HOUSE OF ASSEMBLY

Thursday 9 April 1992

The SPEAKER (Hon. N.T. Peterson) took the Chair at 10.30 a.m. and read prayers.

CITIZEN INITIATED REFERENDA

Adjourned debate on motion of Mr Lewis:

That a select committee be appointed to consider the desirability or otherwise of having citizen initiated referenda and in particular to consider—

(a) the frequency (at what intervals) such questions should be put;

(b) the form of any such questions (that is, to disallow any law, change a law, make a new law);

(c) how to decide if a question should be put;

(d) whether attendance at the poll should be voluntary; and

(e) any other matter relevant,

which Mr M.J. Evans had moved to amend by leaving out all words up to and including 'referenda and' inserting in lieu thereof the following words:

That this House resolves to refer the matter of Citizen Initiated Referenda to the Legislative Review Committee.

(Continued from 1 April. Page 3810.)

The Hon. JENNIFER CASHMORE (Coles): I am not in support of this motion in its present form, the reason being that I have very deep concerns about citizen initiated referenda. I will explain the reasons for those concerns. First, it is important to put in context the reasons why there is such a move at community level, and now in this Parliament, for citizen initiated referenda. It must be clear to any of us that the electorate feels that Parliament is not effectively or sufficiently representing the interests of the people. If Parliament were fulfilling that role effectively and properly there would and could be no such moves. Therefore, before looking at the proposition, we must consider the deeper reasons why the proposition has surfaced.

There have been many speeches over recent months and, indeed, years about the reasons why people are alienated from Parliament. It boils down to the simple fact that they feel that Parliament is becoming irrelevant to their needs. The Party system has become almost brutal in its discipline, and that is why we are seeing the emergence of Independents. When the pressures of that discipline become too great, some people simply opt out of the system on matters of principle and in the interests of those whom they represent. We can see various straws in the wind as to the reasons for dissatisfaction among the electorate with the way in which Parliament is operating.

The overwhelming power of Executive Government has reduced the influence of individual members. That means that the capacity of individual members to represent the interests of people in their electorates is correspondingly reduced. All those frustrations are building up to the point where there is a move to put power back where people feel that it should be—in the hands of the people. It is fair to say (and I say it with great conviction) that we have only ourselves to blame for the moves for citizen initiated referenda. But that does not mean that I necessarily support those moves. I hope and believe that better ways can be found of making Parliament more responsive to the wishes of the people than a proposition for citizen initiated referenda. Let me explain some of the reasons why I am opposed to it. My first ground—

Mr LEWIS: Mr Speaker, I rise on a point of order. The debate is about whether to refer the matter to a committee and not about the merits of having a referendum which citizens can initiate or not and I invite you to rule on the relevance of the remarks by the member for Coles to the substance of the proposition.

The SPEAKER: Order! The Chair notes the point of order raised by the member for Murray-Mallee and will listen closely to the contribution by the member for Coles and, if the contribution is not within Standing Orders, I will draw the honourable member's attention to it. The member for Coles.

The Hon. JENNIFER CASHMORE: Thank you, Mr Speaker. I believe that it is important to address the issue of citizen initiated referenda (CIR) because, if one does not support the proposition, obviously one does not support its further examination or referral to a select committee. It is reasonable in this debate to address the actual question of CIR. If we acknowledge the specific terms of reference that the member for Murray-Mallee has placed as being appropriate for a select committee to examine, I think we have to examine the issue itself as well as the appropriateness of the terms of reference.

In my opinion, the risk of the role of Parliament being usurped by community groups is quite serious when this proposition is examined. One could ask how that can occur and it depends on what method is used, but the method of Westminster parliamentary representation places in the hands of members of Parliament the full representative role. That is of course complementary to the multitude of other methods by which individuals can influence public policy, and they can do that through advocacy, through representation and through influence of all kinds. As I say, my concern is that the power which should be vested in Parliament may be transferred to interests which are manipulated by those who have the economic power to do so.

Mr Ferguson: As in California.

The Hon. JENNIFER CASHMORE: As the member for Henley Beach says, as in the case of California, where considerable sums can be spent on obtaining sufficient numbers of signatures on petitions in order to carry a referendum or to get a referendum up to a point of being put. That distorts the Westminster system. I am not talking about Switzerland, where there is a totally different tradition. That is a small country with a long tradition of elector involvement in major decisions. Our system is not like that. The fact that this motion has got on to the Notice Paper and requires the attention of Parliament is to my mind a clear indication of the frustration of significant sections of the public with the way that Parliament is operating or rather, I should say, failing to operate.

I find considerable difficulty in accepting the proposition that there is sufficient merit in this case for it to be referred to a select committee. I would think that the Legislative Review Committee, which is the proposition embodied in the amendment of the member for Elizabeth, is a more acceptable one. I would like to amend the amendment of the member for Elizabeth. Accordingly, I move:

After the word 'referenda' in the third line, insert the words 'and policy juries to the Legislative Review Committee.'

I shall bring that up in writing at the conclusion of my remarks, Mr Speaker. I include the words 'policy juries' to give the House the opportunity to realise there are options other than citizen initiated referenda that enable people to have a participatory role in public decision-making.

Very briefly, policy juries can be defined as juries established under statute in the same way that juries operate in the courts. People are chosen at random from the community and are presented with expert evidence in terms of policy, and they express their view. The acceptance of their view is not mandatory upon any government, but it is

published and provides strong moral justification for governments to take into account the opinions of people chosen at random from the community. It is a simple measure which I have not had the opportunity to explain in detail to the House but one that is worthy of consideration. Because I have deep concern about citizen initiated referenda, but equal concern about the way in which Parliament is failing to respond effectively, this is an additional measure that could be considered by the committee.

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

Mr FERGUSON (Henley Beach): Our committee has met, and we will support the member for Elizabeth's amendment to this proposition, with which the member for Murray-Mallee, I believe, will be reasonably satisfied. The amendment of the member for Coles to the amendment has been sprung on us, and we do not really know what a policy jury means, what it actually is or what it does. Had we had more time to discuss the matter, we may have been able to support the amendment to the amendment. We do not know what it really means so, at this stage, it is most unlikely that we will support the amendment to the amendment.

I agree with many of the remarks of the previous speaker. By and large, the general public is sick of Executive Government. It is not unusual for legislation to be pushed through this place without proper consultation. With the way the system works, we accept amendments in this place at the last minute that alter the course of legislation, so to speak, at the court's door. Many a person who has a deep interest in particular legislation is puzzled by some of the amendments that are cobbled together in another place. In many ways this House is forced to accept those amendments in order for the legislation to pass.

I have often wondered how groups outside this place, who have a deep interest in particular subjects, actually tolerate the last-minute decisions that have been made by the Legislature. With the way the system works, it is often only the Executive of the Legislature who accept or reject the eventual legislation with which we finish up. So, to a certain extent I agree with the proposition that the constituency outside would, indeed, like to have more input into the sort of legislation that we put through this place.

From time to time we say that we consult with various outside agencies and, indeed, up to the time of the second reading stage a lot of consultation takes place but, in my experience, after matters have reached this place I have seen some tremendous reversals of opinion. Sometimes the acceptance of certain amendments to legislation has given it a totally different flavour than was originally intended. So I can understand why there would be people who are disillusioned by the system.

I have a problem with the original proposition, because we have seen the way in which a disenchanted constituency in America—in California, for example—insisted that its Legislature was being run by big business, and it wanted to have input into what was happening in the Legislature itself. As a result of that, legislation was introduced to allow for citizen initiated referenda. The problem was that big business then took over that process.

An honourable member: Where is the evidence?

Mr FERGUSON: I beg your pardon, but it is—

The SPEAKER: Order! The honourable member will address his remarks through the Chair.

Mr FERGUSON: I would be very pleased to hear the contribution from my colleague on this matter, but the proposition, particularly in reference to taxation, was that big business took over the referenda in California, and it so crippled the Legislature by reducing its ability to impose taxation that the whole governmental system was breaking down. This is one of the problems that can arise out of a situation where citizen initiated referenda takes place. There is a different tradition in Switzerland, for example, and no doubt when my colleague gets up he will be able to inform me about that, but I do not see how that system, with centuries of tradition, will actually work here.

It would appear that for one half of this speech I have supported the proposition and for the other half I have argued against it, but this does not stop me from supporting the amendment that this matter should go to the Legislative Review Committee. One of the reasons why I support it is that this is the very reason we set up these committees. The fact that this matter can be referred to a committee gives the citizens of South Australia the opportunity to have input on any question that arises so far as the Parliament is concerned. This particular committee is able to call witnesses, who may be any member of the public who wishes to make a contribution to this proposition. This will overcome the very objections that I have been talking about concerning the constituency not having enough input into the legislation.

I do not want to commit myself to the legislation, because it is very likely that when the matter comes before this House again I will vote against it. However, I believe that everybody, including the member for Spence, ought to have the opportunity to put their case to a properly constituted parliamentary committee so that they can try to convince the Parliament that they are right and that other people in the Parliament are wrong.

I believe that this is an ideal proposition to put to a select committee. It is something where the examination of the whole thing, both of the American system and of the European system, can be looked at in depth. Evidence from witnesses can be taken and members of Parliament can provide to the committee their points of view, to try to ensure that the committee's decision is right. We can then come back to this place with a recommendation that has been properly examined in all aspects and we can come to a considered decision. It will give the opportunity for the constituency to have an input and will overcome the very reason why this sort of legislation has been put up. I agree with the member for Coles that the Executive in a sense has taken over and the installation of these committees will give the general population an opportunity to do something about it. I indicate that in due course I will support the amendment.

Mr ATKINSON (Spence): It was one of the original policies of the Australian Labor Party in the 1890s to introduce initiative and referendum, and that was because at that time we were certainly a people's Party and we trusted the people. I think the distinction here between people who support initiative and referendum and those who do not is that the former group is prepared to trust the people and the latter group is not. The member for Coles defended the theory of parliamentary sovereignty and said that initiative and referendum might derogate from the British principle of parliamentary sovereignty. I can recall a number of occasions on which the member for Coles has attacked the idea of parliamentary sovereignty in favour of a separation of powers model, the American model, as opposed to the British model; so I am surprised to hear her taking a stand in favour of legislative dictatorship today. The member for Coles quoted Dicey's theory of parliamentary sovereignty.

She might be interested to know that Dicey spent the last decades of his life arguing for initiative and referendum.

When the theory of parliamentary sovereignty evolved in Britain, electoral technology was a great deal different from what it is today and there were no means then of the wider electorate recording its preferences on a particular proposition, so remote boroughs and shires sent their knights to the Commons to represent them, and only a tiny fraction of the population could vote. That is our tradition, I will admit, but we now have the technological means to allow the electorate as a whole to express its opinion on propositions, and I believe that we ought to give them that opportunity through initiative and referendum.

We have not had the opportunity so far to discuss the various techniques and safeguards that could be introduced in relation to the member for Murray-Mallee's proposal, and we do not have time to do that today. However, Mr Speaker, you should be assured that, in California and in Switzerland, and in the many other states that have initiative and referendum, there are quite proper and fair procedures to ensure that there are no abuses of this procedure. Members may wonder why the Australian Labor Party ever abandoned initiative and referendum. It did so at its 1963 Federal Conference, and elitists were very much in the vanguard in removing initiative and referendum from out lecturer of mine, Mr Geoffrey Walker, entitled *Initiative and Referendum: The Peoples Law.* At page 21 of that book, explaining the ALP's abandonment of initiative and referendum, he says:

> The main reason given was that the people could not be expected to understand the legislation introduced by the Party and might, for that and other reasons, vote against it.

That is a very good summary of our sad abandonment of initiative and referendum. There is certainly nothing in the Labor Party's policy against initiative and referendum, so I would hope that the parliamentary Party would be free to consider this matter on its merits.

I want to deal with comments made by the member for Henley Beach, who said that the moneyed interest in California was able to take over the process of initiative and referendum and manipulate it. That is just not right. The honourable member's claim that proposition 13, under which land tax was abolished in California, was an initiative of big business and prevailed because of big business money is just not correct. The advocates of proposition 13 were outspent by its opponents. That is on the public record: the people against proposition 13 spent more money in opposing it than the advocates spent in supporting it. Indeed, the opponents of proposition 13 raided the funds of Treasury, community groups and trade unions but were unsuccessful. The fact is that Government-supplied pamphlets arguing the case for and against a referendum can balance any influence of money.

I refer again to Geoffrey Walker's book (page 87)—and I ask the member for Henley Beach to listen carefully; he says:

> In California from 1972 to 1976, six of the eight measures on which advocates spent more than opponents were defeated. For all 16 measures from 1972 to 1976, the side spending the most money was successful in only eight instances.

From his survey of the evidence, Geoffrey Walker draws the conclusion that we can spend money to defeat a referendum, but we cannot spend money successfully to advocate one.

I must say that my personal reason for supporting initiative and referendum is that, week by week, constituents come into my office or write to me about controversial matters on which everyone has an opinion, such as the death penalty and abortion—just to mention two issues. In my view, there is no question that there is a permanent majority in this House against the death penalty, and I am one of those who is opposed to the death penalty. Nevertheless, I recognise that among my constituents a clear majority is in favour of it, and that majority in this State is not being represented in this House.

Mr Ferguson interjecting:

Mr ATKINSON: The member for Henley Beach interjects. I share his opposition on the death penalty but, in doing so, I am not representing my constituents.

Mr Ferguson: You've got to have courage, my son.

Mr ATKINSON: I do have courage, and I will argue in this House against it. However, initiative and referendum is a principled and effective way for the politicians to say no to pressure groups by putting a referendum to the people and letting the people deal with an issue.

Mr LEWIS (Murray-Mallee): I thank the House for its attention to the matter I brought before it only very recently. I am pleased to be able to conclude the debate to let us determine how best to deal with this proposition. I had not expected this measure to have such a swift passage. I am grateful that we have been able to resolve the matter in this fashion. I will address the substance of remarks made by members who have contributed in this debate. The member for Napier, who spoke first after my motion was put to the House, described the CIR proposal as wimpish; he might do well to examine the real definition of 'democracy'.

I do not see it as in the least bit wimpish to provide citizens with the opportunity to express, each side by side in value with the other, their opinion about great social issues that do not fit within the philosophical framework of the major groups contending for executive power in society. Accordingly, to have such referenda, and to have them initiated by the citizenry through some process defined and determined in law, is a good thing: it adds to the dimension of democracy and strengthens the respect which people have for the institutions that make their laws and the relevance of those laws on their life and does not detract from them.

Therefore, I would ask the member for Napier to give the people an opportunity to express their view to a committee of the Parliament. I am sure that that is what the honourable member will do, as other members have suggested that that will be the course of action they will follow in a vote. The other point the member for Napier made was that postal votes would not work. What he failed to understand was that I had suggested that the committee should examine whether or not people could go to a post office, for instance, sign for a ballot paper (the ballot paper being the paper upon which the questions were placed), have their names struck off the roll and then leave the ballot paper at the post office for delivery back to the Electoral Commission, where it would be counted.

I am grateful to the member for Coles for her contribution, although initially in her debate she focused on the merits or otherwise of CIR rather than on whether to have a parliamentary inquiry into what the public wants in this regard. Her interesting and unique amendment has my support, notwithstanding the fact that, in the final 10 years of his life, the initial proponent of this idea—Dicey—as was pointed out to us by the member for Spence, regarding the notion that we should have CIR, advocated the approach of policy juries.

The other comments of the member for Coles, I believe, should be examined carefully by the committee. The member for Henley Beach told us that a committee had met—

and I do not know what that committee was, but I am curious about it—and had decided to consider whether to accept the amendment. The member for Henley Beach did not know whether he would be able to accept the amendment of the member for Coles. I am nonetheless confident that the wider the range of the inquiry by the committee of the Parliament—and I will accept the amendment of the member for Elizabeth—the better will be the report, and the better will be our deliberations upon that report when we get it.

It is a pity that the member for Henley Beach found it necessary to have two bob each way, but I do not mind that. The report will enable us to resolve it, as a place in this Parliament. I thank the member for Spence for his contribution to the debate. In this Parliament now we have the means by which we can provide the people with the opportunity to tell Executive Government what they feel about important issues, and the committee of the Parliament can examine how best to approach that. I thank the House for its attention to the matter and commend to the House the amendments and, finally, the motion as amended.

The Hon. Jennifer Cashmore's amendment negatived; Mr M.J. Evans's amendment carried; motion as amended carried.

TRAFFIC INFRINGEMENT NOTICES

Adjourned debate on motion of Mr Gunn:

That the regulations under the Summary Offences Act 1953 relating to traffic infringement notices, obscuring numberplates, made on 13 February and laid on the table of this House on 18 February 1992, be disallowed.

(Continued from 2 April. Page 3856.)

The Hon. B.C. EASTICK (Light): I have pleasure in supporting my colleague's motion. Whilst it is specific in relation to the obscuring of numberplates—and by no means do I believe that anyone should be able to flout the law—I am concerned about the number of these activities which bring upon transgressors—

The SPEAKER: Order! Will the members having a meeting at the back of the Chamber please resume their seats.

The Hon. B.C. EASTICK: I am concerned about the alleged transgressors in a number of areas of motor vehicle activity who find themselves delivered with an expiation notice and threatened with being taken into court if they do not expiate or threatened with having to prove themselves conclusively to the police; otherwise, they will be taken into court. To give members a couple of quick examples, I received in the past days a very interesting letter from a constituent who was a bus driver. As such, he was responsible for the safety of his passengers and responsible to the company that employed him. He had a double-decker coach of 410 horsepower which was capable of being handled like a racing car if you knew how to handle it. It had on it a tachograph, as required by law interstate. On two occasions, notwithstanding that the bus had a tachograph on it, he was threatened with being taken into the New South Wales court system for having exceeded the 100 km/h speed limit.

Mr Hamilton interjecting:

The Hon. B.C. EASTICK: The honourable member is a step or two ahead and, if he listens, he will appreciate that I have a point to make. I make it on behalf of a lot of people who are placed in invidious positions by a number of pieces of legislation of which that referred to in the motion moved by my colleague is but one. It was compulsory that the tachograph be placed on the bus. If the driver had an accident, the findings of the tachograph would have been used as admissible evidence to determine whether he had transgressed his responsibilities as a driver, and so on. However, when he was taken to task by the police as having exceeded the speed limit, he was not able to take that tachograph record and submit it to the court to prove his innocence in relation to the speed that he was alleged to be doing.

He made the point that, on the second occasion that he was called upon by the police to show cause, he was on an incline and climbing, yet it was claimed that, in a vehicle with a tachograph, he was doing 116 km/h uphill—something which the passengers, who were in a position to know what he was doing, confirmed he was not doing. He had the evidence on the tachograph that could have exonerated him in the eyes of the law, yet he was not able to use that information.

We have had a number of examples of the use of the red light cameras. I am quite happy for them to be there. Unfortunately, we cannot say that we paid homage to a very positive attack on road carnage without accepting the existence of a number of those operations. It is vitally important that in every case we be quite certain by scientific proof that the manner of operation of those various pieces of equipment and the interpretation of the results as indicated by this equipment is clearly understood and clearly directed to the attention of the individual who has been charged. In so many cases it is difficult to get the evidence that is required to determine whether or not a person is guilty until they get right up to the court door, and that should not be the case.

Whilst supporting the concerns expressed by my colleague in this matter, along with him I draw attention to the very serious concerns that a number of people have in relation to the implementation of a number of these activities. There is a grave concern in the public mind, I believe proven by example, where people are being victimised by some overzealous operators of Government legislation, be they in the police or in the inspection unit.

My colleague, the member for Eyre, has frequently spoken of difficulties that occur in relation to people in large trucks who travel through Port Augusta, where certain operators wait on bends to pull them over and weigh them. This has been through the courts and has been proven against the operators. The police used to pull them over on a bend, then put the weighing machine under the truck, all the weight having been tossed onto a particular wheel instead of the machine being operated, as it is supposed to be, on flat ground. The person has then been taken to court and charged with driving an overweight vehicle.

The Hon. H. Allison: What a waste of time!

The Hon. B.C. EASTICK: What a waste of time, as my colleague says. It is not always in the interests of the individual driver to take a matter to court, because some elements have knowledge of victimisation of a person who stood up for their rights. I talk in general terms relating to this motion, because they are the fears which are rife in the community and which I believe some authority or this Parliament should address in due course, to ensure that the interpretation of what was intended and what is written into the law is being carried out by the enforcers.

