agency.

No. 46. Page 21, line 34 (clause 45)—Leave out subclause (2).

No. 47. Page 22, lines 40 to 45 and page 23, lines 1 to 11 (clause 53)—Leave out this clause and insert new clause as follows:

Fees and charges

53. (1) The fees and charges payable under this Act will be prescribed by regulation.

(2) The fees payable on an application for access to a document may vary according to the following factors:

(a) whether the application is made—

(i) in the personal interest of the applicant;

(ii) in the commercial interests of the applicant;

(iii) in the public interest;

(b) the cost of providing the applicant with a copy of the document or of giving access in some other way.

(3) The fees and charges prescribed by regulation may vary as between agencies.

No. 48. Page 23, line 13 (clause 54)—Leave out '31 December' and insert '30 September'.

No. 49. Page 23 (clause 54)—After line 20 insert subclause as follows:

(2a) A report under this section must specify, in respect of the year to which the report relates, the number of Ministerial certificates issued under section 46 and, in respect of each such certificate, the document to which the certificate relates and the provision of Part I of Schedule 1 specified in the certificate by virtue of which the document is a restricted document.

No. 50. Page 23 (clause 54)—After line 26 insert new subclause as follows:

(4) Without limiting the generality of subsection (1) or the kinds of the information which an agency might be required, in pursuance of subsection (3), to furnish to the Minister, a report of the Minister under subsection (1) must include in respect of the year to which the report relates particulars of the operations of each agency under this Act including, in relation to each agency—

(a) the number of applications made to each agency;

(b) the number of determinations that an applicant was not entitled to access to a document pursuant to an application, the provisions of this Act under which those determinations were made and the number of times each provision was invoked;

(c) the name and designation of each officer with authority to make a determination in relation to an application, and the number of determinations made by each officer that an applicant was not entitled to access to a document pursuant to an application;

(d) the number of applications under section 29 for review of a determination and, in respect of each application for review—

(i) the name of the officer who made the determination under review;

(ii) the name and designation of the officer who conducted the review and the determination of that officer;

and

(iii) if the officer conducting the review confirmed, in whole or in part, a determination that an applicant is not entitled to access to a document in accordance with an application, the provision of this Act under which that determination was made;

(e) the number of appeals to the District Court under section 40 and, in respect of each appeal—

(i) the decision of the court;

(ii) the details of any other order made by the court;

and

(iii) if the determination appealed against was a determination that an applicant is not entitled to access to a document in accordance with an application, the provision of this Act under which the determination appealed against was made;

(f) the number of applications to the Auditor-General under section 53a and, in respect of each application, the decision of the Auditor-General;

(g) particulars of any disciplinary action taken against any officer in respect of the administration of this Act;

(h) the amount of fees and charges collected by the agency;

(i) particulars of any reading room or other facility provided by the agency for use by applicants or members of the public, and the publications, documents or other information regularly on display in that reading room or other facility;

and

(j) any other facts which indicate an effort by the agency to administer and implement the spirit and intention of this Act.

No. 51. Page 24, Schedule 1 (clause 1)—Insert 'specifically' before 'prepared' in paragraph *(a)* of subclause (1).

No. 52. page 24, Schedule 1 (clause 1)—Insert 'or' between paragraphs *(d)* and *(e)* of subclause (1).

No. 53. Page 24, Schedule 1 (clause 1)—Leave out paragraph *(f)* of subclause (1) and 'or' immediately preceding that paragraph.

No. 54. Page 24, Schedule 1 (clause 1)—After paragraph *(a)* of subclause (2) insert paragraph as follows:

(ab) if it has been submitted to Cabinet, or is proposed by a Minister to be submitted to Cabinet, but was not brought into existence for the purpose of submission to Cabinet;'.

No. 55. Page 24, Schedule 1 (clause 1)—Leave out subclause (3).

No. 56. Page 24, Schedule 1 (clause 2)—Insert 'specifically' before 'prepared' in paragraph *(a)* of subclause (1).

No. 57. Page 24, Schedule 1 (clause 2)—Leave out subclause (3).

No. 58. Page 25, Schedule 1 (clause 5)—Leave out from subparagraph (i) of paragraph *(a)* of subclause (1) 'cause damage to' and insert 'seriously prejudice'.

No. 59. Page 25, Schedule 1 (clause 5)—Leave out from subparagraph (i) of paragraph *(a)* of subclause (2) 'damage' and insert 'seriously prejudice'.

No. 60. Page 26, Schedule 1 (clause 9)—Leave out subclause (1) and insert subclause as follows:

(1) A document is an exempt document if—

(a) it contains matter in the nature of—

(i) an opinion, advice or recommendation prepared by an officer of an agency or a Minister;

or

(ii) a record of consultation or deliberation between officers of an agency, between an officer of an agency and a Minister, or between Ministers,

in the course of, or for the purpose of, the deliberative processes of an agency, a Minister or the Government;

and

(b) its disclosure would, on balance, be contrary to the public interest.