An honourable member interjecting:

The Hon. B.C. EASTICK: I don't care whether it was this lot that introduced it in 1982 or some other lot that introduced it in 1983; the point is that if we are doing our job properly we need from time to time to review the effect upon the community to see whether this measure is operating efficiently, whether it is achieving what it was meant

to achieve and, more particularly, to make quite sure that people are not being abused or unfairly taken into a court system that in many ways has been thrown out of balance by the ease of giving expiation notices.

I recently had a case of a constituent who received an expiation notice for not being able to hand over his licence at the time that he was pulled over to show his licence because he was on P plates. He said, 'The licence is in the car. I cannot find my wallet; it is here in the car. I am late for work, so I will take the licence to the police station immediately after work.' He did this, but it still cost him, because the law provides that he must give up his licence when demanded, because he is on P plates. Here is a case that went to an arbitration with an inspector of police, but it still cost the person involved. His regard for the law has very seriously been hampered by that example.

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

Mr LEWIS (Murray-Mallee): I want to underline further in a few brief minutes the remarks made to the House by the member for Light during the course of his contribution. We should understand that we have a responsibility to make laws that enhance the common welfare of everyone and the convenience with which they can enjoy the freedom guaranteed to them as citizens of a democracy. This kind of approach to the law, which was referred to by the member for Light and which is implicit in the motion of the member for Eyre, is not happening. We are losing respect in the community because the sorts of laws that we introduce particularly by way of regulation are more about the convenience of the bureaucrats who administer the law than about protecting the rights of the citizen against miscreant elements in the community at large. That ought not to be the case, but sadly it is—and it is becoming increasingly the case.

Where Government departments have a responsibility to administer the law and enforce it, as is the case, for instance, with the traffic law as we know it, they tend to seek the simplest possible way to do so, and in that process they do not consider the interests of the citizen whose behaviour is being examined to see whether or not it complies. This particular instance is about traffic infringement notices that will be issued to people whose infringement is allegedly discovered by a piece of technology.

In general terms, my contribution is the same as that of the member for Light's, but in specific terms it adds to what he has already said. I have said in this place—and publicly outside it—that the technology upon which law enforcement depends is basically and fundamentally flawed. I have explained to the House in the past that radar is a part of all electromagnetic radiation in the same way as radio and television signals and even the visible spectrum of light. The length of those signals and the manner in which they are measured, intercepted, enhanced and interpreted depend upon technology and also upon there being a consistent background level of such phenomena in the ether, that is, in the atmosphere as well as moving through solid mass naturally occurring, such as trees, stone, bricks and mortar and other objects that exist by virtue of natural occurrence or as man-made objects. I hesitate to use the term 'man-made' because these days I think one is supposed to say that an object has been made by humankind. The fact is that it is not consistent and it is not homogeneous.

The variation is in the kinds of materials from which those objects are made and through which the electromagnetic radiation passes and is in the consistency and the effect that that has on the passage of those radio waves and the way they are diverted into peculiar phenomena; but it also varies because they are affected by a substantial overlay of cosmic phenomena. It is not just a light that the nerves in our eyes can see coming from other objects in space beyond the envelope of atmosphere surrounding this earth, but also every other wave length in the spectrum of electromagnetic radiation. Just because we can see only a limited part of it does not mean that that is all there is.

The radiation coming to earth as well as going past it is not something over which we have any control. Moreover, those electromagnetic forces that are present perpetually in varying intensities in the atmosphere are caused by phenomena in the atmosphere such as clouds and the density of those clouds; the speed at which clouds of moisture and dust are moving as a mass over the surface of the earth; and their relative velocity to that of the atmosphere in which they are suspended.

They all dramatically affect electromagnetic radiation, so they interfere with the signals from these hair dryers that are connected to cameras to take a picture of your numberplate, and distort it. There are some days on which it is absolutely iniquitous to be using that technology to pick up motorists said to be speeding. I have not been booked for speeding by anyone operating that equipment, but I can prove to any member in this place that it is not stupid to find that a stobie pole is clocked at 70 k/mh or that other objects passing in front of the radar beam are found to be moving at speeds greater than the speed permissible in law. The Doppler effect is distorted by the presence of other electromagnetic radiation, and that is the effect on which this technology relies. That is why it is basically flawed.

Any member who thinks that that is not the case can come with me and I will prove it in a laboratory as well as out on the roadway. For that reason I raise my voice in protest against these regulations, as has the member for Eyre, because the Government uses this technology to save the cost of collecting revenue in the form of fines. And this technology is crook. It destroys the trust of people in the way in which the laws are made and administered when they find in all innocence that they did not commit an offence yet the law says they are guilty of that offence because the technological equipment said so. Nothing else is required: that is why it is dead wrong.

Mr QUIRKE (Playford): I was not going to enter this debate, but I just cannot let some of the things that have just been said go without some sort of response. One of my colleagues came in here a moment ago and asked me what issue we were dealing with. I had to look at the Notice Paper. I turned it sideways and I turned it upside down, and I was not sure what item we were dealing with. We could have been on Erich von Daniken's book: we could have been on some other debate about cosmic rays and forces out there, Rosicrucians, and other things, but what we were on about is people out there who have developed the habit of obscuring their numberplate to avoid detection.

That is what it is all about. Either we have the speed cameras and those sorts of things or we do not. It does not matter what day of the week it is; it does not matter whether the sun has gone 'pop' with a solar flare, as we were told a moment ago; or that there are magnets flying around, or someone is carrying around the new calendar the member for Albert Park is sending out to his constituents with the fridge magnets on them. The reality is the obscuring of a numberplate to stop people who are breaking the law from being booked.

It pains me that people in this State are fined for breaking the law, speeding and the rest of it, but it pains me much

more that there are 200 people on average each year dying on the roads. In fact, some three or four years ago it was almost double that number. In 1970 over 300 people were involved in the road carnage each year, and it took us 16 or 17 years to bring it down to an average of 200 a year. In fact, 200 is too many. The reality is that speed cameras, red light cameras and random breath tests are all very painful measures, but they are saving literally hundreds and hundreds of lives.

If we support the measures suggested in this motion—and particularly those suggested by the last speaker—we will be aiding and abetting those people who are recklessly endangering not only their own life but also the life of others. I point out to the member for Murray-Mallee that we live in a civilised society but, unfortunately, certain people are not prepared to cooperate with all the reasonable measures that a civilised society requires. As a consequence of that, the force of law is necessary.

Enough has been said in this debate. The contribution of the last speaker was one of the most interesting and intriguing contributions I have heard. The way of the world is certainly fascinating. I must say that I will never listen to a radio broadcast or watch a television program again in quite the same way. I now think that some of these science fiction shows about the flattened cereal crops and so on may have something in them. It is possible that some of those flying saucers came down to ruin the speed cameras.

Mr HOLLOWAY secured the adjournment of the debate.

PUBLIC SECTOR ASSET MANAGEMENT DEVELOPMENTS

Adjourned debate on motion of Mr Groom:

That the First Report of the Economic and Finance Committee relating to Public Sector Asset Management Developments 1988-91 be noted.

(Continued from 2 April. Page 3857.)

The Hon. H. ALLISON (Mount Gambier): In speaking to the first report of the Economic and Finance Committee on Public Sector Asset Management Developments 1988-1991, which really represents the culmination of years of work by a committee, I invite all members to examine afresh the former Public Accounts Committee reports which were handed down between August 1986 and April 1987, on State asset management in eight major Government departments. Those reports were substantial in at least two ways: first, by their volume—and I suspect that many members were deterred from reading them because of their great detail—and, secondly, by their implication for State budgets, because the reports highlighted the relative absence of asset registers within Government departments, with the obvious corollary that if the extent of assets is unknown it is impossible accurately to estimate the rate of depreciation, their value, and the need for repair or replacement.

An honourable member interjecting.

The Hon. H. ALLISON: That which is unknown cannot be estimated. An obvious implication was that many of our managers were crisis managers with no real idea or intention of planning for the future. These reports call for departmental heads to compile asset registers as a matter of priority, to report to Parliament and to make proper budgetary allocations for asset maintenance. A few departments were already alert and performing well; others were not and still are not. An amazing fact is that those asset reports were held in high regard by Governments, interstate and internationally, with our members and officers of the Public Accounts Committee in demand to lecture, and the reports were sought by many Governments as model documents for the proper management of assets. The reports also predicted the rate of depreciation.

The SPEAKER: Order! The honourable member for Morphett.

MINISTERS' ATTENDANCE

Mr OSWALD (Morphett): I move:

That this House expresses its concern at the failure of Ministers to come into the House during private members' time to respond to motions which affect their portfolios and who delegate their responses to junior backbenchers who have no responsibility for the subjects raised.

In discussing this motion with members of this House only two days ago, the question was raised about Ministers being allowed to get on with the business of Government. Indeed, those members came to the defence of Ministers and said that they should be able to use Thursday morning to administer their departments. In reality, that argument is false, because the Ministers are here in the building on Thursday morning. My motion is intended to do something about lifting the level of debate in private members' time by bringing into the House the Ministers responsible for the subjects raised in the motions to put a point of view on behalf of the Government. Two or three questions come to mind in this type of debate. Are the Ministers treating Parliament with contempt by not coming into the—

The Hon. M.D. RANN: On a point of order, Mr Speaker, it appears that the honourable member is reflecting on the conduct of other members, including the Minister presently on the front bench.

The SPEAKER: The Chair assumes that the Minister is alleging that there is a reflection upon Ministers. The Chair understood it to be a question being posed as to whether a situation existed rather than an allegation that it did exist. The honourable member for Morphett.

Mr OSWALD: Thank you, Mr Speaker. It raises the question as to why Ministers will not come in here and answer the motions that are moved by members. Another question that could be asked is: do they believe that the views of backbenchers are irrelevant? In other words, private members' time has become a forum for ordinary members, not Ministers.

Members interjecting:

Mr OSWALD: I am surprised that members are so sensitive on this subject. They are coming to the defence of their Ministers, and that makes it clear that I am on solid ground. They would never react at all on matters like this or become rowdy unless this were sensitive ground. I can understand members wanting to defend their Ministers, because in reality the Ministers do not come in here for this hour of private members' time to face the questions posed by way of motions. Indeed, many questions go unanswered, and frustrations continue in this Chamber because the Ministers do not come in and front other members of Parliament when they raise matters of public concern.

We can also ask: are Ministers frightened to confront issues that are brought before the House? It is all very well for them to come into the House when they have a Bill before it and they know that they have the support of their Party. However, when a private member's Bill or motion comes in, which is usually on a matter of public concern because something is happening in a member's district or in some area in which there is interest or possible controversy, Ministers will not appear in this Chamber.

That is the question we are asked to address in this motion. Why is it that, when we have a matter of public concern that is embarrassing or could prove embarrassing to a Minister, the Minister will not come into the Chamber despite the fact that Ministers are in the building and instead put up some hapless backbencher to take the flak on behalf of the Government?

Members interjecting:

Mr OSWALD: That is why members opposite are upset, because they know that I am right. When the abuse starts to flow from Government members, we know that we are right.

Members interjecting:

Mr OSWALD: They are at it again today, because the backbenchers are left to defend the Ministry whenever the Ministry is in trouble. The Ministers do not come into the Chamber. One only has to go through today's Notice Paper for several examples. I refer to Orders of the Day: Other Motions—No. 1, which is a motion put up by the member for Bright referring to a transport matter. It refers to the commencement of construction of phase 2 of the third arterial road in order to alleviate traffic problems on Brighton and South Roads. That is an enormous issue in the local district and we know that it is an issue embarrassing to the Government, but it put up the member for Mitchell to answer.

The House wants to hear the Minister of Transport's views, because he is the Minister who sits in Cabinet. He sits in Victoria Square and has the ear of the Director-General. He is the Minister who makes the decisions, yet we have to put up with the remarks of the member for Mitchell, who is an honourable gentleman. I have no complaints about the member for Mitchell, but the motion is directed to the Minister who should come into the House and tell us what he and the Director-General are thinking about on that issue.

I refer now to Orders of the Day: Other Motions—No. 3 which was moved by the Hon. D.C. Wotton and which concerns an environmental matter. Again, the member for Mitchell was asked to respond on behalf of the Minister for Environment and Planning. I will say that in respect of agricultural matters we have regularly seen the Minister of Agriculture address the motion directly when he has seen a matter on the Notice Paper affecting his portfolio. I acknowledge that, because the Minister of Agriculture has been very good, but many other Ministers stay in the basement of this building and ask members on the backbench to defend them.

I refer to another motion moved by the member for Custance concerning Australian National and the STA. Again, the Minister put up the member for Stuart to respond. She has an interest in the matter because she lives in Port Augusta, but I am sure that the member for Custance wants the views of the Minister of Transport. I believe the honourable member is entitled to that view, and the level of debate on that motion would have been enhanced if the Minister came into the House, taking three minutes to walk from his office downstairs, and made a contribution. The Government has its Whip and gets the Notice Paper the day before these matters are considered. Members know what motions are coming on in the morning and Ministers could easily schedule their time to devote five minutes to the Chamber and lift the level of debate by putting a point of view on behalf of Cabinet. Then they could go back to their ministerial business.

Another matter, which was raised by the member for Bright, calls on the Government to abandon its shortsighted decision to cease operating public transport on Sundays. This is a contentious matter and one to which the Minister, if he had the guts, would have come in here immediately and responded on behalf of the Government, but he did not. The Minister put up the member for Napier to respond, but the House is not interested in the view of the member for Napier on behalf of the Government. He is no longer a member of the Government—

The Hon. T.H. HEMMINGS: Mr Speaker, I rise—

Mr OSWALD: —and he will be on his feet now protesting.

The Hon. T.H. HEMMINGS: Mr Speaker, I rise on a point of order.

The SPEAKER: It must be a specific point of order.

The Hon. T.H. HEMMINGS: Mr Speaker, it is a specific point of order. I draw your attention to Standing Order 127, which provides:

> A member may not:
> 1. digress from the subject matter of any question under discussion,
> 2. or impute improper motives to any other member,
> 3. or make personal reflections on any other member.

I take personal exception to that comment made by the member for Morphett in regard to me and my contribution to a debate. It was a personal reflection on me, my family and my constituents.

Members interjecting:

The SPEAKER: Order! I do not uphold the point of order. The honourable member made a general observation as to whether the House was interested in the contribution made by the honourable member. I do not believe that is a direct reflection upon the member for Napier; rather it is a comment made by the member for Morphett in the debate.

The Hon. T.H. HEMMINGS: I bow to your ruling, Sir.

The SPEAKER: One would certainly hope so. The honourable member for Henley Beach.

Mr FERGUSON: On a point of order, I refer to Standing Order 118 which provides:

> A member may not refer to a debate on a question or Bill of the same session unless that question or Bill is presently being discussed. With the indulgence of the House, however, a member may allude to such a debate for personal explanations.

The member is alluding to debates held previously in this session. Would you rule on that, Sir?

The SPEAKER: Order! On the surface, the point of order raised has some merit. However, the member for Morphett has not directly referred to the debate as such or to the content of that debate. Because general reference is allowed in debate in this House to other matters that are not under debate, I do not uphold the point of order. I remind members that frivolous points of order—and I am not suggesting that they have been so far—will be dealt with by the Chair.

Mr Ferguson: He should get the extra time.

The SPEAKER: The member for Henley Beach is definitely out of order.

Mr Ferguson: Sorry, Sir.

The SPEAKER: Apologies afterwards are not acceptable. The honourable member for Morphett.

Mr OSWALD: Thank you, Sir; you took the words out of my mouth. Those last points of order by the members for Napier and Henley Beach have been nothing short of frivolous, designed to do nothing else but waste the time of this House. That only highlights the standard of debate to which this hour of private members time has degenerated. Government members are aware that what I am saying about their behaviour and the way this hour is conducted is true. The level and standard of debate, including the subject material, has been debased. The example of the last two members only highlights the way they are moving to

distract members from the subject before the House which, in this motion, is very simple: that Ministers do not come into this Chamber to face members when matters of public importance are raised. They put up Government backbenchers to take the flak. If we raise the subject and protest, the same backbenchers raise the same frivolous points of order so we cannot have our say and make our point. I now get back to the debate.

The SPEAKER: Order! The honourable member is not reflecting on the Chair by referring to frivolous points of order, surely?

Mr OSWALD: Not at all, Sir. I am referring to the members who raised those frivolous points of order a short while ago, with no intention other than to waste the time—

The SPEAKER: Order! The member will resume his seat. First, the Chair has ruled that they were not frivolous points of order. I dealt with them as genuine points of order. The caution given by the Chair was that, if frivolous points of order were raised, they would be dealt with. I caution the member about reflecting on the Chair. The member for Morphett.

Mr OSWALD: I would never reflect on the Chair. I have the greatest respect for you and your high office. In conclusion, I will refer to two other examples before this matter is put to the vote. The member for Eyre raised a very important matter on the role of country hospital boards. I think this is a most important subject and policy within the South Australian Health Commission. The response came from the member for Spence. We all have an affection for the member for Spence but, once again, he is not the appropriate member to come into this Chamber and talk about the South Australian Health Commission on behalf of the Deputy Premier of this State.

The Deputy Premier is the member who should be in here; and he is the member who must put Cabinet's view so that the level of debate—in this case on country hospitals boards—can be lifted. I commend the motion to the House. It is a matter of importance to bring in a level of debate which we have not had before, and also to make the public realise that Cabinet Ministers are accountable. If they claim to be accountable, let them come into this House and respond when private members put up matters of public concern, and not stay down in the basement of this House and nominate other members of their Party to stand up on their behalf. I commend the motion to the House.

The Hon. T.H. HEMMINGS (Napier): Mr Deputy Speaker, I should like to remind you that I have been appointed by this side of politics to speak to the motion for the full 15 minutes.

The DEPUTY SPEAKER: Is the honourable member speaking to the motion?

The Hon. T.H. HEMMINGS: I am the lead speaker, Sir. Obviously, I oppose the motion, and I will not sink to the level to which the member for Morphett sunk when he hurled personal abuse at members on this side in relation to the motion. I just remind the member for Morphett and this House that private members' time is allocated by this Parliament. At this point I pay due credit to you, Sir, for your efforts in extending private members' time so that we can have an hour on Wednesday nights to get through Bills, regulations and committee recommendations and devote the whole of this time on Thursday to private members' business. I congratulate you, Sir, and I hope that other members will join me.

The DEPUTY SPEAKER: Order! The member for Murray-Mallee.

Mr LEWIS: On a point of order, Sir, the debate is about the presence of Ministers in the Chamber to answer propositions put by private members. It has nothing to do with private members' time. My point of order is about relevance, and I believe that the remarks being made by the member for Napier—

The DEPUTY SPEAKER: Order! The Chair understands the point of order. The member for Napier was canvassing the issue of private members' time, which is certainly part of the resolution, but obviously he will soon direct his remarks to the very substance of the resolution.

The Hon. T.H. HEMMINGS: Sir, we have known each other for many years, and you know that I need about a minute and a half to lead into the actual debate.

The DEPUTY SPEAKER: The honourable member has 30 seconds left in that case.

The Hon. T.H. HEMMINGS: I do not know why the member for Morphett actually moved this. Was it his own idea, or was it the result of a Party room decision to produce this idiotic motion? What we are talking about is every member of this Chamber having the right to stand up and express an opinion which that member wishes the House to either support or amend. If a suitable compromise cannot be found, it is up to members to either agree or disagree. The basis of parliamentary democracy is free speech in this Chamber, which is what we all cherish. It seems to me that the member for Morphett wants to take that away from us, and for he and his foolish comrades over there to keep standing up, condemning this Government or whatever, or praising their Leader—whose name escapes me at the moment—and he expects the Ministers to come in here and respond. But that is not what private members' time is all about.

Let me give an example. When I had the honour and pleasure to occupy a position on the front bench, the member for Hanson—I am not attacking the member for Hanson, who is a very good friend of mine, but am just using him as an example—used to put literally about 25 questions on notice every week in relation to housing, and he was constantly moving private members' motions in relation to housing. So I thought I would respond to the member for Hanson's various questions and I duly fronted up on the front bench the following week ready to defend the Government's policies, for which I was responsible. However, the member for Hanson was nowhere to be seen. He was most likely in the refreshment room having a cup of tea or down on Anzac Highway counting Government number-plates. I do not know where he was, but he was not in the Chamber ready to hear my response. In the end, my colleagues on the front bench said, 'Terry, you are wasting your time, just treat those motions for what they are worth, they are not worth the paper they are printed on.' So I stopped doing it. That was my own personal view on it.

Now we find that what the member for Morphett wants is for Ministers to come up and respond all the time. Well, let us look at the motions that are presently on the Notice Paper. I shall not waste the time of the House going through them all, but we find that there are more motions on the Notice Paper at this time that have come from this side of the Chamber than from the other side. I would think that that is a reflection on members opposite, because it is their job to expose and probe the Government of the day. But what does old sleepy do, the member for Morphett? Apart from this motion currently under debate, there is not one other motion from him on the Notice Paper. I am not quite sure, but I think he has a possie on the front bench opposite, although I know that he was knocked off as Whip, because he did a disastrous job. However, I digress and I should

not be talking about that. Despite your sterling efforts, Mr Deputy Speaker, in trying to extend the time for individual members of this Parliament to engage in reasoned debate, the member for Morphett, through his stupid motion, seeks to reduce the available time.

Mr S.J. Baker interjecting:

The Hon. T.H. HEMMINGS: The temporary Deputy Leader interjects in relation to what I am saying. He is supposed to be the economic spokesman for the Liberal Party, but he cannot even spell economics, let alone talk about it, having regard to some of the motions that the Deputy Leader has put forward. I have had the pleasure on many occasions, without having to get any form of assistance from the front bench, and my colleague the member for Henley Beach has done likewise, to actually reduce to nothing the arguments that the temporary Leader, the member for Mitcham, has put before the House.

Mr S.J. Baker interjecting:

The Hon. T.H. HEMMINGS: I will ignore the interjections from the member for Mitcham, because I know that if I do not do so you will take me to task, Sir. But we are talking about raising the standard of debate, and I suggest that you use your influence with those members opposite whom you may from time to time speak to and tell them that if they want to raise the level of debate they should at least put forward motions that we can engage in in a reasonable way. The third session of this Parliament has now been going for some 2½ years and I have yet to see one such motion come forward. Actually, there was one from the member for Flinders, to which the Minister of Agriculture responded on the following week; we voted and the proposition was sent to Canberra.

Apart from that, there has been nothing from members opposite. That matter can be resolved in plenty of ways. First, the long-term way would be for the Liberal Party to review drastically its preselection system so that we can get people of talent in this place, because there is no-one of talent on the other side at present. The member for Morphett talks about Ministers appearing on the front bench. Mr Deputy Speaker, on your left-hand side you have a Party that has a Leader who will last only until 11 May; you have four other people who are all standing for the current leadership. I do not know whether it will be Mr Dean Brown—

Mr OSWALD: On a point of order, Mr Deputy Speaker, I draw your attention to the Standing Order on relevance. The debate has drifted wide of the mark, and I ask you, Mr Deputy Speaker, to bring it back.

The DEPUTY SPEAKER: I am sure the member for Napier will take note of that comment and come back to the substance of the motion.

The Hon. T.H. HEMMINGS: I will take your advice on that, Sir, but it does highlight the point I have been making. I could ask, 'Where are the shadow Ministers?' Why are the shadow Ministers not moving these motions of great importance? If we followed the member for Morphett's line, private members' time is not about personal grievances or about picking up constituent's problems but about attacking the Government. How basic can you get?

Mr LEWIS: On a point of order, Mr Deputy Speaker, this motion is about private members' grievances and about getting Ministers to answer them when they are relevant to their portfolios. What the member is saying is simply not true.

The DEPUTY SPEAKER: The motion is couched in fairly broad terms about the question of Ministers and private members' time. The Chair accepts that on occasions the member for Napier has strayed from this precise point. However, the motion, as drafted and presented to the House, does give some latitude in this area.

The Hon. T.H. HEMMINGS: Thank you, Sir. I pursue the line: what is good for the goose is good for the gander. If the member for Morphett asks, 'Why aren't the Government Ministers here?', I could quite correctly ask, 'Where are the shadow Ministers?' On my reckoning, 15 shadow Ministers are appointed by the Liberal Party for 13 positions. Senator Olsen will come back, which makes 16; Dean Brown makes 17; and we understand there is a ground swell coming from the constituents of Murray-Mallee to put the member for Murray-Mallee back into the shadow ministry. That makes 18 shadow Ministers—every player gets a prize. So, let us have the whole 18 sitting there. If the member for Morphett—

Mr BRINDAL: On a point of order, Mr Deputy Speaker. I appreciate your difficulties, but I ask you again to rule on the matter of relevance—

The DEPUTY SPEAKER: Order! The Chair has ruled several times on the matter of relevance, and I ask members not to keep repeating the same point of order when the Chair has ruled on it. The motion, as drafted, is quite wide and, if members wish to keep debates narrow, they must draft motions accordingly. The member for Napier.

The Hon. T.H. HEMMINGS: Another case in point is the member for Hayward who has just stood up on a point of order to try to stop me telling the truth to the House. I remind the member for Hayward that I am actively working for his preselection down in Hartley. I am actively working for him, and that is the way he returns the hand of friendship.

The DEPUTY SPEAKER: Order! The Chair cannot see the relevance of that.

The Hon. T.H. HEMMINGS: Nor can I, but I thought I would get it on the record. The House should look at this motion and treat it with the contempt it deserves. In relation to the words 'junior backbenchers' you, Mr Deputy Speaker, whilst you are not a member of the parliamentary Labor Caucus, would agree with me that all the members on this side on the front, middle and back benches would make far better Ministers than anyone on the other side. It was in relation to that matter that I was talking about the matter of leadership.

Let us say that Government members supported this motion. Yet you, Sir, and I know that from 8 May right through until the middle of next year the Liberal Party will be tearing itself apart in relation to the issue of who will be Leader and Deputy Leader, and who will be promised this and that. The other week I said in this House that the member for Murray-Mallee would be given your job, Sir, if the Liberal Party happened to win the next election. I am sure that with your help, Sir, we will maintain our position on this side of the House.

That is the way it is going; all the deals are being done. No wonder there are no shadow Ministers on the front bench: they are all huddled up in the back room doing deals about who will get this position and who will get that position. It is rather ironic that the one man who we all know will be dumped—the member for Mitcham—is left on the outer and is sitting there, the sole representative on the other side—

The DEPUTY SPEAKER: I draw the honourable member's attention to the matter of relevance.

The Hon. T.H. HEMMINGS: I know, Sir, and, without going against your ruling, all that I have said is relevant. What we have on that side of the Chamber is a Party that is bereft of policy, direction and leaders—well, it has four leaders in the wing. It has nothing to offer. What does it

do? The member for Morphett puts up this stupid motion. Obviously, the Hon. Ted Chapman had nothing to do with this, because he was out of the Parliament when this motion was moved. He would not have had a bar of it.

Mr BRINDAL: On a point of order, Mr Deputy Speaker, the member for Napier said that this is a stupid motion. I respectfully submit that that is a reflection on the Chair. It is the right of the Chair—

The DEPUTY SPEAKER: Order! There is no reflection on the Chair in that, only on the resolution. The member for Hayward.

Mr BRINDAL (Hayward): I wish to speak briefly to this matter. I am glad that the member for Napier enjoyed his contribution and that some members opposite appeared to do so as well. I again record the fact that I am sorry that the member for Napier seems to spend more time in this place making non-constructive criticism of members of the Opposition rather than addressing the serious business of this House. I have said before in debate and will continue to say that it is a pity that the member for Napier will not have to submit himself to the judgment of his electors at the next election, and we can hope that in future Parliaments Napier will be well represented.

The Hon. T.H. HEMMINGS: My point of order, Mr Deputy Speaker, is not a question of whether I can take it when I dish it out. Under Standing Order 127, I consider what the honourable member said to be a personal reflection on me, and I ask the member for Hayward to withdraw—

The DEPUTY SPEAKER: There is no point of order. The member for Hayward.

Mr BRINDAL: The motion is quite clear and specific. I commend the member for Morphett for bringing this matter to the attention of the House. It is the right of every member, as I have said repeatedly in this House, to represent their electors in the best way they can. Private members' time is one of those few occasions in this House when private members can bring to this place the individual concerns of their electorate. Under our system, the Party with the majority in this House forms the Government of the day, and from its benches it picks an Executive Government with specific responsibilities in terms of the management of and responsibility to this House for the Public Service of this State and the expenditure of public moneys.

It is the unfettered right of every member in this place to question those Ministers—the Executive—on public policy and matters that affect their electorate. It is ludicrous that we can come in here as private members to debate serious matters that affect our electorate or Government policy and Ministers do not deign to be here to reply. The member for Napier made much of the fact that shadow Ministers should be here. This is private members' time, and it is the responsibility of Government and Government Ministers to account to this House and to all members—whether or not it is private members' time.

It is not the responsibility of shadow Ministers to account to this House. One of the privileges of being in the House and being in government is to have a say in the Government of the day, to run the Government of the day, but the responsibility is accountability before every member of this House. Shadow Ministers are just that: they are shadow Ministers. I also note, in line with what the member for Napier said (he made much of the absence of shadow Ministers), that I can count three shadow Ministers in this House at present, and that is a 300 per cent majority over what the Government has presently—

The Hon. T.H. Hemmings: Where are they?

Mr BRINDAL: The member for Napier, in making noises, asked who they are. They are the members for Mitcham, Morphett and Bright and I. That, indeed, makes four. This is a serious motion and I do not want to detain the House for too long. The member for Morphett is quite right: he has raised an important issue. I would hope that when we are in government (I do not say 'if' but 'when') we treat this House with a bit more of the dignity—

Mr Lewis: Candour and respect.

Mr BRINDAL: Yes, candour and respect, as my colleague the member for Murray-Mallee has just said. I hope that when we are in government we will treat this place as it deserves to be treated and not with the disdain and disregard with which it is currently treated by Ministers opposite.

The Hon. M.D. Rann interjecting:

Mr BRINDAL: I note that the Minister of Employment and Further Education is present. That is an important point: perhaps he is here rather than reading the figures on unemployment, which I believe will be released shortly. If I were him, I would rather be hiding in this Chamber than facing the unemployed of South Australia at present.

Members interjecting:

Mr BRINDAL: They call out that it is sleazy.

Members interjecting:

The SPEAKER: Order! The member for Hayward will resume his seat.

Mr QUIRKE: On a point of order, Sir. The member for Hayward cannot have it both ways: he cannot castigate people for not being in the Chamber and then tell them that they should not be here.

The SPEAKER: Order! There is no point of order. If the honourable member wishes to make a point of order, he should refer to the relevant Standing Order.

Mr Hamilton interjecting:

The SPEAKER: Order! The member for Albert Park is out of order. If there is no reference to a breech of Standing Orders, the Chair will have to consider the point of order to be frivolous and take action against that honourable member. The member for Hayward.

Mr BRINDAL: I do not think there would be many members in this place—probably none on the Opposition benches—who in good faith have not in private members' time raised by way of motion a matter of public importance or at least of importance to them in their electorate and not had it responded to by somebody such as the member for Napier, the member for Spence or the member for Albert Park. I do not question their veracity, nor do I question their integrity as members of this House, but what worries me is what I say to my electors.

If I move a motion about the overpass at the Oaklands railway crossing and if it is responded to by, say, the member for Spence, as the member for Hayward I am left wondering what veracity that reply has in terms of a Government response. As much as the member for Spence is a good fellow and we all get on well with him, he is not a Minister of the Government and does not have the authority to speak for the Minister or the Cabinet. If he comes in here telling me the Government's response, what do I make of that? I know that he is a member of that famous body—the Labor Caucus—but that is not the Cabinet. It is not the Governor in Exeuctive Council and has nothing to do with it. I cannot really in good faith go to my electors and say, 'This is the Government's position because the member for Spence told me so', when as far as I know there is no structure in this House that gives the member for Spence the right to speak on behalf of the Government on Government policy.

It is as simple as that. That is what the member for Morphett is raising. He is the shadow Minister for Family and Community Services, and every day in this House he raises important social issues. Nobody is denying the right of any member on the Government back benches to have an opinion on those same social issues or to be equally as concerned as the member for Morphett. Indeed, I believe that some members of the Government back benches might match the Opposition's concern in the social justice area, and I can record that I think it is unfortunate that they are sometimes fettered by Government policy in not being able to express their true feelings on matters of social justice. A good exception is the member for Albert Park, who at least is not afraid on occasion to get up and give the Government one and tell it exactly what it is doing wrong. On occasion, he does stand up and take the Government to task, but we see too little of it over there.

Mr Hamilton interjecting:

Mr BRINDAL: I just gave you that accolade.

Mr Hamilton interjecting:

Mr BRINDAL: Sorry; he says it is regularly that he takes the Government to task. I wish it were more regularly.

The SPEAKER: Order! The member for Albert Park is out of order in making comments while the honourable member is speaking.

Mr BRINDAL: Thank you, Sir. I am sorry that the member for Napier has once again chosen to use this debate in a way that really wastes our time by talking about what the Opposition may or may not do. Frankly, it is none of his business. If we have to account to anyone, we must account to our own electors and the people of South Australia, and we are quite capable of doing that without the intercessions and running commentary of the member for Napier. It would be better if he confined his remarks to the motion in question. It is a serious motion, seriously presented, and it does merit the Government's attention. Nothing the member for Napier might say by way of frivolous contributions to this House will hide the fact that Ministers must be responsible, must be accountable and must be accountable before this House on a daily basis.

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

Mr HAMILTON (Albert Park): This motion is quite clearly just a ploy to try in some way to embarrass the Government. There is little sincerity in it, and on both sides of the Chamber we all know what this is all about; it is just a sleazy little slippery motion—that is all it is. It is not unusual to see this sort of thing introduced into this Chamber—it is sleazy, slippery and there are other words I could use, but it is just debasing this Parliament with motions of this calibre. If Ministers come into this House during this period of private members' time, address issues and take up private members' time, members opposite complain bitterly, and there are instances of this. However, they cannot have two bob each way. We see through what the member for Morphett is trying to do. It is just one of those tactics to gain a cheap headline, in my opinion.

What private members' time is all about is quite clear to us all. It is for private members to stand up here in this place and address those problems about which we are concerned in our electorates. We in this Parliament are all aware of what a Minister does. In this period of time, what do Ministers under this Bannon Government do, and what have they done in the previous Liberal Government? We know from the Premier right down through all the Ministers that currently the overwhelming majority of them would be in their offices downstairs or wherever they are located throughout the building, addressing problems: answering, signing and reading correspondence; meeting deputations; meeting representatives from industry and commerce; and meeting with constituents.

We all know what happens. We all know of the tactics that are engaged here: 'Take up as much time as you can.' We know what the tactics are all about: they are disruptive. That is what they want: they want disruption so that the Ministers will not be able to carry out their duties properly or expedite what the Government is all about. Those very same people will come back to this Parliament, and what will they say? They will say, 'I have sent correspondence to the Minister, and the Minister has not answered it' or 'The Minister won't see us.'

Debate adjourned.

The SPEAKER: Order! Call on the business of the day.

COAT OF ARMS

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

That this House condemns the Attorney-General for his implementation of Government policy to replace the royal coat of arms in the Supreme Court with the State coat of arms recognising that the justices of the Supreme Court are the Queen's justices and calls on the Premier to immediately take action to reverse this policy.

(Continued from 19 March. Page 3414.)

The Hon. D.C. WOTTON (Heysen): I understand that I only have two minutes in which to conclude my remarks on this motion. The question that I want to ask in those final two minutes is whether this was a Cabinet decision and, if not, by whom the decision was made. The Attorney-General has certainly not bothered to answer letters written to him asking that question. It is absolutely vital that the people of this State know the answer. In a letter that I quoted twice in my last contribution, the Attorney-General used the words 'the Government', 'the Government considers', 'the Government does not intend', etc. It is obvious, therefore, that the Attorney-General is not prepared to say who made the actual decision. Was it the Attorney-General or was the decision made by Cabinet? It is essential that that question be answered. It is also obvious that the judges of the Supreme Court are subject to the control of the State and must do what they are told, or at least this is an attempt to ensure that that happens.

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

Mr FERGUSON (Henley Beach): I believe that this motion is inappropriate and frivolous, and I do not think it should be supported. The Australian coat of arms is used in the Federal courts. In fact, all new Australian courts use local emblems rather than the royal coat of arms. It is appropriate that as a nation we should now turn to the Australian coat of arms rather than the royal coat of arms. Members of this establishment should realise—

Mr Lewis interjecting:

The SPEAKER: Order!

Mr FERGUSON: Despite that rude interjection—that at this point in our history we can no longer rely on the British Houses of Parliament sending out a gunboat to defend us should we find ourselves in trouble. We knew during the Second World War, when we turned to America for assistance in defending us, that the United Kingdom was no longer in a position to defend our shores, despite the fact that we were being told that the British navy would be able to support us whenever we were in trouble. We know now that that situation is not true. I do not blame the United

Kingdom Parliament, and I do not blame the people in the United Kingdom for turning towards the European Common Market, because the European Common Market seems to be the logical place to go for those people in that part of the world where they can join a strong alliance for trade.

We know already that, so far as defence is concerned, they are exchanging ideas, armaments and everything else in order to defend that part of Europe, and it is the most commonsense thing that they can do. But what that means is that the old British Empire is no longer with us. We can remember how proud we were when we used to celebrate Empire Day and would go out and beat the drum. There used to be a public holiday so that we could honour the British Empire. But the British Empire is no more.

Mr LEWIS: On a point of order, given that the Queen is Queen of Australia, this has nothing to do with the British Empire at all, and I ask you, Sir, to rule on the question of relevance.

The SPEAKER: Order! With the background noise, the Chair did not quite catch that point of order. Will the member for Murray-Mallee please clarify his point of order.

Mr LEWIS: My point of order was that, on the question of relevance, the remarks being made by the member for Henley Beach about the British Empire do not apply in that the royal coat of arms is that of the Queen of Australia and not anything to do with the British Empire, nothing to do with history and nothing to do with the war.

The SPEAKER: The Chair has difficulty in quite understanding the point of order. The coat of arms is the British coat of arms. It has been our coat of arms. It has been accepted in our courts for some years. Reference to the British coat of arms is not out of order at this stage. However, I will listen on the point made and, if the debate is irrelevant, I will draw the member for Henley Beach's attention back.

Mr FERGUSON: The point that I was making was that Australia is an independent nation and, since the Australian Act came into operation in 1988, it has lost its colonial status. The Opposition should take notice of this: we are no longer a colony of Great Britain. We must no longer tug our forelock when British royalty passes us by. We have to get off our knees. We have to stop crawling after—

The SPEAKER: Order! The member for Henley Beach is now straying greatly.

The Hon. D.C. Wotton interjecting:

The SPEAKER: Order! The member for Heysen is out of order. The member for Henley Beach is straying from the subject of the motion, and I draw his attention to the need for relevance in this debate.

Mr BRINDAL: On a point of order, Sir, I draw your attention to Standing Order 121. We have been subjected before in this House to the typical remarks made about tugging the forelock when royalty passes by.

The SPEAKER: Order! What is the point of order?

Mr BRINDAL: My point of order is Standing Order 121, and I ask you to rule on it.

The SPEAKER: There is no point of order.

Mr FERGUSON: I want to get to the nub of this proposition. The Attorney-General has received advice that the use of the South Australian coat of arms in the courts is supported by the majority of judges in the Supreme Court. Therefore, the majority of judges in the Supreme Court share the view that the old British coat of arms and our connection with the United Kingdom are no longer appropriate. We are no longer part of the empire; we stand on our own feet. The majority of judges agrees that the royal coat of arms should come down and that it should be replaced by the South Australian coat of arms. We should stop tugging our forelock.

In an article headed 'Republicanism creeps into the courts' it is claimed that a series of letters shows an apparent gap in sentiment between the Government and the South Australian judiciary. On 13 January 1992 the Chief Justice—no less—issued a press statement, which asserts:

> There is no issue between the South Australian Government and the judiciary as to the use in courtrooms of the South Australian coat of arms. In his correspondence with the Attorney-General, Justice Millhouse did not speak for the South Australian judiciary, but entirely for himself.

So, we have one judge who believes that the royal coat of arms should stay, but the majority of judges in that establishment, for which I have deep respect, is prepared to have the South Australian coat of arms. The Government's policy is to replace the coat of arms only in new or refurbished courts.