No. 61. Page 27, Schedule 1 (clause 16)—Leave out from subparagraph (i) of paragraph *(a)* of subclause (1) 'prejudice' and insert 'have a substantial adverse effect on'.

No. 62. Page 27, Schedule 1 (clause 16)—Leave out from subparagraph (ii) of paragraph *(a)* of subclause (1) 'prejudice' and insert 'have a substantial adverse effect on'.

No. 63. Page 28, Schedule 1 (clause 19)—Leave out paragraph *(a)* of subclause (2) and substitute paragraph as follows:

(a) the office of State Records;.

No. 64. Page 29, Schedule 2—Leave out 'or a' from paragraph *(a)* and insert 'or an officer or'.

No. 65. Page 29, Schedule 2—Leave out 'or a' from paragraph *(b)* and insert 'or an officer or'.

Consideration in Committee.

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

That the Legislative Council's amendments be disagreed to.

A large number of amendments have now been made following debate on this measure in another place. It is the view of the Government, and I understand also of the Opposition, that these amendments should be dealt with by way of an alternative process before they are brought before this place again. For those reasons we reject the amendments *in toto* and we are prepared to have them debated as the subject of a managers' conference. I do not wish to debate the merits of any of those amendments at this time for that reason.

Mr INGERSON: It is disappointing that the Government has decided not to accept these very extensive and comprehensive amendments from the other place. It is most disappointing that we have been unable to convince the Government that this important legislation needs to have teeth and that the Government needs to be seen at least as being fair dinkum. It is a real tragedy for this House that this has occurred. We support the amendments vigorously.

Members interjecting:

The CHAIRMAN: Order! The member for Napier now has the floor.

The Hon. T.H. HEMMINGS: I am very disappointed that the member for Bragg is disappointed with the Government's attitude to these amendments that have come from the other place. I would have thought that the member for Bragg, as the representative of the Opposition in this matter, would realise that the convincing arguments that were put forward in this House should have carried the day. If he had read the reports—

Members interjecting:

The CHAIRMAN: Order! I ask the member for Napier to come to the point.

The Hon. T.H. HEMMINGS: May I express my disappointment again that the member for Bragg is disappointed with the Government's attitude to these amendments.

Mr LEWIS: I am very happy that the member for Napier is disappointed that the member for Bragg is disappointed, because the arguments that were put about such ideas as are contained in these amendments were clearly in favour of them when they were canvassed here on a previous occasion.

The Hon. J.P. TRAINER: I would like to put on record that I am disappointed that the member for Murray-Mallee is happy that the member for Napier is disappointed with the member for Bragg.

The CHAIRMAN: Order! The motion before the Chair is that the amendments of the Legislative Council be disagreed to.

Motion carried.

LOCAL GOVERNMENT ACT AMENDMENT BILL (No. 2)

Adjourned debate on second reading.

(Continued from 19 March. Page 3732.)

Mr MEIER (Goyder): I am pleased to have the opportunity to speak in this debate and to acknowledge the way in which the Bill has come into this House compared with the original Bill that was circulated last year. Members would appreciate that significant changes were made in the other place and that we now have a Bill that is much closer to what it should be. Certainly, this Bill is a further refinement of the Local Government Act, and I suppose that the Local Government Act is one of the significant pieces of legislation that has come before this House in the past decade. Certainly, we have put in many new provisions and made local government a very important part of the three tier structure of government in this country.

There is no doubt that local government has changed very significantly over the years. I well remember that, when I was a candidate for the Liberal Party in the seat of Goyder back in 1982, I visited quite a few local government areas and at that stage I think that there were about 12 in the then electorate of Goyder. I remember going into one local government office where I had literally to sweep the dust off the counter before I could find a bell (which I am sure had a spider web or two nearby) which I rang and, in due course, someone came forward to say hello and to ask what I wanted.

At that stage I introduced myself as the Liberal candidate for Goyder and said that I thought I would pay the courtesy of saying hello and ask whether there were any problems. The gentleman to whom I was speaking said that he was the only one on deck but that his council was fairly small and he did not have much to bring to my attention at that time. It went through my mind that this was a very small council, one which probably had problems in maintaining the various facilities its ratepayers expected it to maintain and which had problems in undertaking tasks such as the collection of rubbish. I was not surprised that some of the roads in that area were in a poor state of repair.

How things have changed since that time some nine years ago. That particular local council has been incorporated into a much larger council, as has occurred elsewhere throughout this State. Amalgamations have taken place and, in most cases, they have been happy marriages, and this has been of benefit to the community generally. With the population not increasing at the rate at which it should be, it has been a matter of necessity for some councils to amalgamate in order to carry out their functions in a more efficient and cost-effective way.

However, at a certain point we do not want councils to get any larger, and it worries me a little that this Bill is starting to set out more prescriptively exactly what councils are or are not to do. That in itself is satisfactory in general terms, but I am worried that having prescriptive items stated will force a council to employ more people to undertake those responsibilities, and I will refer to some of them a little later.

From the point of view of increased employment, that is great. However, it is the ratepayers who have to pay for the additional work force. At a time when the economy is in very bad shape, when the rural sector is experiencing one of its worst crises ever, and when the Government has lost control of the economic direction in which this country should be heading, increased employment at the expense of ratepayers is not necessarily a good thing. The Minister's second reading explanation states:

> It is appropriate that the legislation sets general principles rather than detailed requirements for the operation of local Government.

I question whether legislation is necessary in so many areas. The reason why I do so is that, from my observation of local government throughout my electorate and in many parts of this State, I believe that local government is doing an excellent job. Councils know where they are going: they are operating as efficiently, if not more efficiently, than I see this State Government operating or I see the Federal Government operating. At the State level we are looking at legislative changes to try to bring in, as the Minister said, certain general principles rather than detailed requirements to help councils in their everyday operation.

I hope that it will mean more efficient local government, but I often see examples of increased legislation leading to less efficient government. I was absolutely amazed to compare the second reading explanation of the Bill brought into this House with that of the Bill introduced in the other place. I found that, with the exception of the last paragraph, the wording was identical. It surprised me, because those members who have been following this debate in the other place with interest would know that a multitude of amendments were passed and so many changes implemented that the Bill has, to a large degree, changed its complexion. However, the Minister's second reading explanation was virtually the same as that delivered in the other place. That clearly shows that this Government is becoming lax in the way in which it is handling its legislation.

The Hon. M.D. Rann: That's unfair!

Mr MEIER: The Minister will have a chance to defend himself and to defend the reasons why.

The Hon. B.C. Eastick: How do you defend the indefensible?

Mr MEIER: Exactly! I believe that we will see that the Minister will not be able to defend the fact that he used the same second reading explanation as was used in the other place, with the exception of the last paragraph.

An honourable member interjecting:

Mr MEIER: I missed that one.

The SPEAKER: If the member directed his remarks through the Chair, there would be nothing to miss.

Mr MEIER: Members would be aware that this Bill proposes three major changes to the Local Government Act. I have alluded to the first, namely, the introduction of principles of administration and of personnel and practice. The second relates to the fact that there will not be a need for a certificate of registration for prescribed positions in the local government arena; and the third is for the establishment of a Local Government Equal Employment Opportunity Advisory Committee.

Looking a bit more closely at those changes, I note that the Minister alluded to the fact that there is national agreement that principles of personnel and practice, including equal employment opportunity principles, be incorporated in the State legislation. It sounds fine, but then we see that those principles are present currently only in the Victorian Local Government Act. Apparently, Western Australia is seeking to introduce similar principles, but why say that there is general agreement when we see that other States do not have it?

Mr Ferguson: Because there is agreement.

The SPEAKER: Order! The member for Henley Beach will not cower behind the heap of paper in front of him and will not interrupt.

Mr Ferguson: I am sorry, Sir. I got carried away.

The SPEAKER: Order!

Mr MEIER: I wonder to what extent local government bodies really want the interference from this State that is being brought on them by the Bill.

Mr Ferguson interjecting:

Mr MEIER: The member interjects that I should read the second reading explanation. I have, several times.

The SPEAKER: Order! I ask the honourable member again to direct his remarks through the Chair.

Mr MEIER: Thank you, Mr Speaker, and I thank you for your protection and for upholding Standing Order 142. There is also the situation where a standard of fairness and propriety is to be introduced into the management of local government employees and officers. This relates to a variety of factors including the aspect of promotion on merit. I can only applaud as loudly as I can the fact that promotion and employment is to be on merit, and so it should be.

It is a great shame that, if we look at employment within State Government circles, we see that merit has been put to one side. We see that preference is given to unionists in the State Government arena. Well, I am pleased that at least we have here in this Bill adherence to merit, and I will certainly be checking with the Minister during the Committee stage as to whether merit will be related to the fact that you also have to be a member of a union. I am sure that he will advise me otherwise, because I am sure that the Government has seen the error of its ways in having promoted compulsory unionism or, as I think it calls it, preference to unionists.