I believe that the tapestries in the court, which have been donated by the South Australian Embroiderers Guild, should remain. They are magnificent pieces of art work and should any decision be made to remove them—because we are now moving to stand on our own feet—then they should be hung either in the Constitutional Museum, the Museum of South Australia or the Art Gallery. They should never be taken off display because they are magnificent pieces of work and thousands of hours of voluntary labour went into making them. They should remain on display.

I know that it is difficult for some people to accept the fact that our connections with the United Kingdom are becoming fewer and fewer. It was the United Kingdom that turned its back on us; it was not the other way around. I do not blame it for moving into the common market. Our destiny remains with the Pacific rim: it is the Pacific rim that we should concentrate on; it is the Pacific rim with which we have to trade; and it is the Pacific rim where we have to establish our fraternal relationships. We should not be running around Royal Ascot in top hats bending and bowing every time royalty passes us by. We have to get back into Asia.

Mr BRINDAL: On a point of order, Mr Speaker. Standing Order 121 states quite clearly:

> A member may not use offensive or unbecoming words in reference to the sovereign or the Governor nor may the sovereign or the Governor be gratuitously referred to for the purpose of influencing the House in its deliberations.

I ask you, Mr Speaker, to rule on that, as I consider that that has been consistently breached in this contribution.

The SPEAKER: As the Chair heard the debate—and the honourable member may correct me—the member for Henley Beach referred to bowing and scraping when royalty passes by. I understand that they were the words used.

Mr FERGUSON: Yes.

Members interjecting:

The SPEAKER: Order! If the honourable member wants a ruling on the point of order, the Chamber will be quiet. There was no specific reference to royalty. Exactly which words offended the honourable member?

Mr BRINDAL: 'Bowing and scraping when royalty passes', I think is offensive.

The SPEAKER: 'Royalty' is a broad term to cover the whole family, in the Chair's understanding. I do not uphold the point of order. We have been talking about extending time for private members if there are excessive interruptions to speakers. It is the intention of the Chair, if there are excessive interruptions to speakers on either side of the Chamber, to extend the time if, in the opinion of the Chair,

there has been unnecessary interference. On this occasion I will not do that, but I will in future.

Mr S.G. EVANS secured the adjournment of the debate.

WATERWAYS FARM

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

That this House congratulates and expresses its support to the operators of Waterways Farm at Keyneton for the excellent work being carried out in this area of land rehabilitation by providing land and soil rehabilitation services and in developing systems of whole farm planning which takes into account the need for environmental and economic returns.

(Continued from 2 April. Page 3858.)

Mr HOLLOWAY (Mitchell): On behalf of the Government, I support the motion that has been moved by the member for Heysen. I have not had the opportunity to visit Waterways Farm, but I have gathered some information about it and I believe that the activities there should be supported. Indeed, I think that we should support any individuals who are leading the way in pioneering ecologically sustainable techniques and finding better ways of soil rehabilitation.

The SPEAKER: Order! There is far too much background noise in the Chamber.

Mr HOLLOWAY: I am aware that the owners of the Waterways property have introduced a number of innovations. The property has been in the hands of the Evans family for many years and the father of the present owner, Mr Don Evans, was a member of the Murray Plains Conservation Board for many years. I believe that the soil rehabilitation and management work undertaken on the property was in keeping with the farm plan that had originally been prepared by Department of Agriculture officers at Nuriootpa. The layout of waterways and dams on that farm is designed to hold as much water as possible within the catchment, following the key-line system. I also understand that Mr Evans, the owner of Waterways, has undertaken extensive tree planting and adopted a management program based on non-use of inorganic fertilisers and chemicals.

I believe the system of management that he is using is sustainable as the extensive tree plantings, the network of dams and banks and minimal cultivation have reduced water runoff on that property almost to zero and thereby prevented erosion. I understand from reading an article about the farm that Mr Evans was motivated in these techniques by his experiences in the 1983 drought. When the drought ended with heavy rains, further topsoil was blown away, adding to that which had been blown away during the drought. As a consequence of that, Mr Evans started to change the practices that he had been using for 30 years. Part of that was to stabilise a large proportion of the farm that was degraded due to erosion. I understand that he has planted about 120 000 eucalypts on that property.

To the extent that Waterways Farm at Keyneton has pioneered soil rehabilitation and other techniques, such as water conservation and nursery techniques for growing trees, I believe they should be encouraged and supported by all members of this Parliament. Waterways Farm is not a normal farm in the sense that what is being done there would not necessarily apply to every farm in this State. Some of the techniques, such as the sale of firewood, would not apply to all farms. Nevertheless, anybody who is pioneering these things should be given the encouragement of this House to undertake such techniques. Farms like Waterways show how far we have come in the past decade in dealing with the problems involved in the care of our land.

About 10 years ago there was little concern about the problems we face but since then, and to some extent it has coincided with the term of the current Government, a number of measures have been taken showing our increased concern for land care. We have had the Native Vegetation Act passed in this State and we have seen the introduction of the Landcare program on a national basis. Within the Murray Darling Basin—and the Waterways Farm is on the perimeter of that basin—there has been a much greater recognition of the impact of land use on water quality and we have seen a new structure being developed in that basin to come to terms with some of the land use problems.

Over the past decade there has been considerable discussion on ecologically sustainable development and negotiations have taken place with farmer and conservation groups on such issues. I believe there is a much greater awareness now of our need to preserve one of our most important natural resources—the soil. We should encourage Waterways Farm and any other farms and farmers involved in such practices, and I am pleased to support the motion.

The Hon. D.C. WOTTON (Heysen): I want to take the opportunity to thank the honourable member for his contribution in support of the motion, which I hope all members of the House will support.

Motion carried.

HOUSING TRUST

Adjourned debate on motion of Mr Holloway:

That this House rejects Opposition proposals to abandon the construction program of the South Australian Housing Trust in favour of a private rental subsidy scheme and calls on the Federal Government to provide additional support for public housing in South Australia.

(Continued from 2 April. Page 3860.)

Mr BRINDAL (Hayward): I wish to address the motion because it is an important one for the housing and construction industry in South Australia. The member for Mitchell has moved the motion in a constructive manner but I believe it is an attempt to be somewhat divisive in terms of Opposition policy on this matter and seeks in some way to drive a wedge between the Federal Opposition and the State Opposition. I therefore move:

That all words after 'House' be deleted up to and including 'and'.

If my amendment were accepted the motion would read:

That this House calls upon the Federal Government to provide additional support for public housing in South Australia.

In that form I am sure the motion will get the support of my colleagues on the Opposition benches. There is an arrant nonsense in much of the middle portion of the motion moved by the member for Mitchell. He talks of Opposition proposals to abandon the construction program of the South Australian Housing Trust. That is well and good, but when debating this motion the Government must be prepared to answer for its own construction program, which has seen the building of trust units, namely, town houses, flats and semi-attached and attached housing fall from about 3 000 units a year to fewer than 300 in the current year.

So, we have seen a ten-fold decrease in the construction program under this Government. There are only 300 left, yet when a proposition is put up that states that construction in our public sector housing, of which every member of this House is proud, has been diminished to the point where

it is virtually not happening, he says that we should not come up with any constructive alternatives. That is what I believe Dr Hewson is looking at. He is trying to look at constructive ways to address a major problem for the homeless in South Australia. Members opposite can cluck and shake their heads, but it is an indisputable fact that housing construction in the public sector in this State has plummeted under this Government, and waiting lists have soared to over 43 000 families currently.

When the Opposition is in Government, if it is a question of building two houses or putting a roof over the head of 10 people, obviously we will put people in houses and provide them with shelter. If later down the track we can again afford to build public sector housing, we will do so. In the meantime, if we can house the homeless and do it in creative ways that do not involve vast expenditures from the public purse, we will do it. It is better that every person who needs a home has one than to argue about whether we own the homes we put them in.

Mrs Hutchison interjecting:

Mr BRINDAL: I would suggest that the member for Stuart studies history. It was a Liberal Government, under Sir Thomas Playford, that brought the Housing Trust into being. It was Sir Thomas Playford who created one of the finest public sector housing instrumentalities of any State in Australia. In fairness, this Government and previous Labor Administrations must take some credit in that they have never abandoned the Housing Trust. It has been a bipartisan approach. In looking at the Government's present construction program and what it is doing, there has to be a new approach. What Dr Hewson is suggesting is a bold new approach. I suggest that it will put more people in houses.

Mrs Hutchison interjecting:

Mr BRINDAL: I have always thought that the member for Stuart had genuine concern for her electors. In fact, I believe she has, and she knows the problems associated—

Mrs Hutchison interjecting:

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

Mr BRINDAL: —with homelessness, and I thought she would have supported any scheme that would see the homeless housed. She is worried, and probably genuinely, that that means we will charge commercial rentals. That is not the case. I suggest that members opposite who have a genuine concern, rather than listening to the emotive, ill-conceived and inaccurate propaganda which they are fed from their front bench, come and talk to me in the lounge afterwards, and I will explain how it will work and how families will not be disadvantaged under our proposed package.

Mrs Hutchison interjecting:

Mr BRINDAL: The member for Stuart should know better, because she is quite aware that this Government sold the Port Augusta power station. When members on this side questioned who owns it (knowing that we should own it), the clear answer from the Government benches was: so long as you get electricity, it is better that we recoup that capital cost and that we do it on a leasing arrangement—

Mrs HUTCHISON: On a point of order, Sir, I would like you to rule on relevance. I do not think the powerhouse at Port Augusta has anything to do with housing.

The SPEAKER: I uphold the point of order. The member for Hayward will be relevant with his remarks. The member for Hayward.

Mr BRINDAL: As the central theme in this debate is a lease-back arrangement, and as I was trying to be illustrative about lease-back arrangements, I will endeavour to keep to your ruling, but I was speaking about lease-back arrangements with respect to the Housing Trust, and that is what the Liberal Opposition proposes. We have not yet finalised our policy for the next election. We will do that in good time to let the people know what that policy is. We will speak in this House when the policy has been finalised and approved by the Party room. We will have much pleasure in informing this House when we have properly considered what that policy is, and there are a number of options, but not one of them involves kicking people out of houses, dispossessing them or forcing them to buy their properties. I am well aware that this Government will continue to spread what I can only regard as, frankly, a malicious lie to people in Housing Trust—

The Hon. T.H. HEMMINGS: I rise on a point of order. The member for Hayward said that this Government is spreading a 'malicious lie', and as a member of the Government benches I take severe exception to that statement.

The SPEAKER: Order! There was no reflection upon a member in that. I am not sure of the context in which it was made. As no individual or member of Parliament as such was mentioned, I do not believe that the Standing Order covers such a broad comment. The honourable member for Hayward.

Mr BRINDAL: Under any future Liberal Government, no Housing Trust tenants will be dispossessed from their home, be compulsorily forced to acquire their home or be in any other way disadvantaged. For anybody to say that they will is both inaccurate and misleading. I put that fairly and squarely on the public record so that, in the lead-up to future elections, the public may judge this Opposition by its policies and by the truth of its intent, not by rumours that might be spread regarding what we do. This motion is designed to highlight the differences which do not exist, and to misinform and deceive and, in that respect—

Mr HOLLOWAY: On a point of order, Sir. As the author of the motion, I take that as a personal reflection. I ask that the member withdraw that comment.

The SPEAKER: What was the remark that offended the honourable member?

Mr HOLLOWAY: The honourable member said that my motives in moving the motion were to deceive people.

The SPEAKER: I ask the honourable member to withdraw.

Mr BRINDAL: With respect, I said that the motion was calculated to deceive.

The SPEAKER: Order! In that case, the Chair has no choice but to uphold the point of order, because the implication is that it was a deliberate ploy, and I ask the member to withdraw.

Mr BRINDAL: I withdraw Sir.

Mr De LAINE secured the adjournment of the debate.

COUNTRY RAIL PASSENGER NETWORK

Adjourned debate on motion of Mr Venning:

That this House calls on Australian National, in cooperation with the State Transport Authority, to proceed toward the re-establishment of a country rail passenger network with priority being given to services for the Iron Triangle and the South-East,

which Mrs Hutchison had moved to amend by deleting all words after 'That this House calls on' and inserting the words:

the Federal Government to re-establish the country rail passenger network to Whyalla, Mount Gambier and Broken Hill, with priority being given to services to the Iron Triangle and the South-East.

(Continued from 2 April. Page 3865.)

Mr HOLLOWAY (Mitchell): I move:

Delete all words after 'House' and insert in lieu thereof: 'regrets the failure of the Federal Government to re-establish the country rail passenger network to Whyalla, Mount Gambier and Broken Hill but applauds the positive consequence that will follow from the Commonwealth's decision to standardise the Adelaide to Melbourne rail link, upgrade the Port Augusta rail workshops and construct a rail loop at Outer Harbor.

This amendment takes into consideration the consequences of the Prime Minister's One Nation statement on 26 February which, of course, came after this motion was moved and, indeed, after the amendment was moved by my colleague the member for Stuart. In that One Nation statement, the Prime Minister offered a number of projects investing in rail in South Australia. An amount of $115 million was proposed to standardise the Adelaide to Melbourne rail link, there was a proposed $8 million expenditure on a rail loop at Outer Harbor, and a further proposed $3.5 million upgrade of the railway workshops at Port Augusta.

Basically, this State is now in the position where we have been blackmailed by the Commonwealth Government. We have been told that, unless we agree that we will not insist on the reinstatement of the service to Mount Gambier, money for the Federal Government projects will be put in jeopardy. This is an extremely regrettable situation but, nevertheless, it is one that we have to live with. I am sure members know the background of this issue. Under the Rail Transfer Agreement of 1975, the Commonwealth and South Australia were required to agree should there be any proposed closure of rail services. In 1990, the Commonwealth sought South Australia's agreement to close down the Mount Gambier service. South Australia refused and insisted on arbitration. Members would be aware that the arbitrator's decision was that the service should be reinstated.

In the Prime Minister's statement of 26 February the Commonwealth in announcing its intention to spend money on upgrading the national rail service also announced that it would not reinstate that service to Mount Gambier. That is the situation this State is now in. We have been given this choice by the Commonwealth either to proceed with the investment of something over $125 million to improve the rail system, a direct benefit to this State, or we continue to fight the closure of a country rail service that the Commonwealth is insisting will not be reinstated, anyway. I think I should also point out to members another consequence of the Commonwealth's statement.

Should the standardisation of the rail link between Adelaide and Melbourne proceed, that would leave the rail line from Wolesley to Mount Gambier as broad gauge, connecting to the standard gauge service to Melbourne—and of course that would mean that the line would be isolated. In a sense there is an incompatability between the Commonwealth's proposal for a standardised rail service between Adelaide and Melbourne and the continuation of the service to Mount Gambier. Thus the State really has a most uncomfortable choice, a similar situation which occurred in relation to the black spot road package, when the Commonwealth said that if we were to obtain the funds promised we had to agree to certain standardised measures. Now the Commonwealth is saying to us that if we want these major projects, which will benefit the State, to proceed we have to accept the closure of the service to Mount Gambier.

I suppose we are in a situation where we have to make the choice of whether to cut off our nose to spite our face. It would really be rather silly of us to do that—and hence the amendment that I have moved to the member for Custance's motion. The amendment expresses our regret at the failure of the Commonwealth to reinstate those services, and I certainly think we should continue to show our displeasure with the Commonwealth over the way that this State has been treated in relation to this. Nevertheless, we must accept the fact that the Commonwealth's proposals, announced in the One Nation statement, will be of great benefit to this State and will involve a major investment in this State. It is unfortunate that we have been forced into a position where we have to choose between those two options. Before concluding my remarks, I would like to acknowledge on the record the efforts that have been made by my colleague the member for Stuart, as well as the members for Custance and Mount Gambier, in fighting for the retention of country rail services.

Mr Hamilton interjecting:

Mr HOLLOWAY: The member for Albert Park, of course, has also been very vocal in his support for the retention of country rail services. I believe there is no reason why we cannot continue to make noises in that direction, particularly in relation to the services to the Whyalla and Port Augusta region, where of course the standard gauge line will remain. There is no proposal to change the rail gauge in that area that would affect the viability of any service.

However, as I said, we really are faced with a situation where the Commonwealth has all the power in this matter. It has the clout, and it has basically given us an ultimatum that, if we wish to get the benefits of investment in our national rail service, we must agree not to pursue the closure of the Mount Gambier service. That is regrettable. Nevertheless, I believe that the stance this Parliament must take is the one which is in the best interests of South Australia. I believe that we should all support investment in developing an efficient rail system. With those comments, I ask the House to support my amendment.

Mr S.G. EVANS secured the adjournment of the debate.

THIRD ARTERIAL ROAD

Adjourned debate on motion of Mr Matthew:

That this House calls on the Government as a matter of priority to commence construction of phase 2 of the third arterial road in order to alleviate traffic problems on Brighton and South Roads and condemns the Government for attempting to spread the road building project over an unacceptable length of time.

(Continued from 27 February. Page 3132.)

Mr S.G. EVANS (Davenport): This matter is important to people who live in the south. Only this week, the Mayor of Noarlunga addressed the problems of transport build-up and the traffic jams that are occurring in the south, as well as the long time it takes for people to get to their destination, whether it be for medical treatment, work, pleasure, and so on. A side-effect of the traffic congestion is that much of the traffic is now forced to travel through the hills, over the range into the Mitcham hills, and back onto the plains to try to come through the eastern suburbs to the north-east or even to the north.

It has reached a point where, during morning peak-hour traffic on Old Belair Road, there is a line of cars almost 6 kilometres long. In this day and age, that is totally unacceptable. The line of cars is so long because to take the other path—along South Road into the city—would be even worse. The Government ignores this matter. I do not know whether the Government believes it can ignore people in the south and still win an election, or whether it thinks the people in the south are so silly as to not understand that the Government has neglected them or forgotten them. The truth is that these people have been neglected.

I am sure that some members opposite—and a couple of them are Ministers—must receive complaints about this

problem. If the trains or some other section of the public transport industry goes on strike, it causes real chaos. People just stay at home and do not go to work. We talk about wanting to increase productivity to decrease the cost of operating the State yet, every time there is a hold-up for 10 or 15 minutes several times on one public transport trip, automatically the cost of all transport is increased, as is the cost of services, carrying goods and trying to produce goods and get them shipped to another State or overseas. It is detrimental to the economy of the State, as well as inconvenient to people.

We are concerned about pollution problems and the need to save fuel, yet we have all these combustion motors idling uneconomically while we wait for the traffic to move. We all know this practice is uneconomical, and we also know that those motors do not use fuel efficiently and that they pollute the atmosphere. More particularly, if the right weather conditions prevail, pollutants affect those who suffer from respiratory problems. If they do not suffer respiratory problems beforehand, they will afterwards because of this pollution.

Debate adjourned.

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

PETITIONS: GAMING MACHINES

Petitions signed by 120 residents of South Australia requesting that the House urge the Government not to introduce gaming machines into hotels and clubs were presented by Messrs Armitage and Klunder.

Petitions received.

AUDITOR-GENERAL'S REPORT

The SPEAKER laid on the table the supplementary report of the Auditor-General for the year ended 30 June 1991.

Ordered that report be printed.

QUESTION TIME

UNEMPLOYMENT FIGURES

Mr D.S. BAKER (Leader of the Opposition): My question is to the Premier. When does the Government believe that South Australia's tragic unemployment trend will be reversed, and how much responsibility does he accept for the more than 80 000 South Australians without work? Today's figures show a very slight fall in South Australia's seasonally adjusted rate of unemployment due to hundreds more people giving up the search for jobs and dropping out of the labour force. The South Australian labour force has contracted by 3 300 in the first three months of this year. In March, our unemployment trend rate increased to 11.5 per cent—the highest in Australia—and there was a further fall in employment last month, bringing the number of jobs lost over the past year in South Australia to almost 18 000.

The Hon. J.C. BANNON: I appreciate the honourable member's question. There is no question whatsoever that unemployment in this country, and particularly in this State, is something of very great concern indeed. It represents an enormous waste of talent and productive capacity. If it persists it results in a loss of morale and a general malaise in our community that has severe social effects—we all recognise that. One of the prime tasks of any Government at whatever level—Federal, State or local—is to try to create an environment in which there will be confidence and in which jobs can be created.