We also see that the Bill requires councils to prepare, adopt and publish an annual report. It is acknowledged that many councils already publish an annual report, and I think it is great that councils take that opportunity. However, in this Bill we see compulsion being brought in whereby councils will not have the opportunity to decide whether or not they publish an annual report. It is more compulsion, more force. In other words, the State Government is saying, 'Look, we are happy to give you some responsibility' and over the years it has, and local government has been doing a great job. However, the State Government now says, 'It is not good enough to give you responsibility and for you to choose what to do. You will now be required to prepare an annual report whether or not you like it.'

I would say that most councils would already prepare an annual report, so there is no problem with that. However, it makes local government look as though it is second-rate and that we are standing over it and dictating the terms. Is that necessary? I would suggest that it is not. However, there is a positive side. Some councils will have to employ an additional person, persons or part-time person to ensure that the annual report is produced each year. If that is the case, it is simply another burden on ratepayers.

I then consider the abolition of certificates for prescribed positions. I note from the Minister's second reading speech that the Bill originally proposed to abolish the need for registration for only the prescribed position of Chief Executive Officer. However, it seems that, as a result of the discussion paper and further consultation, it was decided to extend it other positions and, as the Minister said:

> In the spirit of devolution, and to support the local government sector in its capacity to make its own decisions about the people it employs, while of course observing the principles of personnel practice outlined in the amendments, it is now proposed that the professional standard of council administration will be protected through membership of professional bodies where appropriate.

Personally, I believe that is a very positive move. However, it does surprise me that the local government bodies, through the Local Government Association, are happy to accept this because, as members would appreciate if they are on a first-hand talking basis with their CEOs, so many of these people had to undergo training. They studied hard while continuing their normal work commitments to get the piece of paper, make sure they are fully trained for their position and are able to accept promotion when and if it comes.

Whilst I agree that councils should decide whether they want their CEOs or other officers to have the piece of paper it is interesting that it should be the State Government that makes the directives in this case. I would equate it perhaps to something that happened in the teaching profession many years ago. When teachers had to be registered, those who did not have the appropriate qualifications found that they could not gain registration. They certainly were registered initially but, if they left the service and wanted to come back and did have the appropriate qualification, they were not accepted. Certainly, new people who did not have the appropriate qualifications were not accepted.

The worst aspect was that we lost many good teachers. Just having the piece of paper does not mean that the person will be right for the job. For example, members may recall people who were excellent teachers but who did not have the appropriate qualifications or the appropriate pieces of paper; they could say. 'But hang on, they taught me more than anyone.' Likewise, the reverse can happen. Some people who were highly qualified, who perhaps had degree after degree, could not keep discipline in a class and could not pass on information; generally they were regarded as a failure within the teaching profession.

Local government is going the right way in deciding that it wants the best person for the job. It comes back to merit, and I am sure that things will work out well. However, I know there will be some ill feeling, and rightly so, from CEOs and others who have worked hard to get their certificates and now could be told, 'We are not so much interested in the certificates but in what you can or cannot do.' The division proposes that the establishment of the Local Government Equal Opportunity Advisory Committee, and the Minister recognises that various steps are being taken in local government to effect principles of equal employment opportunity.

Members interjecting:

The DEPUTY SPEAKER: Order! The member for Goyder.

Mr MEIER: He said that about 50.3 per cent of salaried employees of councils are women. He also said that there is a marked concentration of women in traditional occupations, and he indicated that 80 per cent of clerical staff are women and 75 per cent of librarians and community services officers are women. This is interesting, and I am pleased to see equal opportunity come in, because it is obvious from those examples that men are not getting a fair go in those occupations. I certainly recognise equal opportunity as being an area that hopefully will equate things. However, I recognise that the intentions of this Bill would be the reverse of what I have just said: it will seek to positively discriminate in favour of women.

I believe that positions should be gained on merit, as I have said earlier. So, whilst merit is promoted in this Bill, at the same time through the equal opportunity provisions we are being told, 'Yes, merit is all right to some extent, but we must remember that equal opportunity between the sexes could override merit.' Again, I am sure members would be aware that such moves have caused a distinct lowering of morale in occupations where there has been—

The Hon. T.H. Hemmings interjecting:

Mr MEIER: An example is the teaching profession.

An honourable member interjecting:

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

Mr MEIER: As the member for Napier brought up that point, he may be aware that there are many teachers who

expected promotion, who had worked hard for it, who were, for all intents and purposes, next on the list but because there was positive discrimination missed out. Many of those people became disenchanted with the teaching profession. They sought to leave, or left, and those who stayed on have not had the same feeling for the profession and certainly have not carried out their responsibilities in the same way.

The Minister said that those councils which supported the introduction of specific legislation regarding equal employment opportunity indicated that local government will need education and support in the introduction and implementation of equal employment opportunity programs. I will seek further information from the Minister why—

Mr MATTHEW: Mr Deputy Speaker, I draw your attention to the state of the House.

A quorum having been formed:

Mr MEIER: I will ask the Minister why such education and support is needed in the introduction and implementation of equal employment opportunity programs, because such programs have been in operation in a variety of areas in this State and this nation for a long time. I am surprised that special people will be appointed to help in this education program. Employment will be created, but at what cost and at what benefit to local government? It seems to me that it will simply be a further financial burden that, at present, local government could well do without.

As I indicated, the Opposition is satisfied with this Bill and we will not delay the Committee stage, simply because much of the discussion took place in another place and I do not believe in repeating the arguments. In addition, the Opposition was able to streamline the Bill, to introduce commonsense and to delete much of the excessive wording so that it is a more appropriate piece of legislation. The Opposition supports the Bill but will seek to amend the clause dealing with councils' choice of accounting bodies.

The Bill provides that local government bodies can employ a person who holds a practising certificate issued by the Australian Society of Certified Practising Accountants or the Institute of Chartered Accountants in Australia. That is prescriptive. Despite the fact that the Government says that it is not trying to dictate to local government but is trying to set general principles, I question what it is doing. Surely it is setting specific principles. It is identifying two groups of accountants that can be used, and no more. Surely, given that the National Institute of Accountants has been used by local government for many years, that should be included. It must be remembered that the National Institute of Accountants represents more than 1 600 members in Australia. In fact, the institute issues a practising certificate to its members and has specific requirements under its by-laws. The Opposition will seek to amend that clause so that local government is not restricted unduly, as it would be under the Bill as drafted. I look forward to the comments of the Minister and other members who will participate in this debate. The Opposition also looks forward to amending the Bill in a minor way in Committee.

Mr FERGUSON (Henley Beach): Although the member for Goyder said that he supports the proposition before the House it appears to me that he has really run up the white flag and is trying to undermine the principles of the Bill before us. I do not think that he understands the principles we are discussing here. We are in no way dictating to local government: all we are doing with this legislation is setting the broad principles and framework under which local government can operate. That is a new partnership between the State Government and local government. It has always been the desire of local government to take over more responsibility, and we are now leading into an era where we are actually giving it more responsibility. It seems only fair that we are producing for local government a broad set of principles under which it can operate and parameters which it cannot pass.

I was astounded to hear the member for Goyder talk about the problems in relation to the national agreement between all Governments in relation to equal opportunities. Although he suggested that so far legislation has appeared only in Victoria—and he based his argument rebutting the propositions in the second reading speech on that fact—the other States have broadly agreed and, as time goes by, we will see these principles appearing in the legislation of all other States. Agreement has been reached; we will achieve equal opportunity provisions in all local government Acts throughout the Commonwealth. So, it is making a cheap point to say that legislation applies only in Victoria and therefore there is no national agreement. That is not so: there is a national agreement and we look forward to the time when equal opportunity provisions are included in local government legislation in all States.

The member for Goyder posed the question: do local government bodies really want equal opportunity? I can not think of any fair-minded organisation anywhere in this country that would not be prepared to talk about, think about and propogate equal opportunity. In fact, although 50.3 per cent of salaried employees of councils are women, they occupy the lowly positions in relation to award classifications. Of the clerical staff, 80 per cent are women as are 75 per cent of librarians and community services officers. However, in senior management, where the real money is—and that is what everyone should be able to aspire to—90 per cent of positions are occupied by men.

Anyone who makes a fair assessment of what is going on in industry, even in these hallowed portals, will be able to see that changes are occurring in relation to equal opportunity. Equal opportunity is creeping in. Therefore, it is time local government joined with the State Government and the Federal Government in accepting the possibilities and probabilities of equal opportunity.

The honourable member referred to preference to unionists. He suggested that there was a certain amount of bias on the part of the Government in its policy of preference to unionists. I seek leave to conclude my remarks later.

Leave granted; debate adjourned.

FREEDOM OF INFORMATION BILL (No. 2)

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

Consideration in Committee.

The Hon. D.J. HOPGOOD: 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, Crafter, M.J. Evans, Groom and Ingerson.

ADJOURNMENT

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

That the House do now adjourn.

Mr HAMILTON (Albert Park): It is not often that I get the opportunity to grieve in this place, and I thank the Whip for the opportunity.

The Hon. J.P. TRAINER: On a point of order, Sir, the member for Albert Park is reflecting on another member.

The SPEAKER: Order! Technically, I uphold the point of order. Perhaps the internal affairs between the Whip and members may not be the concern of the Chair. However, I uphold the point of order that the honourable member is reflecting upon the Whip and ask the member for Albert Park to be a little more cautious in his comments in future.