There is always a problem, and the honourable member who asks the question about jobs in South Australia must recognise that, under pressure of the economy and indeed under pressure for the efficient delivery of services, the Government has been cutting its employment considerably—but not to the extent that the honourable member has demanded. On occasions he has demanded 9 per cent across the board—thousands and thousands of extra people unemployed in this State. We are not on about that sort of scorched earth policy.

It must be recognised that public sector employment is concentrated in such areas as education, health and so on and day after day in this place we get questions about that. We get questions about capital works and issues of that kind. Surely those questions from the Opposition indicate the desirability of maintaining to the greatest extent possible, particularly in a recession, public sector employment. However, against that background we must reduce it. That factor means that fewer people are employed in our economy at the moment. One hopes that in turn that will generate efficiencies that will encourage private sector jobs.

Private sector jobs will be created only if the economy is growing. Our economy has been in recession for the past few quarters. The first signs of growth have emerged in these few months, and that sign of growth will indicate in turn growth in employment, which will see a reduction in unemployment. South Australia was slow into the recession. We held up extremely well in its early stages. Our levels of employment were maintained, and we were better off than the rest of the nation.

For instance, our housing industry did not suffer the dreadful slump that occurred in the eastern States and to the west: it has maintained itself at a reasonable level. A number of areas such as that have served South Australia well. But the inevitable crunch has come, and it has come heavily, particularly in the manufacturing sector. That is where the big job losses are. Those jobs will not be restored until people in Australia and overseas start buying the goods that are manufactured in this State. We do not have total control over that.

Mr D.S. Baker interjecting:

The Hon. J.C. BANNON: The Leader will have observed the newspapers. At the moment, there is major economic uncertainty in Japan. There are recessionary impacts in Canada, the USA, Britain and parts of Europe. These are our markets: these are the people who pay us big dollars for the things we produce, and that, of course, translates itself into the Australian economy. The Leader of the Opposition would be well aware of commodity prices and the impact that they have on the amount of money in our economy to create jobs in Australia. So, we come to the nub of the problem.

Mr D.S. Baker interjecting:

The Hon. J.C. BANNON: Well, New South Wales has been much worse, too. All the States bob up and down—

Members interjecting:

The Hon. J.C. BANNON: At this moment New South Wales is not so heavily dependent on the type of manufacturing that operates in Victoria and South Australia. For instance, New South Wales has seen the sectors of its automotive industry closed down, transferred and relocated to Victoria and South Australia. That is a factor which, of course, in this consumer downturn, has meant that South Australia and Victoria, in this instance, have suffered unduly and greatly, while New South Wales has been insulated from that particular impact.

One can look at the patterns, but they ebb and flow. The fact is that South Australia does not have the highest rate

of unemployment in the country this month—and these figures will bob up and down. Sometimes it is Queensland, sometimes New South Wales, Western Australia or Victoria; it varies according to the particular economic conditions in the various States. So, one must look at the total picture before one can confidently talk about a return to increases in employment and, following that, a reduction in unemployment. It will take a while: we were slow into the recession and we will obviously lag as we come out. An essential commodity in terms of recovery is confidence.

I think the best thing that members of the Opposition could do, instead of drawing attention to all the negatives, as they constantly do—and there are always negatives that can be found—is to look at some of the positives. They would find that that would encourage investment, consumption and jobs. So, the Government is not happy with the situation at all. We do have to take responsibility along with every other sector of our community for a situation that is going to take a while to work through, but the signs are good. The recovery will come—unless we lose our nerve. It is vital that that confidence is restored.

OPERATION FISH THIEF

Mr ATKINSON (Spence): Will the Minister of Fisheries inform the House about his department's Operation Fish Thief?

The Hon. LYNN ARNOLD: I believe that the honourable member is referring to a press report that appeared a few days ago about Operation Fish Thief. In fact, the departmental name for it is Operation Shamateur, but the essence is still the same. Operation Fish Thief is an effort to identify the seriousness of fish thieving, or shamateurism as it is sometimes known, and to bring it under control if not actually to eliminate it. One of the reasons for this is that for some time there has been concern by both commercial and recreational fishers that some fishers are not genuine recreational fishers but are fishing for the purpose of selling their catch and that they are doing more damage to the health of our fisheries in this State than anything that might be done by commercial or genuine recreational fishers.

In fact, there would be a very real risk of that because, naturally, such fish thieves are not returning forms detailing the catches they are taking. Therefore, we have no idea what kind of depredations they might be causing to the fish resource. With that in mind, I spoke with my department about this matter. First, I addressed our fisheries inspectors at a conference last year, reminding them that this is an important area that they should be examining. I also took the opportunity to encourage the department to undertake a particular operation on this matter. We have now finished the two phases of that operation.

During the first phase, a number of fish processing premises were inspected, as well as individual fishers around the State. A number of prosecution briefs were prepared as a result of that, a number of other situations resulted in expiation notices being issued and, in some other cases, caution notices were issued. We then moved to the second phase, during which an even larger number of fish processors in the metropolitan and country areas were inspected over a three-month period. It is pleasing to note that, as a result, the number of infringements of regulations fell dramatically. As a result of the high profile primary phase—and it was certainly high profile amongst fish processors—fewer offences were detected in the second phase, and the standard of paperwork maintained by fish processors has improved greatly, along with their awareness of fisheries legislation and their obligations.

The sorts of offences that resulted in prosecutions, expiation notices or caution notices included the taking of fish for sale without a licence, the taking of unpermitted species for sale, the taking of undersize fish, the possessing or purchasing of fish that had not been taken under a commercial licence, failure to keep adequate records of fish purchases or failure to keep correct records generally. The point about the records is very important indeed, because we rely on the fact that a fish processor can tell us where he or she caught the fish to know whether or not they are getting fish from an illegal source. I commend the inspectors of the department and the department itself for the work that has been done. I believe it has been very useful for a number of fish processors in this State who might not have realised that they were infringing regulations. Of course, in other cases they quite clearly did realise it, and they are going to court: they will have their day in court.

Finally, this has been a very intensive exercise over the past few months. I warn anyone who would want to be involved in shamateurism in the future that this is not the end of it. We will be maintaining the rigour of inspection of fish processors well into the future. We will be ensuring that those who are genuinely fishing under their commercial licence or recreational fishers who are just fishing for fun are not seeing their fisheries damaged and vandalised by shamateurs.

ECONOMY

Mr S.J. BAKER (Deputy Leader of the Opposition): Will the Treasurer confirm that Federal Treasury officials in Canberra share the growing concerns of the major rating agencies about South Australia's financial position? Standard and Poor's has joined Moody's in considering a further downgrading of South Australia's credit rating. These agencies share concerns about our State's deteriorating finances because of the Government's failure to confront spiralling public sector debt. I have been told that senior Federal Treasury officials also have serious concerns about our financial position. In recent discussions with officials from State Treasuries, the Federal Treasury has expressed the view that South Australia's financial position is now much worse than that of Victoria and Western Australia.

The Hon. J.C. BANNON: I do not know the source of that statement, but it is not true. Secondly, the Standard and Poor's reference to which the Deputy Leader refers is nothing new. In fact, it was issued some two months or so ago. It has simply been reproduced in an annual report that that company presented. So, to hang the hat of his question on something as if it has just been announced is absolute nonsense. I think the honourable member said that Standard and Poor's had added to the concerns being expressed, or something like that. He knows that that is nonsense. It is a con in the way he approached it, in order to put the worst possible gloss on our finances. I make the final point: there probably is a way for us to get the rating agencies applauding us wholeheartedly—and perhaps these mythical Treasury officials as well. That would be to scorch and burn our public sector in this State.

I would reckon that, if we had the 9 per cent cut across the board that the Leader of the Opposition has proposed, we would probably get support from Standard and Poor's and these rating agencies. New York would be delighted: the cables would hum—'South Australia is doing the right thing'. But what would he say to the kids who would not find teachers in their classrooms; what would he say to the public hospital patients who could not get into wards; and what would he say to people ringing for the police and

finding that they could not get any assistance? These are the things on which we are spending money.

We must maintain a balance between the provision of those services that this community needs and ensuring that we have the means to pay for them. We believe that the budget we presented did provide that balance. If rating agencies do not believe that, we will argue the case with them. We think that we are being most unfairly treated in light of the way that we have handled our financial problems, but there is no way that we will take the measures that the Leader of the Opposition and his colleagues would urge upon us on one side while, on the other, of course, they stir up as much trouble in the community as possible about the provision of even more services. They are hypocritical, the question is hypocritical and it was asked on a false basis as well.

HOMESTART

Mrs HUTCHISON (Stuart): Can the Minister of Housing and Construction advise whether there has been a change to HomeStart's lending guidelines and, if so, can he explain the reasons for those changes? I have received a number of inquiries through both my Port Augusta and Port Pirie electorate offices regarding the HomeStart scheme and whether there have been any changes to it.

The Hon. M.K. MAYES: There has been a change as of February 1992 in relation to HomeStart and the application of what we call the maximum loan to valuation ratio (LVR). Since the inception of HomeStart in September 1989 we have proceeded very successfully along the path of offering many South Australians the opportunity to purchase their own homes. We will be up to 10 000 as of this week, and that is in a period of two and a half years. That goes a long way towards our commitment of spending $1 billion in supporting South Australians.

The situation with regard to LVR as between country and city areas and what I would call fast growing regional centres versus the metropolitan or country areas is that we worked initially on an LVR of 95 per cent for established homes and 93 per cent for construction loans. In terms of the maximum loan to valuation ratios, in view of the risk that was involved and assessments that have to be taken, we tried to ensure that HomeStart's viability was kept on the positive side: we did not want to put HomeStart at risk. To do that we looked at what was happening with regard to valuation movements particularly within country areas. We certainly distinguished between those fast growing regional centres and country areas.

In the key fringe areas, which include areas such as Mount Barker, Gawler and Sellicks Beach, property growth is similar to that in outer metropolitan suburbs which account for a good proportion of HomeStart's loan portfolios. We are talking in country and regional areas of about 15 per cent of HomeStart loans. In those areas the maximum LVR is 95 per cent for established homes and 93 per cent for construction loans. In larger country areas, which include Victor Harbor and Mount Gambier, as well as Port Pirie and Port Augusta (two cities that the honourable member represents) and also Whyalla and Port Lincoln, property growth is expected to be sustainable. However, it is unlikely to achieve the level of the metropolitan area in terms of valuations. Therefore, we have had to review that. The maximum LVR in these areas is 85 per cent for established homes and 83 per cent for construction loans.

An honourable member interjecting:

The Hon. M.K. MAYES: The situation is similar to that involving all financial institutions.

An honourable member interjecting:

The Hon. M.K. MAYES: The honourable member says that we are critical or we are discriminating against country areas.

Members interjecting:

The Hon. M.K. MAYES: Members opposite are very critical of financial and prudential management. This is very much a prudential step to ensure that taxpayers' funds are guaranteed. I would be happy to have a briefing provided for the honourable member so that he understands that. It is very important that we maintain the credibility of HomeStart. I am sure that the honourable member would be the first to criticise me as Minister if we were to do otherwise. This is a very important step to secure and maintain the success and viability of HomeStart.

I shall conclude by referring to country areas, because obviously the member is concerned not only about the key fringe and larger country centres but also other country locations. In other country locations the growth is variable according to local circumstances. Some towns may experience property growth similar to the larger centres while other areas with little or no demand may experience a decline in property values. The maximum LVR in those areas is 80 per cent for established homes and 78 per cent for construction loans. So that is the clear picture that we have established for the operation of HomeStart. Let me make it clear that HomeStart's actions are designed to alleviate risk resulting from lower property growth in country areas, based on experience both from within HomeStart and from the market in general. It is in accordance with practices that are adopted by all financial institutions in ensuring their viability and success.

VISITING MEDICAL OFFICERS

Dr ARMITAGE (Adelaide): My question is directed to the Minister of Health. Will the Minister confirm that visiting anaesthetists will not have their contracts renewed after 1 July this year, as a further cost-cutting move at the Queen Elizabeth Hospital, and will he say whether this is the beginning of the end for visiting specialists at all public hospitals? The termination of the contract of visiting anaesthetists comes on top of other cost-cutting moves at the Queen Elizabeth Hospital, including the closure of 10 per cent of beds and out-patient clinics over the Easter school holidays. Concerns are now widespread that visiting specialists in other disciplines will also be phased out at the Queen Elizabeth and other hospitals. This will have ramifications. For example, at the Queen Elizabeth Hospital it would mean the end of all orthopaedic surgery. In the public hospital system generally it will mean less effective training arrangements and it will discourage the participation of women who for family reasons prefer a visiting role to a full-time one.

The Hon. D.J. HOPGOOD: When two years ago the VMOs took us to the cleaners I was heard to say around the place, 'Let us put them all on staff if we possibly can.' I recognise that that is simply not possible. In fact, if one looks at the balance between VMOs, staff surgeons and other categories in the various hospitals one sees that there is a very marked variation. The Royal Adelaide, for example, the old traditional hospital, which began with all VMOs, still relies very heavily on visiting medical officers. When we get to the newer, smaller hospitals the balance very much changes, of course. I believe that over the next 10 or 15 years in the public hospital system generally the balance will move somewhat away from visiting medical officers.

I imagine that down the track we will be less reliant on that form of contract or employment than we are now, or certainly than we have been in the past. But I would agree with the honourable member that it is simply not practical to do away with the system, and of course many of these people bring particular skills and training skills to the system, which would be very difficult to replace in the short term, if ever. So, I cannot confirm the specific matter that the honourable member has raised in relation to the Queen Elizabeth Hospital, but I will check the matter out. I do, however, take the opportunity to give a general indication to the Parliament as to where we stand on these things. The VMOs do come fairly expensive, and I accept that, but they do bring certain skills with them, and I imagine that they will remain a feature in our system for many years to come.

AMPUTEE ASSOCIATION OF SOUTH AUSTRALIA

Mr HAMILTON (Albert Park): Will the Minister of Recreation and Sport advise the House what assistance his department provides to the Amputee Association of South Australia? During a recent visit by an administrative officer of that association, a number of issues were raised with me pertaining to the forthcoming Amputee Games here in South Australia, which I understand will be held here next year, and hence my question.

The Hon. M.K. MAYES: I thank the member for Albert Park for his question, because this is a very important organisation from the point of view not only of conveying to the general public what can be achieved by amputees in the pursuit of excellence and elite level sport but also of how people can adapt, given in some cases an extraordinary disadvantage, and enjoy a full life in our community not only in a social, domestic and employment sense but also in a sports sense. It is remarkable to see many of these people performing and competing, and one really begins to realise how versatile the human body is, being able to adapt to functioning without limbs and amputees being able to compete at an international level. When we had the national competitions here the year before last, I can recall that we had some outstanding Australian and overseas athletes whose swimming times, for example, were only a few seconds slower than the qualifying times for the Olympics, which is quite remarkable for those people. So, if you, Mr Speaker, wake up in the morning and think that things are bad, you should just look at what these people have achieved and how they achieve it. You will realise how, despite their disadvantages, they make their lives so much better without the ordinary benefits that we have from day to day.

We are delighted to be able to support the Amputee Association. I want to congratulate Mr Wilfred Parsons and his wife on their efforts and work in the South Australian community. Their achievements and sacrifices have been extraordinary. They have a farm, which I think they have just about given up running because of their commitment to supporting amputee sports, which many people at a State and national level support as well. I have had the privilege and honour to be invited to most of the State and national events when they have occurred. Members would recall that, to bring attention to the national event which was in Queensland, a number of elite amputee cyclists from all over the world rode from Adelaide to Toowoomba in one stretch. It was quite remarkable to see how those riders negotiated the Adelaide Hills. The French cyclists told me that it was just a warm-up, because they are accustomed to riding in the French Alps. They also ride in some of the premium French cycling competitions.

We support the athletes and will continue to do so. For example, as the honourable member has mentioned, we have offered support to the bowls championship, to be held here in 1993 at the West Lakes Community Centre. It was our pleasure to offer support in the bid preparation, and they were successful in that. In addition, we have offered financial support through the Recreation Institute, which has helped the association send 10 athletes to compete in the National Amputee Games in Melbourne over Easter this year. That is not far away, and I am sure all members wish them great success with that competition.

The association has also sent invitations through the international sporting organisations to the disabled (ISOD) to all member countries in the world, and we expect that 22 countries will play lawn bowls here in Adelaide in 1993, which will be a significant event for us. Not only do I invite all members to physically support the event by attending and viewing it but also, if they or an organisation with which they are associated can support sponsorship, I call on them to assist the Amputee Association in that regard. I wish the athletes success in their coming events.

POLICE FILES

Mr LEWIS (Murray-Mallee): My question is directed to the Minister of Emergency Services. What administrative procedures will be put in place to ensure that errors in police files do not continue to give totally wrong information about any citizen's alleged criminal and traffic offences to the detriment of that citizen's future prospects? A young woman and her husband, both very close friends of mine, recently discovered by chance to their horror that, after giving a Government department permission to obtain the wife's police file, it was wrongly recorded that she had been convicted of two very serious offences, entailing very stiff penalties by way of a sentence, which she did not commit and about which she knew nothing.

The Hon. J.H.C. KLUNDER: It is very sad when a situation of that kind occurs, and we should all hope that it never occurs. However, let me give the House some background details. At least 60 000 offender history records are either erased or amended each year. It is done manually, relying on the accuracy of court staff, prosecutors and criminal records section staff, and it is inevitable that, when you amend or erase 60 000 records a year, on occasions errors will be made. That is not to say that we should be happy about that or should not take the most stringent precautions to minimise those errors. However, anyone who believes that in 60 000 records a year there will be no errors is being somewhat more optimistic than realistic.

In the circumstances it is clear that every time somebody becomes aware of an error they should take the appropriate step of going to the Police Department and asking for their offender history file to be looked at and checked. I take the point made by the honourable member that it is possible on occasions that one may not be aware of such an error having been made. Indeed, if one is not aware of how such an error has been made, it is fairly difficult to check the situation on the basis of the Police Department checking its own files. It is, unfortunately, inescapable. I hope that there are very few examples of such. I would encourage anybody who even suspects an error in their records to attend central police headquarters and ask that their file be checked. On those rare occasions when errors are made and detected, the police make every effort to change them as soon as possible.

DETAFE

Mr FERGUSON (Henley Beach): Will the Minister of Employment and Further Education detail whether the State Government's commitment to community and adult education will be maintained with the integration of the Office of Tertiary Education into DETAFE? The Office of Tertiary Education has been responsible for the administration of community adult education programs to date and concerns have been raised with me that the change in the administrative arrangements may have a detrimental effect on the program.

The Hon. M.D. RANN: I appreciate the deep commitment of the member for Henley Beach to community adult education in this State. It is a commitment that I and the Government share, as demonstrated by the fact that this year more funding has been made available for the community adult education sector in South Australia than in any other year. The funding from Commonwealth and State sources in South Australia has grown from $125 000 in 1988 to $510 000 in 1992, of which $365 000 was from South Australian Government resources. This is a three-fold increase which, when we add in other community programs run by TAFE—other community adult education programs which are a significant TAFE contribution—it reflects this Government's recognition of the vital importance that community adult education has played in building the foundation blocks for the skills of development in our work force and community. Of course literacy is one of those key building blocks.

As I said yesterday to a language, literacy and industry conference attended by the Federal Minister for Industrial Relations, Senator Peter Cook, today's workplace culture demands higher levels of language and literacy development from both management and workers if they are to succeed and if we are to succeed as a nation. I was very pleased to hear Senator Peter Cook praise South Australia's workplace education service as being something of a national leader. Today in the workplace the emphasis is on understanding, on effective communication of ideas as well as instructions and on the working relationships between the various parties. In this context the skills of literacy and communication immediately assume greater importance.

Members have probably heard already the saying that most of the work force of the year 2000 is already in the current labour force, and the need is likely to become greater rather than reduced because we know that literacy skills decline with lack of use. Some members would also be aware of community groups in their electorates being successful recipients of funds for literacy and language programs, those funds totalling over $270 000 this year. This funding is allocated by a very able and enthusiastic advisory committee on community adult education that is keen to maintain the profile and focus of community adult education.

The member for Henley Beach said that many functions of the office of tertiary education are being integrated into the Department of Employment and Technical and Further Education, a move that will streamline processes and save taxpayers money. I can assure the honourable member that this will strenghthen the impact of the community adult education program. In fact a community adult education secretariat will be established in DETAFE giving added profile to the program. This will provide greater opportunities to strengthen collaboration and coordination between TAFE courses and community based programs.

In this way, we will see clearer pathways between college based and community based courses enabling people to build more readily on the basic skills and confidence gained in a range of community centres around the State. I am sure that this move will benefit both the providers of community adult courses, a committed group of community people, and also, importantly, course participants. I am very pleased to get feedback from both sides of the House when I write to members to inform them of allocations of money from the community adult education program to various centres in their electorates.

AGRICULTURAL CODE OF PRACTICE

Mr GUNN (Eyre): What action is the Minister of Agriculture taking to prevent the introduction of a code of practice which could drastically affect the operation of farms in South Australia, threaten the ability of children to participate in their own farm activities and possibly prevent children from taking part in livestock and machinery displays at the Royal Adelaide Show? A draft paper of a code of practice, written by a number of organisations, including the Department of Occupational Health and Safety, raises strong concerns that the all-embracing measures it contains will create senseless and severe restrictions on farm operations, the teaching of agricultural science in schools, and the freedom of children to enjoy the farm, the royal show and educational zoo activities. Section 7.1 of the draft code provides:

> Children 10 years of age or less must not be permitted, by regulation, to operate, ride on or be in the vicinity of, power driven machinery whether or not it is in use.

That is interesting. Section 8.2 provides:

> A child should not be permitted to enter an enclosed yard, pen or transport box occupied by a cow, sow, mare, ewe, or doe or other similar female animal with newborn young without the supervision of an experienced adult.

Such provisions remove sensible discretion from parents and teachers and place enormous legal constraints on freedom of movement and work practices.

The Hon. LYNN ARNOLD: The honourable member has raised a question that clearly at this stage comes under the responsibility of the Minister of Occupational Health and Safety. He also makes reference to a draft code of practice. I will certainly have this matter further investigated. If it has not already happened, I am certain that there will be consultation between the Department of Occupational Health and Safety and the Department of Agriculture, because that is the way things work: a very good spirit of cooperation takes place. If someone puts forward a draft, it is considered and analysed rigorously and certain things are changed—it will be recognised that some things may need to be changed while other things may need to be picked up.

I am confident that there will be a proper period of consultation about this and that any final code of practice that is adopted will recognise legitimate issues while deleting issues that may seem to be unnecessarily intrusive into the operations of farming activities and farming families. However, I want to make one additional point: we are dealing with a very difficult area, and the honourable member would know how many tragic situations take place in farming enterprises as in other places where accidents in that sort of working environment have resulted in the death not only of practising farmers but of members of their families as well. It is a great tragedy to hear of these cases.

Members interjecting:

The Hon. LYNN ARNOLD: I am sure that the Leader would agree, that it is tragic when children die or are injured as a result of accidents on the farm or off the farm while dealing with farm animals or whatever. It is not unreasonable, therefore, that some code of practice should be developed to ensure that they are not put at especial risk. However,

there is another issue that must be addressed, and I refer to events such as the Royal Adelaide Show, to which the honourable member referred. My colleague the Minister of Education, as an aside, drew attention to the good news of how many young people now take part in the Royal Adelaide Show and participate in the various activities, including agricultural activities.

However, there are very serious public liability questions involved in that too. If anyone is to be put in an exposed situation where they might be subject to risk, those doing so would want to ensure that they are not exposed to major public liability as a result of that. That is best addressed by developing a reasonable code of practice. I believe that what is coming out of the Occupational Health and Safety Commission is an attempt to develop a reasonable code of practice. In the honourable member's own words, it is a draft code at this stage. Let us have extensive discussion about that: I will certainly have discussions with my colleague the Minister of Occupational Health and Safety. But, at the end of the day, trying to arrive at a reasonable document establishing codes of practice is not a bad thing, provided that it is a sensible document. I encourage the honourable member and anyone else with an interest in the matter to play a constructive part in developing a reasonable code of practice.

E&WS ACCOUNTS

Mr HOLLOWAY (Mitchell): Will the Minister of Water Resources advise the House whether the Engineering and Water Supply Department has considered accepting payment of E&WS accounts by credit card? I was recently approached by a disabled pensioner who because of illness was unable to pay his E&WS account by the due date. My constituent—

Members interjecting:

Mr HOLLOWAY: It was because of illness, I repeat for the benefit of the member for Heysen. My constituent cannot afford to operate a cheque account, so he was forced to travel to the city to make his late payment. He has informed me that the availability of a system of credit card payment, such as that available for many private business accounts, would have enabled him to pay by telephone or post in such circumstances.

The Hon. S.M. LENEHAN: I thank the honourable member for his question. It is something we should look at quite seriously. In fact, some years ago the E&WS Department did look at introducing a system by which credit cards might be used. At that time, the proposal was rejected on a number of grounds, one being the diminution in cash flow and another being the fees that would be imposed on the department as a result of the use of credit cards.

Members interjecting:

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

The Hon. S.M. LENEHAN: The natives are a bit restless today, Mr Speaker. However, it is important that we acknowledge that elderly citizens and people suffering from handicaps in the community need special consideration. On those grounds, I would be very pleased to accede to the honourable member's request and to ask the E&WS Department to look again at the use of credit cards in terms of future operations regarding the way in which we allow our customers to pay their accounts.

SPORTS INSTITUTE

Mr OSWALD (Morphett): I direct my question to the Minister of Recreation and Sport.

An honourable member interjecting:

Mr OSWALD: It is not a surprise at all: it is in the paper.

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

An honourable member interjecting:

The SPEAKER: Order! The member for Albert Park is out of order. The member for Morphett will direct his question through the Chair.

Mr OSWALD: Most certainly, Sir. Will the Minister provide to the House the following information concerning equipment purchased by the South Australian Sports Institute between July 1990 and October 1991:

1. What equipment was purchased in that period by institute officers who did not have purchasing authority?
2. What purchases valued at more than $10 000 were made without the proper procedures for obtaining quotes?
3. What were the names of companies from which the institute obtained its sport, gym and sports science equipment referred to in the audit report of 24 October 1991?

This information would be readily available from the institute's auditors, and I ask the Minister to provide it by next Tuesday.

The Hon. M.K. MAYES: It is interesting that the honourable member should be pursuing this line, because yesterday he raised the question of the use of credit cards.

Members interjecting:

The Hon. M.K. MAYES: It was not a very good question and it was not well phrased. It reflected on the staff at the institute, particularly those who are involved with it. Is the member for Morphett suggesting that there has been impropriety on the part of those staff? I would like to know how he sees his question fitting in with the Auditor-General's Report, which he has: it is clear from that report that there is no suggestion of impropriety according to the audit that was taken.

With regard to equipment, it is interesting to note that the honourable member has made these statements today also in the press. He has said, 'Sport has to be run by sport in this city. Sport should not be run by Government.' In fact, he cannot have it both ways. He is asking me to intervene and implement proper accounting systems in the operation of SASI, and he is suggesting that sport should be running it. Clearly, he has to make up his mind. The reason I have instituted proper accounting procedures and asked for a review was that we thought—and it is clear—that the systems were not thorough enough. There is no suggestion from the Auditor-General's Report or the internal audit report that there has been any impropriety or any evidence of impropriety on the part of any of the staff members.

In regard to the equipment, the honourable member refers to items 5 and 6 of the internal audit. I shall be happy to provide the detailed information, but I should point out what the report records. It says:

> A number of equipment purchases were authorised by officers who did not have the appropriate purchasing authority. No CEO approval was sought. Instances were also documented where purchases over the amount of $10 000 were made without following proper procedures of obtaining quotes.

That report obviously—

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

The Hon. JENNIFER CASHMORE: On a point of order, Mr Speaker, I have the impression that the Minister is reading from a Government document. I ask that he table the document.

The SPEAKER: Is the Minister reading from a document?

The Hon. M.K. MAYES: I am reading from the Auditor-General's Report, which I am happy to table and will do so. It goes on to say:

In 1991-92 the Director, SASI has been given purchasing authority of $10 000.

It then goes on to item 6, one-off expenditures:

A number of examples of one-off expenditures during 1990-91 were evidenced. While expenditures indicated below do not necessarily reflect only one-off expenditures they do reflect that significant funds were expended on initiatives that would require full justification prior to retention of funds in a zero base budget scenario.

There is no suggestion in this report that there was any impropriety. What has happened in relation to these one-off items is that they have been part of the budget process and part of that expenditure. Clearly, that was identified by the Auditor-General in the process of going through the systems.

The accusation that is coming from the media regarding this so-called bureaucracy is the reason why I have required the systems to be reviewed so that they are accountable and proper and do meet standard Government requirements. That has been instituted. If the honourable member can contain himself, I will refer to the Auditor-General's letter of 25 November 1991, in which he says:

During the verification of the financial statements the opportunity was taken to review the revised operating procedures—

those procedures which I implemented and instructed should be put in place, so there is proper accounting there—

implemented from 1 July 1991 which, among other things, addressed issues previously raised by audit. The review indicates that the revised procedures were operating satisfactorily.

That is the Auditor-General's comment in relation to these systems. I am happy to provide this report to the honourable member—obviously he has it already—from which it is clear what has been established.

Is the honourable member suggesting that staff have actually used funds improperly? Does he suggest that, whether in regard to credit cards or machinery—he is talking of equipment—there has been collusion or some sort of arrangement whereby employees of SASI, the sports people who are responsible for administering sports development policies in this State, have been improperly using funds? If so, he should come clean and say it, not hide behind it and try to disguise it as an indirect question. The honourable member should come out and say that X, Y and Z have improperly used funds, not try to impugn a reputation and build up a murky, messy case and muddy the waters. The honourable member does not have the courage to say that, and I call on him to do so.

SCHOOL RESOURCES

The Hon. T.H. HEMMINGS (Napier): Will the Minister of Education inform the House what additional resources are being provided to schools to meet specific needs and to address disadvantage? In particular, what additional staffing is being provided to schools in the northern suburbs? The Minister will recall that there has been considerable agitation from both teachers and parents in my electorate which resulted in my leading a deputation of parents from the Elizabeth Field Primary School to see him. The member for Hartley also wished to come but I refused to take him. The basis of the parents' concern is centred around what is being done to meet specific needs and to address the disadvantaged.

The Hon. G.J. CRAFTER: I thank the honourable member for his question. It provides me with an opportunity to set the record straight with respect to criticisms that have been circulating in recent times about the level of resourcing of schools in South Australia. I think most of the criticisms of the resourcing, and particularly about staffing of our schools, have come from the teachers' union which is conducting a campaign to have the State Government employ more teachers in this State. I can say, however, that South Australian schools are staffed at a level that is much greater than the national average. Indeed, if we were to move to the national average for class sizes in this State we would require some 1 400 fewer teachers than we currently employ in this State. Just a year ago this week the then President of the teachers' union in South Australia, Mr David Tonkin, said in an interview on radio:

South Australia, Victoria and the ACT on the whole have the highest per capita spending for students for day-to-day running costs. But I know that in Victoria, for example, that is offset by a very low level of expenditure on capital; in other words, on school buildings, and so on. So, one has to take a total picture of education spending, not just on how many teachers there are. I think that South Australian and Victorian schools are probably the best resourced in the country.

I have been able to say with confidence around this State for a number of years, and I think those people who are serious commentators in relation to education in this country will agree, that we in South Australia still have the best resourced education system in this nation. It is interesting that in a few hours Britons will be electing a new Government, and honourable members may be interested to know that the Labour Party in its education manifesto coming up to the election in Britain made this promise about class sizes in England. It said that they:

. . . proposed to cut State school classes to a maximum of 40 children within a year of taking office.

So, they were going to cut school class sizes to 40 students per class. Labour said that it would establish a maximum class size of 35 within three years, and eventually bring that figure—

The SPEAKER: Order! The Minister of Recreation and Sport offered to table the docket. I notice that he rifled through the file. Is it the full document that he is tabling?

The Hon. M.K. MAYES: This is not a file; it is the document I referred to, the Attorney-General's report, which I tabled.

Members interjecting:

The Hon. M.K. MAYES: It is not a file. It is the report that I referred to.

Members interjecting:

The Hon. M.K. MAYES: It is not a file; it is a loose collection of documents.

Members interjecting:

The SPEAKER: Order! I ask the Minister to consult with the Chair while the Minister of Education completes his response.

The Hon. G.J. CRAFTER: As I was saying, the British legacy of more than a decade of conservative government has left that country with what can only be described as appalling class sizes. It is estimated that there are 911 000 children in classes over 30 in size in that country, an increase of 13 per cent since 1988. So, the situation is deteriorating, whereas in South Australia we have a staff structure that sees no class that need have more than 29 students; indeed, reception to year 2 and year 12 classes are smaller, and tens of thousands of classes are below the formula figure. But, apart from the provision of what is known as tier one staffing, that basic allocation of staff according to student numbers, this State alone has an additional 783.5 full-time equivalent salaries, which are the tier two salaries, allocated on a social justice basis. That is at a cost to South Australian taxpayers of some $37 million. That is money well spent in providing the additional assistance that is required in a

good number of schools across this State. With respect to the specific locality referred to by the member for Napier, more than 55 additional salaries have been allocated to schools in the vicinity of Peachey Road—

Mr S.J. BAKER: On a point of order, Mr Speaker, under Erskine May it is stated that lengthy answers should be circulated with the official report, instead of being given orally. We have had at least five examples today of lengthy answers.

The SPEAKER: I uphold the point of order. There have been very long questions, although I point out to the questioners that some of the questions today have been very complex. I ask the Minister to draw his response to a close.

The Hon. G.J. CRAFTER: I was concluding my comments then, Sir. Fifty-five additional salaries have been allocated to schools in the vicinity of the Peachey Road area, the Inbarendi College, and schools in the Salisbury area.

The SPEAKER: To clarify the point raised by the member for Coles, I have consulted with the Minister and looked at the documents he had. He has no requirement to table anything beyond a docket, which is an official document. There were no dockets in his file. The document to which the Minister referred and which he is prepared to table is here for reference.

The Hon. JENNIFER CASHMORE: On a point of order, Mr Speaker, I am sitting directly opposite the Minister of Recreation and Sport, and I saw him undo a staple and remove the pages which are given to you and which are not part of the report that the Minister said he would table.

Members interjecting:

The SPEAKER: Order! The member for Coles has raised a point of order on a reference to a document by the Minister. I have that document in my hands, and that is the document which I understand he was prepared to table and which has been tabled. If there is a docket, it was not being referred to: it was this document that was being referred to.

The Hon. JENNIFER CASHMORE: Mr Speaker, I did not use the word 'docket'; the Minister used the word 'report'. I saw the Minister undo a staple and subtract pages from what I presumed to be a report, and I do not believe that what is in your hands is the full document from which the Minister was quoting and which I believe he should have tabled.

Members interjecting:

The SPEAKER: Order! The important issue here is that the Chair does. The point of order is overruled.

GAMING MACHINES

Mr BRINDAL (Hayward): Does the Premier agree with the former Deputy Premier, Mr Jack Wright, who today on the ABC implied that the Minister of Finance was not objective about the Lotteries Commission's capacity to administer poker machine laws; and who said it was more than a coincidence that allegations about conflicts of interest which related to a Lotteries Commission officer were raised the day after the Police Commissioner backed the Lotteries Commission as the most effective body to keep corruption out of the gaming machine industry?

The Hon. J.C. BANNON: The second part of that question could be answered only by the honourable member who asked it. Was it a coincidence? The honourable member could have explained it to us, and he may get an opportunity to do so. As to the first part, I have not got the full context of the Chairman's remarks, so I am not prepared to comment on that.

MAMMOGRAPHY UNIT

Mrs HUTCHISON (Stuart): Will the Minister of Health advise the House of the immediate itinerary of the new mobile mammography unit launched by him and the Deputy Prime Minister last Friday?

The Hon. D.J. HOPGOOD: It would have arrived in Clare this morning at about 11.30. It is parked in the vicinity of the town hall, and it will be available for screenings as from Monday morning. My understanding is that women in about five or six local government areas, centring on Clare, have been or will be written to and invited to ring and make an appointment for a screening. This does not preclude other women from coming forward for screenings, should the letter have gone astray or had they not been written to. It is very important that the program be entered into with some considerable vigour. Early diagnosis of breast cancer is really the only effective management of this disease, which continues to be the highest cause of cancer death among women. I will read into the record the 008 number that is available, so that people know what it is. The South Australian breast X-ray service toll free number is 008 088152. From Clare the unit will go to the West Coast and eventually will be joined by a second unit commissioned in about February or March next year. I commend the program to all South Australian country women.

GRIEVANCE DEBATE

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

Mr D.S. BAKER (Leader of the Opposition): We asked a question of the Premier today about when the trend of unemployment will be reversed in South Australia and about how much responsibility he accepts for the 80 000 South Australians now unemployed. Of course, from his reply to the question we note that he does not accept any responsibility at all for those 80 000 people unemployed. We want to know when the trend will be reversed in South Australia, and the Premier says, 'These monthly figures bob up and down and you can't look at one month—you have to look at the longer term.' I agree exactly—you have to look at the longer term. The facts show that unemployment in South Australia is such that the trend rate is up again to 11.5 per cent in this State—the highest in Australia—and it is continuing to rise. We asked when the Premier would do something about this, but he tried to absolve himself of any responsibility connected with his mismanagement of the State.

If we look at what has happened in the past 12 months in South Australia we find that 17 900 people have lost their jobs. That is more than the total number of farmers (15 000) in this State, so it is like wiping out the entire farming community. There are 55 000 small businesses in this State, so it is like wiping out a third of them or taking them off the map. It is equivalent to 900 football teams. That is the number of people who lost their jobs in South Australia last year under the management of this Treasurer. It is about time that the Premier started to do something about the trend line and not be snap-frozen with an inability to make any decisions at all to turn this situation around. Employment growth in South Australia in the 10 years from 1982 to 1992 would have been easily the lowest of all States.

In South Australia in the past 10 years employment has grown by 11.4 per cent. Compare that with other States in Australia. In that same 10-year period Queensland has had

an employment growth of 34.3 per cent. In Western Australia, employment growth has been in excess of 32 per cent. Surely, in that 10-year period the Treasurer should have come to understand that he has been doing something wrong. Together with the trend line going up, surely it would register with anyone who cared about the 80 000-plus people who are unemployed that someone had to do something. That is all we are asking; that is all we have been doing by way of questions in this House for the past two years. Do something about it! Make some decisions! Do not stand up each day in this Parliament in a snap-frozen condition and say, 'We are waiting for it to turn around.' While waiting for it to turn around for the past three months, which the Premier says he has been waiting, 3 500 more people have become unemployed in this State. Something must be done about it.

It started with the debate on WorkCover. My colleague the member for Bragg was a member of the select committee that looked at WorkCover. A Bill was drawn up, and there was general agreement that something had to be done about the excessive WorkCover charges. The Bill was debated in this House, but nothing was done—a cop-out by the Government. Every employer and employer organisation in this State agrees that WorkCover charges are exorbitant and are causing unemployment. In New South Wales, where the trend rate and the seasonally adjusted unemployment rate is 9.4 per cent compared with 11.4 per cent in this State, the average WorkCover levies are considerably lower.

Twelve months ago, the Premier made a promise to this Parliament and to the people of South Australia that he would do something about it, that WorkCover would be brought into line with other States because of its disincentive for employment. In that 12-month period, the Premier has huffed and puffed. He has promised that things would be done. The opportunity to do something occurred in the past two days in this Parliament, but that opportunity has now passed because the Premier did not care about the 80 000 unemployed people in South Australia. Until he makes—

The ACTING SPEAKER (Mrs Hutchison): Order! The honourable member's time has expired. The member for Albert Park.

Mr HAMILTON (Albert Park): I would like to refer to an issue that has been debated at some length within my electorate, and that is the proposed closure of the Seaton North Primary School. That decision has caused some pain in the community, and understandably so. The facts are that the declining enrolments at that school, as I have mentioned in this House in the past, have led to the position where the school will close at the end of this year. In 1980, there were 345 enrolments at the Seaton North Primary School; in 1985, it was 262; in 1990, 199; in October 1991, 160; and in February 1992, 117.

The process of consultation with a whole range of people in the area included looking at declining enrolments. Many groups were given the opportunity to make submissions in regard to that matter. One thing that I have learned in the 13-odd years that I have been in this Parliament is: do not mislead people, because you will find that it will catch up with you. When I was approached last year by members of that school community, I said openly and frankly, 'I believe you will have great difficulty in keeping the school open. That was the case.