Mr HAMILTON: I humbly withdraw—it was said in jest. I rise tonight to address the problem of the Alma Terrace, Clark Terrace and West Lakes Boulevard intersection. Over many years this has been the subject of numerous complaints by constituents and, to the credit of the Government and the local council, the intersection has been upgraded on a number of occasions, on one occasion as a consequence of a fatality at the old Morley Road intersection. Despite the upgradings, however, I still receive complaints from constituents requesting that the Highways Department and the Woodville council take appropriate action to address the traffic flow problems on the Alma Terrace intersection. Cars travelling north along Alma Terrace and wanting to turn left over the railway crossing into West Lakes Boulevard block traffic following behind. Similarly, traffic flowing south and turning right across the intersection, particularly when there is railway movement over the crossing, block the intersection. Residents quite properly have expressed their concern that sooner or later a serious accident or fatality will occur.

With that in mind and following a number of requests from constituents, I prevailed upon the Woodville council and the Department of Road Transport to send representatives to inspect the intersection. Those representatives attended for that purpose last Monday and subsequently I received a very prompt response from the Woodville council, for which I thank it.

Mr Atkinson: It's a good council.

Mr HAMILTON: As my colleague the member for Spence says, it is a good council. Its response was quick and made a number of recommendations, including the necessity to install more traffic lights at the intersection of Alma Terrace. I concur with those recommendations. Because of the heavy traffic flow at and across this intersection, and because Alma Terrace has become a speedway, constituents are rightly concerned for the welfare of their children.

Many parents, particularly mothers, use the busy intersection when taking their children to and from the adjacent kindergarten, and that is another factor indicating the need for these lights. Whilst funds are tight, I hope that the Government will realise the importance of this request. I hope the Minister agrees with the recommendation. The council and the Department of Road Transport acted promptly. Indeed, it is not often that we see such promptness from Government agencies. I am pleased to place on record my thanks to the Woodville council and the Department of Road Transport for their promptness in this matter.

On the way to the Glyde Street and West Lakes Boulevard intersection to view that area we were approached by a number of constituents. During my time as a member of Parliament I have been pleased to converse with my constituents, and it is most important to be visible. This occasion was no exception as residents came out of their homes and indicated to representatives of both the Department of Road Transport and the Woodville council their feelings on this matter. I am talking not about one or two people but about a dozen. I indicated to the representatives that it was not a set-up in any shape or form. It was nice to be beckoned over by my constituents and called by my Christian name by these people who, without any prompting, expressed their concerns about the intersection. That was one of the reasons why the Woodville council made a very quick recommendation in writing to the Minister.

Returning to the intersection of Glyde Street and West Lakes Boulevard, I point out that the issue needs to be addressed, as one of my constituents had an accident at the intersection. West Lakes Boulevard is a very busy road. My colleague the member for Henley Beach, who uses the road often travelling to and from football matches (being an avid supporter of Port Adelaide and the Crows), understands how busy it is, particularly during peak hour or when football matches are held. It is very difficult for people to traverse this very busy roadway, and I have asked the Highways Department to look at that intersection. I hope that the promptness displayed by the Woodville council will be reflected by equal promptness on the part of the Minister of Transport.

I should again like to express my appreciation to the Minister for Environment and Planning. Members will recall that last year I raised the problem of sewage bubbling up in residents' homes just off West Lakes Boulevard which caused considerable distress to many retired people. Again, the Minister acted with appropriate dispatch and that matter was remedied. Yesterday, members will recall my asking a question about a similar incident which resulted from a power failure. Again, the Minister and her staff acted with appropriate dispatch to get a response to my constituent, and I thank her for that. We often hear criticism of Ministers of the Crown and their staff. I must say that, given the tremendous workload that is imposed upon these people, the way in which they respond to the overwhelming majority of issues that I raise with them is very good. I should therefore like to express my appreciation, through the forum of this House, to the Minister and her staff.

The Hon. B.C. EASTICK (Light): Last week, in the grievance debate on the Supply Bill, I was cut rather short at the end when I was relating to the House—this appears at pages 3662-3 of *Hansard*—the prepaid funeral packages which are in the hands of funeral directors. Where the people concerned are old and may have moved from their house into a nursing home, it is sometimes difficult for the funeral director to make contact with them. Indeed, there is a distinct possibility that a number of people who have prepaid funerals do not gain the benefit of that earlier payment. I was coming to the point that, through the authority dealing with the aged—and I refer this to the Minister of Health, who is on the front bench at present—we need a register to which funeral directors or others holding benefits for people can have access, not necessarily to find out any detail about the people concerned but to alert anyone in charge of those people (be it the Guardianship Board or perhaps those in the nursing home), who may no longer have any family to look after them, that the benefits which may have been put aside many years before can justly be apportioned to their estate. It is a small point but one which can be taken on board so that such persons do gain their benefits.