Mr S.J. Baker interjecting:

Mr HAMILTON: It is consistent, I hasten to add—without the stupid interjections of the Deputy Leader in relation to this matter. The fact is that members opposite have agreed in principle with the actions I have taken, and I believe the honourable member will find that somewhat amusing. The fact is that the Public Accounts Committee, of which I was the Chairman, in looking at asset management, was very critical of the Education Department. My consistent approach in relation to asset management and the utilisation of resources—

An honourable member interjecting:

Mr HAMILTON: Well may the Deputy Leader look at me like that, because the penny is starting to drop. We must utilise the proper resources. It is very interesting that the principal of a high school in the area said at a school council meeting when this matter was raised, 'The member for Albert Park has a proven track record in terms of the educational needs within his electorate.' That is very interesting indeed. I am not persuaded by abuse; I am not persuaded by people who want to use some other tactics, which I will reveal to this House after this year, and I refer to the sort of things to which I have been subjected in relation to this matter. I do not walk down those paths. However, I believe very strongly in the democratic process, where people can demonstrate outside my office and make logical, clear submissions in relation to the schooling of their children.

As a parent I know that we all want the best for our children. I believe that the decision taken by the department and the Minister in consultation with me and, indeed, with many other people outside the Seaton North school community was correct for the medium to long-term benefit of those students. I am talking about the education of those students into the next century. I am prepared to wear some of the odium that will result from the closure of this school at the end of this year. However, the school will not be lost, because the adjacent high school will benefit as will the current students and, indeed, those at the primary school and the high school next year.

Mr GUNN (Eyre): The first matter I want to raise relates to evidence recently taken by the Select Committee on Juvenile Justice while visiting Ceduna. I have been advised that an officer of the Department for Family and Community Services—Kim Dwyer—made comments about over staffing in the Police Department. I was horrified to hear that and quite amazed, because I have been involved for a long time in making representations to the Minister and the Police Department to ensure that there is an adequate number of police officers at Ceduna in order to provide round the clock patrols.

What that FACS officer failed to understand is that police officers go on holiday or sick leave. Ceduna is a busy place with a lot of travellers passing through it, and it has a port facility. As a result, the police cover a very large area. It is ill-conceived nonsense for people to breeze into town on a temporary basis and become an instant expert and then leave. I am most disappointed that Miss Dwyer would make those comments when they are contrary to the desires of the local community and to the best interests of that community.

We all recognise that there is an urgent need for police aides. However, there is also an urgent need for adequate police resources, because we cannot have round the clock patrols unless there is sufficient staff to back up those patrols. It is unfortunate that these comments were made. I understand that no consultation took place with senior police officers in relation to this matter. I understand that this departmental officer visits Ceduna infrequently and makes herself available on a limited basis. I suggest that she do her homework and concentrate on those areas in

which she is an expert and refrain from commenting on things she knows nothing about and making suggestions that will have a detrimental effect on Ceduna not only in the short term but also in the long term. I strongly reject the suggestions that she put forward and I ask the House to ignore them as irrational nonsense.

I have received a letter from people concerned about the School of the Air based at Port Augusta. They are concerned that existing services will be reduced because of Government cuts. This relates particularly to the response that the Minister gave in answer to a question today. The letter states:

Re: Arbitrary cuts in School Services Officers' time. Port Augusta SOTA and Open Access College, Marden.

- Week 10, Term I, advised of cuts of 14 hours (Port Augusta), 50 hours (Marden Campus) in School Services Officers' time. All of these hours affect despatch at both campuses.
- Hours were deemed necessary when allocated (on a temporary basis, but understood to be for all of '92 at least. Local officer told verbally her extra hours were for all of '92) and workload has increased! Marden understaffed prior to cuts (25 per cent).
- Port Augusta campus already understaffed according to the Area School formula under which we believe we should be staffed (109 now—95 after cuts. Area School formula = 114 hours).
- As well as obvious cuts in services offered, such short notice—reorganisation of School Services Officers time at Port Augusta at our busiest time with set marking, preparation of TII Air Lesson notes and despatch of TII set work.
- Open Access (both campuses) must be able to deliver on time—both in set marking and production of materials and both have been cut significantly! Staff already under great pressure from parents re delivery—these cuts can only exascerbate an already undesirable situation.

I sincerely hope that this matter will be rectified immediately. The School of the Air and the open access campus provide valuable educational facilities for my constituents. They are disadvantaged enough now without further cuts. The parents are paying a high price to educate their children. These people provide outstanding services. It is not only unfair but unreal to expect those services to be further stretched, because that will affect education standards. I ask the Minister as a reasonable person to intervene immediately and to reallocate those provisions.

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

Mr QUIRKE (Playford): Yesterday I asked the Minister of Recreation and Sport a question about Foundation South Australia. I thought that the Minister gave a very good and competent answer and promised to take the matter further. To wit, while the Minister is in the Chamber, I will detail the promises that he made during Question Time yesterday. He was going to raise with Foundation South Australia the issue of funding to the various local clubs not only in metropolitan Adelaide but in the country as well. In my question, I suggested that Foundation South Australia has either a non-existent profile in the clubs or, amongst most smokers, a fairly negative one. I do not want to use much of my time this afternoon on the question of smoking. I simply say that the best cure for smoking, according to what I have seen, is cancer. It generally tends to solve smoking without too many problems. As an ex-smoker, I can say that there are others who manage to give up smoking by various means. In fact, the premium that is placed on a packet of fags—

Mr Hamilton: It is not high enough.

Mr QUIRKE: I do not agree with the member for Albert Park on that question. It is certainly high enough for all my smoking constituents. But at the end of the day the premium that is placed on tobacco, which goes to Foundation South Australia, is, I understand, not only to supplement the funding that was cut off, as a result of the passage of that legislation, from some of the mainline sports in South Australia but also to be of general assistance to sporting clubs and to various arts groups in our community.

I can only say that at least at the grassroots level one of the real problems out there is still inadequate funding for many of the sporting clubs. There is an expectation, sometimes an unrealistic one, on the part of some of the smaller clubs that they will get a large share of the tobacco sponsorship money. However, I think at this stage it is reasonable to suggest that, generally, the money that is going into the main sports and to other peak organisations is not filtering its way down, or is not perceived to be filtering down, to the local sporting facilities. I call on Foundation South Australia to redress that imbalance. I would like to look at proposals it may put forward, where indeed it will make a direct contribution to many sporting clubs out there who use those funds. I think it would be very worthwhile where this is concerned if Foundation South Australia took an overview of where sport in this State is going and put some funds into some of those metropolitan and rural clubs where the sporting champions of tomorrow are currently receiving training.

There is no doubt that the tobacco sponsorship funds, of which I understand there is some $5 million or so this year, could be employed through a much more decentralised model than what is currently the case. I hope that my question to the Minister yesterday and the remarks I am making here today will not fall on infertile soil at Foundation South Australia and that in fact we will see some change, some decentralisation and some effort out there to put money into the community sporting clubs, which are the building blocks of South Australian sport.

Mr BLACKER (Flinders): On Tuesday the Minister of Family and Community Services issued a statement to the House indicating that the Government had made an additional grant of $40 000 for 12 months to establish a position of rural care worker on Eyre Peninsula. The Minister went on to explain some other aspects in relation to that and how the position would work as a complementary service to the many other services provided by the department and other Government agencies. I want to add my full support to the Minister and the comments that he has made, because obviously this has been a very serious and genuine attempt to resolve what has been an impasse for nearly 12 months in the provision of a rural councillor for Eyre Peninsula.

I shall provide a little bit of history in relation to this matter. Three years ago a rural care worker was engaged by the Department of Family and Community Services—it was under a different name at that time. This rural care worker was to act as a roving councillor within the drought stricken regions of Eyre Peninsula as they were at that time, because financial hardship was besetting many of the farmers, and of course since that time there has been an increase in interest rates and even greater financial difficulties have arisen. With the change of departmental officers it was deemed that it was not the appropriate way to carry out the services provided by the Department of Family and Community Services and so a difference of opinion arose at that time.

Unfortunately, the services of that rural councillor were withdrawn and the person was put on other duties, and effectively taken out of the rural area from a counselling point of view. That resulted in a great outcry from many individuals on Eyre Peninsula and many organisations. The district councils each wrote to find out why the rural councillor position was withdrawn, and also the Country Wom-

en's Association wrote and took up the matter at a State level as to why that person was withdrawn. Similarly, many other individuals and organisations wrote to find out why that person was withdrawn from service, because there was a very great demand and need for that type of service which was different from other services offered by the Department of Family and Community Services.

The Minister's intention in providing this new position was to create a position of rural care worker in the community, which would operate in a similar way. It will be funded slightly differently inasmuch as an independent committee will be established to work with the Department for Family and Community Services and other Government agencies.

I raise this matter now, because I am anxious that the position be filled at the earliest possible time. At the moment, there is a chronic demand for those services in the rural community. Some 18 months ago, there was a problem in the wider spectrum of the rural community whereby people were not talking about their difficult financial position. That seemed to be coming out into the open: people were finding that some of their neighbours were in a similar position, and were starting to talk about their problems as a community. In the past 12 months, we have seen a closing up of that attitude. There has been less talk amongst people. Many believe that the despondency, that quietness that is coming over so many people, is the onset of more serious problems.

I take this opportunity to ask the Minister to expedite, if at all possible, the establishment of that position of rural worker, to get that person, whoever that person shall be, out into the field at the earliest possible time, so that the problems experienced by rural workers can be addressed at the earliest opportunity. We know that all other services are available. It is a matter of contacting those people because, in the main, the people in greatest need will not pick up the phone and call someone whom they do not know in a service that might be 200 kilometres away. They need that personal contact; they need to be able to liaise with a community care worker. I ask the Government to act with all expediency to effect that position as soon as possible.

Mr ATKINSON (Spence): I rise to note the passing on 23 March, at the age of 92, of Friedrich von Hayek, the Austrian-British economist whose life's work was to explain and defend the market economy. Von Hayek has been described incorrectly as the Father of Monetarism: he was, in fact, a classical liberal. He won the Nobel Prize for economics in 1974.

Von Hayek was born in 1899 in Vienna, then the capital of Austria-Hungary, into a recently ennobled family of Czech origin. He was raised and educated in what he described as philosemitic circles. He served in the Austrian Army on the Italian front in the First World War. Some would say that he did not win another fight until the 1970s, in Margaret Thatcher's reign.

After the war, he took doctorates in law and economics at Vienna University and joined the staff of the London School of Economics in 1931. Von Hayek was an admirer of the economic growth of the nineteenth century, and he defended the economic practice and ruling economic theory of the century against the progressive politically correct classes of the 1930s who, alas, are still with us. It is pertinent to note that von Hayek's friend Keynes was not part of these classes, though they later appropriated him. Of this, more later.

Arthur Seldon, in his appreciation of von Hayek in the *London Times,* wrote of his fellow socialist students of the time:

> What was wrong was simple: by showing capitalism had faults, which it had as I could see all around me, they had jumped to the conclusion that another system called socialism would put it all right.

Von Hayek argued that the market was the most efficient way of transmitting economic information, such as consumer tastes and incomes, producers' costs and outputs, future products and methods of production.

He warned that planned economics were not merely inefficient but morally corrupting. He wrote that centralised economic planning would not work because it did not have a pricing mechanism. I am glad that he lived long enough to be vindicated by the collapse of command economies in Central and Eastern Europe. These command economies, where political favouritism permeated every level of the economy, especially employment and distribution, fulfilled the prediction of moral corruption made by von Hayek in the 1930s. Von Hayek became a naturalised citizen of the United Kingdom in 1938 and continued as a professor at the London School of Economics until 1950. His friend Keynes arranged rooms for him at King's College, Cambridge, when he joined the evacuation of London during the Blitz.

His most popular book, *The Road to Serfdom*, was published in 1944 in the midst of wartime planning. In it he warned against the command economy and the temptations it presented even to liberal and conservative political parties. He called the temptation for governments to put things right by intervention in the economy the fatal conceit. It was to be the title of his last book. Keynes wrote of *The Road to Serfdom*:

> Morally and philosophically I find myself in agreement with virtually the whole of it; and not only in agreement with it, but deeply moved agreement.

Von Hayek was kind enough to say of Keynes in the 1970s that he would have repented of the general theory, had he lived. Von Hayek complained of the tendency of academics in the humanities to put the adjective 'social' in front of so many useful nouns. This, he said, emptied the noun of meaning and formed what he called weasel words. Among the weasel words he listed social justice, social democracy and, the most meaningless of all, society. All the greatest human achievements, he believed, arose from unintentional activity, to which human design was nearly always inimical. After two years in this House, I am most attracted to this proposition.

Von Hayek realised the importance of the rule of law to economic success, something that is now being rediscovered by the governments of Hungary and Poland. Von Hayek's intellectual failing, I think, was that he had little to say about market failure. In his old age he became a solitary advocate for privatising the currency. Although I am a member of a socialist Party, one of the things that attracted me to von Hayek's writing was that he was a hate figure for the academic Left. Another was a charming article he wrote in the November 1976 issue of *Quadrant* (the first year I subscribed) arguing for a Constitution that confined voting and serving in Parliament to people who were 45 years of age. Yet another was the frequent references to his writings by Karl Popper in the open society—

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

SELECT COMMITTEE ON THE STATE GOVERNMENT INSURANCE COMMISSION BILL

The Hon. M.K. MAYES (Minister of Housing and Construction): I move:

That the time for bringing up the report of the select committee be extended to Tuesday 14 April 1992.

Motion carried.

SELECT COMMITTEE ON JUVENILE JUSTICE

Mr GROOM (Hartley): I move:

That the time for bringing up the report of the select committee be extended to Thursday 30 April 1992.

Motion carried.

REAL PROPERTY (TRANSFER OF ALLOTMENTS) AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 8 April. Page 4078.)

Mr INGERSON (Bragg): I rise to comment on this legislation. In my new role of shadow Minister of Planning, it is an interesting development to be part of this area of the Mount Lofty Ranges. Because of the need for changes in the whole ranges zone that this TTR or transfer of title method has been introduced. We have spent a considerable amount of time in the past two months looking at the management plan and the SDPs that the Minister has introduced in the area. The most fascinating thing about it all is that it has taken some five years and almost $6 million for the management plan and the final SDP to be brought down. It is fascinating that, while we have taken all that time to get to the position in which we currently find ourselves, within a two month period the Minister wants to change the world as it is. Many people in the Mount Lofty Ranges zone are very concerned about the haste with which this plan is now being implemented.

They are concerned not so much with the length of time that it has taken for the plan to get to this point but with the haste with which it is now being introduced. I know that the Minister will say that the management plan and the SDP will be displayed for a period of time somewhere towards the end of June and that there will be plenty of time for consultation and argument one way or the other, but I think it is fair to say that, if this plan is implemented as proposed, a significant number of people will have their assets, which they have had for a long period of time, perhaps centuries, significantly devalued. There is no doubt about that.

The TTRs, which will require amendment to the Real Property Act, form the principal method of compensation which the Government has chosen to use to recognise the very important change that will occur because of asset valuation. In all planning changes there are some winners, but in this instance there are more significant losers than normal. The whole TTR scheme is based around the logic of saying that a marketplace concept will work in an attempt to compensate a few people. The major question being asked by the community is: are there sufficient strengths and weaknesses in this scheme to enable the marketplace to occur and to work in the way in which the Minister has determined that compensation should be paid in this area? A lot of research has been done in America and Australia about whether a transferable title system will work. A large number of pilot studies have been done in America and there are quite a few examples of the implementation of such a scheme in New Zealand, but as far as I am aware only a small number of attempts have been made in Australia.

One of the major concerns with a system that requires the market to work is that it is necessary to have a body of people who want to sell or transfer titles and a group that wants to receive them. There has to be a significant market reason: in other words, there have to be some dollars involved for that to occur. If that market situation is not developed, it has been shown by most of the trials conducted overseas that within a very short period of time the whole system will collapse.

There is much concern in the Mount Lofty Ranges, particularly in the water protection zone on which this scheme is principally designed, that there are insufficient opportunities for this market system to work. As my colleague the member for Heysen said, one of the reasons for this concern is that insufficient information is available for anyone to know whether a transferable title system has any chance of working. For example, how many single allotments are available now in hills townships? How many single allotments can be developed right now without a transferable title system? How many subdivision possibilities are there in these townships? No-one knows. I asked the Lands Title Office how many individual titles and how many potential subdivision titles would be available if all the properties within the Hills townships were subdivided, but no-one knows.

The latest advice I have is that we will know in August this year. If we are to be serious about any scheme, we need to know those fundamental things. How many allotments are there already? How many are likely to be created by subdivision? We need to know how many opportunities will be available for the transfer of titles from rural zones to townships. We need to know all these things. More importantly, the Government needs to know, because unless there are opportunities for titles to be transferred at reasonable prices it will not work. I am not saying that; that is the evidence from around the world. It shows that unless there is a selling opportunity and a buying opportunity in which both sides benefit—not one, not the other but both sides—it will not work.

Before any of that can occur we need to know what sort of marketplace we are trying to control because, in the end, even though we say that the market forces will work within the system, we need to know whether these transferred titles should have a value of one, two or any other number. If we do not know that when we start the scheme, we will have no opportunity to create some sort of competitive marketplace. Several research documents have been produced in South Australia. In particular, there is a very interesting document supporting some future development strategies in the Barossa Valley. It sums up a lot of the comments that I have made. It states:

> To be effective, programs aimed at preserving high quality agricultural land must be fashioned on a stable, secure agricultural environment in which farm operations can be conducted with minimal urban harassment and in which farmers have a sense of permanence. Indispensable to creating this kind of environment is the assembling of a consoliated mass of farmland, protected from conversion to other uses.
>
> To achieve this goal some communities overseas have zoned areas for agriculture and imposed strict limits on non-agricultural development within them. In the USA this has often entailed substantial reductions in allowable densities fixed by earlier planning decision, and therefore frequently evokes questions of compensation either from public or private sources, mainly in the form of public funded purchase of development rights (PDR) and privately funded transferable development rights (TDR). In the PDR programs, rights are purchased by the State and retired—a very expensive method of protecting large acreages of land.
>
> TDR programs allow for higher housing development densities in designated development areas (generally known as 'receiving areas') and direct growth away from designated agricultural, scenic or environmentally sensitive areas as specified in statutory planning instruments. The local government through its zoning ordinance in a systematic manner 'development rights' to landowners'

property in the sending area and 'TDR' density ratios of building units per acre in the 'receiving areas'.

In other words, it is saying that we have to know what we are trying to do; we have to know how many titles we want to sell and how many we want to receive. To date there is no evidence from the Government or the departments as to the true figures. Until we know those facts there is a very strong argument—supported by experience in America and New Zealand—that this will not work. We have to know these things. Finally, the report states:

Conceptually, TDR is a powerful, but limited, instrument of last resort. Experience in the US suggests TDR programs may be truly effective, but only if the system is kept simple and used sparingly.

Other evidence has been put forward to suggest that the target areas in the use of this whole system have to be genuine target areas. As suggested in this paper, they have to be tied up with significant increases in density and there have to be real opportunities in terms of transference from the farm land area.

I put to the House that, first, the target areas of this program are the townships. It was suggested in the early management plans that there should be significantly larger blocks in certain townships within that zone. That immediately seems to be contrary to all of the programs that have worked overseas. In other words, it is not an increase in density in the target areas; it is quite the opposite. It seems to me that because we do not know what all of these targets are likely to be—in numbers—we really cannot project when the system will work.

I will provide an example. At the moment it has been said—and I have to put it that way, because no one can give me an accurate figure—that there are about 8 000 existing allotments in the water catchment zone that currently have building rights. If there are 8 000 allotments within the towns, as has been suggested, why would anyone decide to subdivide and pay extra per allotment for a transfer title right to do that subdivision when they could sell or purchase properties already within the system for which no title right is required? The question that everyone asks relates to these rural properties within the watershed zone already significantly dropping in asset value.

In the very short term how will the property holders get an opportunity to transfer those titles? In other words, how and when will the market start to work? How long will it be before these people who are genuinely affected by this scheme see any change in the system that might allow them to be compensated? As I said previously, this TDR scheme is a compensation system in which the Government is not involved in financing or supporting. However, it is a form of compensation used to attempt to realise these planning changes, which affect a considerable number of people.