In the previous debate I also referred to the problems of employers who took on apprentices. The next day I had a letter from another constituent on this matter. I will read it almost in its entirety. It is from a person who operates a carpentry and joinery business. He makes these points:

I read again that the Government is going to encourage employers to continue to employ apprentices. If that means a continuation of its present assistance then I can only say that it will be another form of wasting taxpayers' money. Whatever sum of

money is set aside you can rest assured that by the time it is administered and the State Government increases its sundry charges associated with employment and education there will be nothing left for the employer.

Currently the Federal Government makes two payments to an employer of $1 500 each, the first payment just three months after starting and the second payment three years later, after the completion of 3 years trade school. These payments are an incentive but it should be shown against the costs to determine how much of an incentive it really is.

My company pays payroll tax; therefore, any additional employees' wages will incur payment of that tax. If you take an apprentice's wages over four years of employment and apply the payroll tax level you will see that the cost is $3 071.64 paid back to the State Government. Next, let's take into account the cost of wages when the apprentice attends school. This school time is four weeks each year for the first three years of his apprenticeship. At today's wages that amounts to $2 462.40, which when split up is $2 161.40 to the apprentice and $301 back to the Government in tax. Let's also consider the situation that when a school day occurs on a rostered day off the apprentice takes that day off from work at another time, and now the last straw. Our apprentices attend trade school at the Elizabeth College of TAFE and for that they pay a fee. That fee is paid by this company; over a period of three years at school at current rates that is a further cost of $635.

Set out below is a summary based on wages and tax from an apprentice recently out of his time.

The material that I now present is purely statistical, and I seek leave to have it inserted into *Hansard* without my reading it.

Leave granted.

	$
Total wages over (4) years	61 432.97
Group tax (Federal Government)	11 324.08
Payroll tax (State Government)	3 071.64
TAFE (fees now applicable to apprentices schooling)	635.00
Total money paid to the Government in taxes and charges	15 030.72
Subsidy paid	3 000.00
Government profit	12 030.72

Costs to an employer directly related to wages and not including on site or in house training is as follows:

	$
Wages paid for (4) weeks at school over (3) years	2 462.40
Payroll tax paid	3 071.64
TAFE fees	635.00
	6 169.04
Subsidy	3 000.00
Shortfall	3 169.04

The Hon. B.C. EASTICK: The employer points out that there is a Government profit of $12 030.72 out of the whole exercise. The apprentice will have received $61 432.97 over the four-year period by way of wages. By the time the costs to the employer are taken out, notwithstanding that there is a subsidy of $3 000, the shortfall to the employer is $3 169.04. The employer finishes with the comment:

I agree that industry needs to train young people and that in these hard economic times a subsidy is warranted, but why can't we devise a simple and uncomplicated system which leaves some money with the employer?

I know from the results of a phone-in that I participated in last Sunday that a large number of employers are finding that there is no incentive to take on additional staff, even if there were any work to be undertaken in our present depressed state or even if there were an opportunity to find people who in many cases wanted to apply themselves to apprenticeship training. We still have the unfortunate circumstance that people want employment, but they do not want the responsibility that goes with it; that is, to become more useful to the person who employs them and gives them an ongoing opportunity for the rest of their life. I will not philosophise on that matter any further.

Finally, I want to extend my condolences to the parents, friends and other relatives of those—at least 12 people—who have lost their lives on South Australian roads this year when riding motor bikes. I have such parents in my constituency. A father called to see me one day last week indicating that his son, 23 years of age, for reasons which are unknown at present because there is to be a coroner's inquiry, met his death at 10.30 one evening on the Birdwood-Gumeracha road. He made the point that the lad knew that road well. He cannot explain or come to grips with the fact that he has lost a son of mature years. He feels a tremendous loss and believes that society and Parliament are failing to do anything to seek to restrict younger people in terms of speed, weight and the very nature of the use of a two-wheeled vehicle. None of us wants to be draconian and none of us wants to say to a number of people that they may not have a motor bike.

It is quite impossible to take away from persons who use a motor bike for getting to and from their employment the opportunity to travel by that means. Indeed, if they live in the country quite often it is the only means by which they can travel from their home to their work. I take up the cudgels on behalf of this parent who really is asking us as members of Parliament whether there is anything at all that Parliament can do to address this problem.

We have to accept this problem when we find that of those persons who have met their death on the roads in South Australia since 1 January at least 12 were riding motor bikes. Naturally, those on motor bikes are more vulnerable. I think we all recognise that fact, and certainly it is recognised by the insurance industry and the claims that come back to it by the very nature of insurance policies that relate to motor bike ownership.

I throw out the challenge to all members of this Parliament—I do not have an immediate answer, but I will look for one, and I hope that other members will also—to determine whether there is anything we can do in a positive way that will seek to redress this unfortunate set of circumstances that puts people on motor bikes in such a vulnerable position. Do we have to give consideration to leaving them with a motor bike but taking away some of the speed, or should we give them access to a motor bike but reduce the amount of horsepower that is embodied in it? I say again that I do not know the answer, but I give to the House this evening something for it to cogitate upon.

Mr FERGUSON (Henley Beach): I intend to bring to the attention of Parliament this evening a particular complaint that I have against one of our services that is considered by most members of Parliament to be usually a very efficient, courteous and satisfactory service. I refer to advice that was handed out to one of my constituents by the Legal Services Commission at Port Adelaide. Recently, I was approached by one of my constituents, a gentleman of 70 years of age who walks with a walking stick. He has problems with one leg and is not particularly mobile. He came to me on the advice of the Legal Services Commission following a query that he raised with the Port Adelaide office with respect to a problem that he was having under the Strata Titles Act. I do not intend to take sides as far as this problem is concerned, as all the people involved are my constituents and they all believe that they are right.

This gentleman's particular complaint was about a garage in a strata title unit that was being used as a gymnasium with consequential high noise levels that were, in my constituent's opinion, in breach of the strata title in which he is a partner. He received advice at the Port Adelaide office of Legal Services. I believe that these people are experienced enough to know that this gentleman's only recourse was to take the matter to the Supreme Court.

Many members will recall that from time to time in this House I have spoken about the need for changes to the Strata Titles Act, and I believe that it is an injustice that members of strata title companies, in order to seek redress for a problem that they might have, must take the matter to the Supreme Court. Legal Services officers are also of this opinion, and I believe that, in an attempt to put pressure on the Attorney-General, they sent this particular gentleman to my office knowing very well that I was not in a position to be of much assistance to him because the Act needs to be changed.

They suggested also that this gentleman consult the neighbourhood dispute service. I believe that this advice was pretty useless also because he had been through the activity of trying to mediate on this particular dispute without success. To make matters worse, when this gentleman came to my office, and in order to try to establish the exact reasons why Legal Services sent this constituent to see me, I telephoned the Legal Services office at Port Adelaide and asked to speak with the gentleman who provided the advice to my constituent in the first place.

The person concerned refused to take my telephone call with the excuse that he was interviewing someone at the time. The situation was that I had an aged constituent in my office who had difficulty with mobility, and who had been sent on a wild goose chase by the Legal Services office at Port Adelaide. When I tried to confer with the person who sent him to me, and who was actually engaged in a political activity, in my view, I found that he was not prepared to accept my telephone call.

I found this situation to be absolutely unacceptable. I took up the matter with the person who is second in charge of the Legal Services office in Adelaide, who said that he would investigate the matter. After a lengthy period I received a letter from that officer saying that he agreed with the decision that had been taken not to allow me to speak to the person concerned.

After a long argument with the person in charge of the Legal Services office at Port Adelaide, I was given the opportunity to speak with the officer who had provided the information to my constituent, and it is my opinion that he was, indeed, on a political campaign. His particular beef was with the Attorney-General for not changing the Strata Titles Act. I have no complaint with those who want to enter into a political campaign.

I have no problem with people who wish to change any Act of Parliament, and I agree with the position that these people have taken up: there ought to be changes to the Strata Titles Act. It is my opinion that the Act will be changed very shortly. However, what I do object to is that, when a member of the public goes to the Legal Services Commission seeking advice, the correct advice is not tendered to him. In this case, the person was not advised that his only recourse was to the Supreme Court and, further, he was sent on a wild goose chase.

From a subsequent conversation with a person who was second in charge of Legal Services I know that Legal Services officers had met and decided that it was appropriate that the Strata Titles Act be changed. I have no quarrel with their reasoning, because I believe that the Strata Titles Act ought to be changed. However, I feel that it is most unfair that a 70-year-old constituent who had problems with mobility should be sent from office to office in order to back up a political campaign by officers of the Legal Services Commission.

Generally speaking, the Legal Services Commission has provided a great service to my constituents. Forty per cent of its funding comes from the State Government and 60 per cent from the Federal Government, and I believe that the organisation deserves additional funding in order to increase the amount of work it is able to achieve. However, in this instance I believe that where a clear criticism is warranted it should be made. I hope that I do not see this action again, and that the Legal Services Commission will take note of what I am saying and not engage my constituents in political campaigns.

Motion carried.

FREEDOM OF INFORMATION BILL (No. 2)

A message was received from the Legislative Council agreeing to a conference, to be held in the Legislative Council conference room at 11 a.m. on Thursday 21 March.

At 9.40 p.m. the House adjourned until Thursday 21 March at 11 a.m.