So, the first question that I hope the Minister will answer in her reply is: when will the people who live in this zone know all of the statistics that should be available to them? When will the Department of Lands make those figures properly available to everyone in the Hills so that some commonsense argument can be put forward about whether the transfer titles should be one value, two values or more. That is a very important issue.

The Hon. D.C. Wotton interjecting:

Mr INGERSON: As the member for Heysen says, they should be accurate figures; not guesstimates. Whilst there have been genuine guesstimates—and no one is arguing that they are not genuine—no real figures have been put forward. That is a major issue for everyone in the zone. I have spent a considerable amount of time talking to the Mount Lofty Ranges Review Group, representing the Local Government Consultative Committee. That group is headed by the Chairman Pat Secker with Mario Baroni and Greg Tucker as the executive officers. It represents a very wide range of people in local government and a significant number of people in the community. The committee put forward a plan early in December, which recognised that we needed a transfer title system. In its very first presentation to the Minister, the committee recognised the need for correct target zones.

The committee's argument is that, for this system to work, the use of township target zones is incorrect and that we should be using targets outside the townships in rural zones. That is a fundamental difference between what the Government is putting forward and what this consultative group is recommending. I believe that those issues need to be further resolved. As I said earlier, there is no proof that the target that the Minister is using—control of population size within the township—is a legitimate target at which to be aiming. Other people argue that there are differences, and their arguments are valid. If we use rural targets outside the townships there is more chance of the titles being transferred and of getting an equitable market system.

One of the other targets of this management plan is water quality. Looking at the management plan, millions of dollars worth of prospects need to occur in it—all legitimate directions, all legitimately argued, but none of them costed. One thing that we need in what I call this fuzzy review and fuzzy result of the review—the management plan—is some costings. It is unrealistic to look at the management plan and say that sewage in local townships needs to be fixed and then to ask about the cost and who will do it: the Department of Environment and Planning or the E&WS. We already know that $16 million in funding should have been spent in the Mount Lofty Ranges to fix the existing problems within the townships. Unless we get serious about the dollars, there is no way that an interesting and, hopefully, successful plan has any chance at all. When we talk about water quality, let us get fair dinkum about it and put up some money. Let us talk about the genuine need for sewage control and the money that is required from State Government. Let us not pass the buck to the private sector and the public in those areas. The Government has a responsibility to put that in.

The Hon. S.M. Lenehan interjecting:

Mr INGERSON: If you look at your program over the past few years, you are already $16 million behind in all the programs that you are supposed to put forward in that area. Until you fix the problems already existing in the towns and have some program to progress them, it is nonsense to talk about what we will do in the future. Therefore, it is absolutely critical that we get that right to start with.

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

The Hon. B.C. EASTICK (Light): I draw attention to the fact that every new initiative has a price. We do not yet know what the price is in relation to this measure. However, many people fear the ultimate price, and for good reason. Having said that, I should say that I do not have any personal conflict of interest in relation to being associated, directly or indirectly, with any property in this area, but I represent a number of people who have property in this area and who fear that when the Barossa Valley development plan is brought down in a week or two they may find themselves equally affected because of the juxtaposition of their area with that which is contained within the Mount Lofty district. They do not know, but they fear, that the final document which comes down in relation to the Barossa Valley will have many of the elements of the Mount Lofty

development plan. In fact, that has already been envisaged and discussed.

They are also concerned that any other documentation or measure which is passed through this House will have equal application to their area. I refer particularly to the people in Eden Valley, Angaston Hills, Kaiser Stuhl, Pusey Vale and through to Mount Crawford—areas which I currently represent and which in the new Light electorate will be the whole of the District Council of the Barossa, which will include the areas almost out to Springton through to Williamstown and around to One Tree Hill. I represent one reservoir—the Barossa reservoir. I have represented in the past, and the new Light will represent, the Warren reservoir and the South Para reservoir. Therefore, I have an interest in those matters which affect watershed areas.

One of the other problems which causes concern to people in the community with regard to this fear of the unknown is that for many years it has been envisaged that there could be water storage on the North Para. Nobody has yet divorced that from being a possibility in the future, notwithstanding that if it is too far down towards Gawler it has a grave problem associated with salt intrusion out of Salt Creek from the Sheoak Log area. Here is the other potential: will the area around Rosedale, Sheoak Log and Sandy Creek find itself in future in the same circumstance as many of the areas which will be affected by this legislation?

We have a group of people who have heard tell of the contents of this legislation and of other legislation which will follow, and they rightly ask: what price will I be expected to pay when in many instances what is taking place has been drawn up or evolved for the personal—not monetary—advantage of a view or attitude held by minority groups? *Per se* I am not against minority groups, but I believe that in this area, which touches on conservation and like matters, we should recognise that conservation is not total preservation. Unfortunately, many of the people in the minority groups who put forward views which lead to this type of legislation are total preservationists, not realists. There is not one person in this place who would not give due credit and regard to proper conservation. However, that is where one of the other predicaments arises which causes great concern to the community that I represent.

We find that a large number of people will be adversely affected by this legislation at the same time as a large number of people will be advantaged. The large number of people who will be advantaged will be those who will see better township definition, less pollution 'perhaps'—I put 'perhaps' in inverted commas for very real reasons—fewer problems with our watersheds and a better environment. I am all for a better environment. However, I point out that what has happened and what is likely to happen as a result of this legislation is that fourth and fifth generation families will suddenly find the flexibility of managing their own affairs completely destroyed. People who have a number of titles which touch on a questionable viability in the present agricultural markets have in the past been able to sell their individual parcels of land for others to utilise where that utilisation needs a smaller area of land than the traditional agriculture that the original people had been following.

There are reasons why others coming into the area want only part of the land. I am talking not about subdivision but about the procurement of an existing title. People come in because they are able to finance that smaller area of land. There are not a lot of people around who can advance the funds necessary for some of the larger properties in this area. Due to a number of factors that are inherent in the passage of this Bill, and others that will follow, if a person does purchase one of those other blocks they would not necessarily be able to place a house on it. They could put up agricultural sheds, or do all manner of things of that nature, but they could not put up a house, and therefore they would be disadvantged immediately in relation to following their particular agricultural pursuit, due to the fact that they would be isolated from their place of work. This causes a great deal of concern in the community.

In the past it has been traditional that as a farming development increases in intensity more hands are needed to manage the enterprise, and another family member may build a house on, say, a one hectare block or on an existing title so that the son or the daughter and brother-in-law, for example, or whoever, may live in juxtaposition to the property and so assist in that agricultural pursuit. That is going to be denied. It is another area of flexibility that will completely disappear. If the family intends to continue to hold its parcels of land and then perhaps raise funds for mortgage purposes to advance their agricultural enterprise the question arises as to whether they will have the flexibility in the future to raise the funds from the various parcels of land. Certainly, if they are pushed into a position of having to forgo their title, at a value, whatever that value might be, then they lose the flexibility to mortgage a portion of their holding for a particular project down the line. They would have to place a mortgage on the total of the property which has been taken up in one title.

These are issues that have not been totally explained to the public. These are issues that are causing a great deal of concern to the people I represent. There may be answers to them but these people have not been able to get the answers and they do not yet have a clear understanding that they will be able to continue a way of life which is part of their family tradition, nurturing the land and making sure that it does not deteriorate, as they have ensured has been the case all through the years that the land has been in their hands. I am not talking about hobby farmers. It may well be that those who cast stones might well do so in respect of hobby farmers who sometimes, in quick time, despoil the land that was previously well looked after as agricultural land. So, there is this problem that relates to those who are genuinely involved in these pursuits wondering where they are going.

We have seen similar situations before in relation to the introduction of legislation in respect of natural vegetation and people being assisted in this regard, following questioning from the Opposition. We found that a number of people had purchased land for a particular reason, with a number of them paying taxes of various kinds on that land, on its potential rather than on its actual value, because it was subdivisible or was able to be cleared, but finding that they no longer had that flexibility. After a great deal of public questioning by the Opposition and by a number of its own backbenchers, the Government, correctly, saw fit to make available various forms of funding for those people who had a title that contained a large area of native vegetation that the community wanted to be retained.

In a question asked in this House only last week, the Minister for Environment and Planning and Minister of Lands was able to indicate to the House that $48 million of community funds had been made available to provide for the retention of that native vegetation. The community wanted it and the community has paid for it. The native vegetation legislation, finetuned for the differences that exist, ought to be the model considered in concert with this legislation presently before us, so that people who are disadvantaged, for the benefit of the rest, ought not to lose out. Those people who can genuinely show that the passage of a measure such as that which we are considering today is

to their disadvantage can be properly assisted. I do not think that any member, whether on the Government side or in the Opposition, came into this House with a view to walking over the people that they represent, or over any individual, saying to them that what was your entitlement is now mine. It may well be a socialistic philosophy, but I do not think any socialist opposite would agree with that.

Many is the time that they have stood in this place and recognised individuality and the rights of the individual, in seeking to assist in any retention of rights. We have seen this in relation to compulsory acquisition of land. It may be possible to take a person's land away but there is just and due compensation. There is a check and balance in that situation. If the valuation put on the land by the person from whom it is to be acquired and that put on it by the Government does not correlate then we have provisions that will determine the true value of the parcel of land, or perhaps I should say a 'reasonable' value. The person from whom the land is to be acquired is thus delivered a sum of money or form of compensation to balance the whole matter out. This type of consideration I believe is vital to the totality of this measure that we are considering today.

The last point I would make concerns a comment that came to me directly from the late Harold Salisbury, and I have referred to this on previous occasions in the House. I believe that this is completely germane to the measure that is before us at present. He wrote one night on a piece of cardboard in front of me, while we were enjoying one another's company at a State type function 'My first senior constable told me "It is when you start putting theory into practice that the real difficulties begin."' What we have here—except for some overseas experiences and certainly not in this State—is a theory. I wish it well so far as it has virtue to assist in the advancement of this State. However, I genuinely believe it is absolutely necessary that we do not let the theory get in the way of reality, that we do not let the theory get in the way of correctly and in a balanced way looking at the interpretation of this in practice in the field. That is certainly a reason why I was more than happy to support my colleague the member for Heysen in suggesting that measures directly associated with this matter should go to a committee of the House.

I do not in any way wish to pre-empt what the decision might be on that motion when it is put to the House, but I point out that for the benefit of all—and I genuinely mean 'all'—and for a harmonious State in which to live it is absolutely essential that the full ramifications of the measure inherent in this legislation, and in the other pieces of legislation that will follow, be properly monitored and correctly directed to the attention of this House. This will not be by the time of the passage of this Bill but within the forseeable future, say the next 15 or 18 months. We must ensure that we do not have any transgressions against the individual. The position in relation to the native vegetation legislation and the virtues of that, to which I have already referred, may well be inherent in the action taken by the departments and by the Government in relation to people who are entrapped—and I use that word deliberately—in the ramifications of this measure currently before us.

The Hon. S.M. LENEHAN (Minister for Environment and Planning): I thank members who have taken part in this debate. A number of points of view have been canvassed and, in some cases, it is difficult to understand whether or not some members support the Bill. I do not intend to take up the time of the House by commenting on every single point that has been raised, but it is important to address a number of these issues. I am aware that the Opposition has a plethora of amendments, and the Bill will be examined in detail in Committee.

In his speech, the member for Heysen said that many people misunderstood the nature of the Bill and believed that it puts in place all the provisions of the Mount Lofty Ranges management plan. Of course, it does not do that, and he is quite right that people have misunderstood that aspect. I have tried to make clear that in a sense this is a piece of enabling—and I use that word in the broadest sense—legislation: it will enable, through the use of regulations, the ability to address just one small but quite significant issue with respect to the whole question of the ongoing preservation of the Mount Lofty Ranges area.

The Bill is simply a piece of machinery legislation which does allow the Government to put in place any specific policies contained in the management plan, and we are looking at one specific policy, not a whole range of specific policies. The many policies contained in the management plan will be implemented through the development plan and through the programs and activities of Government agencies, such as the Department of Agriculture, the Engineering & Water Supply Department, the Woods and Forests Department and the Department of Mines and Energy.

The member for Bragg specifically asked, 'How will we implement the management plan, which does not have a legal standing at this point?' We will look at doing that through at least two supplementary development plans, which will need to be further developed and refined in consultation with the community, specifically within the ranges but also within the general community and, of course, involving local government. We will also look at implementing quite visionary and historic proposals with respect to a whole range of issues, such as agricultural practices and a number of other things, through regulations relating to the Water Resources Act, the Soil Conservation Bill and, indeed, to such things as the CFS Act. So, a range of methods is available by which we will implement the concepts and directions of the management plan.

The member for Heysen said that consultation on the requirements of the management plan had been inadequate. In fact, I do not believe that we could have had more extensive consultation—and it still continues. I have been criticised in a number of quarters in this State for the way in which I consult and for the fact that I have gone to extreme lengths to consult. I am happy to accept that criticism, and I do not intend to go back to the bad old days when Ministers and Governments in less enlightened times did not consult as widely as possible. It is imperative that we do consult. I point out to the honourable member that he said that he had established the first committee more than 20 years ago to look at the future management of the Mount Lofty Ranges. Surely it is time—

The Hon. D.C. Wotton: I don't know whether it was the first.

The Hon. S.M. LENEHAN: If it wasn't, it doesn't matter; it is 20 years ago. Surely, it is time for decisions: the time for talking has long since gone and, if any criticism is to be made of this community, it is that we should have got on with decisions earlier than we have. Let us not say that not enough consultation has occurred. Talking is an effective way for opponents of this legislation to prevent our doing anything—from taking the hard decisions. I am not suggesting that members of the Opposition are putting forward that policy, but certainly there are some within the community who have an obvious vested interest and who do not want this Parliament to take the hard decisions about the Mount Lofty Ranges.

The review produced a consultative management plan. More than 100 submissions have been received; workshops have been held throughout the ranges. Those who participated in the debate have said how disappointed they were that people did not avail themselves, to the full extent, of those workshops, public meetings, seminars and so on.

The Hon. D.C. Wotton interjecting:

The Hon. S.M. LENEHAN: It is sad. I think it was the member for Heysen who highlighted the fact that he had almost implored landowners to be involved in this consultative period to ask their questions and put forward their points of view. He expressed his disappointment that they had not participated to a greater extent. We have to talk about a minimum of four years and $4 million (or whatever the figure is)—and I do not think that anyone has quantified that. I do not think we can continue to talk because some people have chosen not to avail themselves of the more than adequate opportunities, and I do not believe that history will judge us for not extending even more the consultative period. We produced a strategy report which was widely circulated among local governments and which became the basis for the first SDP in September 1990. The reason why I moved so quickly with regard to that is that it was not kept in confidence: there was a land rush in terms of speculation, and I needed to move quickly to ensure that we did not lose everything for which we were fighting because of the greed of some sections of our community.

ACOP held a public hearing in November 1990. The SDP and ACOP's comments have been taken into account in the management plan. The management plan has been on public exhibition since 29 January this year, and the conclusion of that exhibition period will coincide with the end of the consultation period for the comprehensive No. 1 SDP, which will be no less than two months from when the Bill is given royal assent and the SDP is placed on public exhibition. There is still time for people within the community, such as conservation groups, individuals concerned with conservation, landowners, and so on, to have further input into this whole process. On reflection, I do not believe that there could have been more opportunity for consultation than there has been for this review.

It is interesting to note that the honourable member said that, in his maiden speech, he referred to the benefits of retaining primary production in the Mount Lofty Ranges. So many people have missed the point that it is not only water quality that is important but the retention of sustainable agriculture. That is exactly what this proposal aims to do. We are not about driving out what I would call ecologically as well as economically sustainable agriculture from the Mount Lofty Ranges: we are about having better management and working with the landowners to ensure that what they are doing in terms of their intense agriculture will not create the levels of pollution that have been quite objectively documented over years in terms of our past practices.

We are not about blaming communities for past practices. None of us are without blame. With hindsight, we would have all done things differently. The member for Light alluded to the legislation which this Parliament supported and which we have now almost totally implemented, that is, to prevent the clearance of our native vegetation. Would any human being in our society now have actually rewarded people and made it a condition of taking up any kind of Crown land that they clear that land almost totally? Of course not. To go back and apportion blame is not what this exercise is about: it is about better management practices in the agricultural and horticultural areas, and about better town planning and management practices within the townships.

The Hon. B.C. Eastick: And due regard to rights.

The Hon. S.M. LENEHAN: Indeed, it is important that we proceed down that path, working constructively together. That is what is happening and will continue to happen. I want to pick up a couple of other points. First, the management plan highlights the problems that arise from incremental decisions. There have been criticisms that we should look at the scientific evaluation of water quality and at some of the reports that have been deliberately commissioned. It is not an untruth to say that they were commissioned by those seeking to minimise the importance of protecting the water supply or to say, 'Let us try to get some evidence that the water supply is absolutely fine, that there is no problem and that therefore we do not need to do anything about issues relating to that matter.'

It is very easy to justify anything if we break it down into the smallest elements and then take incremental steps on each of them. For example, we could say that the keeping of horses is not a problem because three horses are kept in a certain area and they do not create any pollution; we could extrapolate from that and say that we will allow the wholesale keeping of horses throughout the Mount Lofty Ranges. The strength of the management plan is that it specifically highlights the problems that arise from past incremental decisions. They are not unimportant, but it is easy to lose sight of the main goal. The Government is determined to keep its eye on this main goal. He will not be diverted onto tangents; we will not make incremental decisions which, added up, will create a further disaster in the ranges.

The justification for the transferable title rights scheme is multifaceted. I need to pick that up, because the member for Davenport was trying to suggest that the TTR scheme was simply aimed at the question of water quality. In fact, it protects agricultural activities and the character of the area. In that I am talking not just about the aesthetic environment but about the biodiversity of the ranges and a whole range of character issues that are vitally important. It focuses not just on water resource protection, although we all acknowledge that that is one of the major areas of concern.

When we talk about whether there are hard longitudinal studies and data that will prove one way or another whether there is a deterioration in water quality, the critical factor is that the absolute measure of reservoir water quality would indicate that the current situation is not acceptable. This is most easily indicated by the concentration of nutrients such as phosphorus which promotes the growth of algae, causing taste and odour problems, increased treatment costs and, at times, problems with toxins from blue-green algae. An objective level of phosphorus in reservoirs has been set on the basis of national and international experience, including data from a major OECD world-wide study on shallow lakes and reservoirs. I point out to the House that this objective is .025 milligrams per litre. Shortly, I will seek leave to have inserted in *Hansard* a table which lists the phosphorus concentrations for the major reservoirs, hopefully to put to rest this red herring that has been drawn across the path by the opponents of the actions that we as a Government, and I hope that we as a Parliament, will take in this historic decision to protect the Mount Lofty Ranges, namely, that somehow there is not a real problem with water quality, that the reservoirs are fine, that we need only spend more money on more sophisticated and better technology in terms of water filtration plants, and that we should have business as usual, so let us get on with it. The

other furphy is that we should be pumping every bit of sewage out of the Hills and onto the plains beyond.

What an absolute nonsense! If we are talking about sustainability, we are talking about the ability of communities to treat their waste in an environmentally sound way. We are talking about quality of life based not on the using up of precious resources but on the good husbandry of those resources. I am not prepared to be diverted off on a tangent with some of these issues.

None of the metropolitan reservoirs currently meets this objective level of .025 milligrams per litre. In fact, although the reservoirs draining catchments that are used primarily for extensive agricultural activities and forestry are close to the desired level, for example the South Para reservoir, they do not actually meet this level. Reservoirs fed by the heavily developed Torrens and Onkaparinga catchments contain more than four times the desired level of phosphorus. For example, the Mount Bold reservoir has a level of .110 and the Millbrook a level of .102 milligrams per litre. The primary aim of the water resources controls under the Mount Lofty Ranges Review is to reduce this level of pollution entering the reservoirs through improving land and waste management for all existing activities and minimising the impact of new activities.

One of the many factors that will help this situation is to reduce the development potential through what we are calling the TTR scheme or the amalgamated unit scheme. I seek leave to have inserted in *Hansard* a purely statistical table.

Leave granted.

Reservoir Phosphorus Concentrations
(Average annual concentration)

	mg/L
Mount Bold	.110
Millbrook*	.102
Myponga	.082
Warren	.073
Happy Valley	.064
Kangaroo Creek*	.050
Little Para	.034
South Para	.033
Barossa	.030

(* old data)
Objective Concentration .025 mg/L

The Hon. S.M. LENEHAN: With regard to the question asked by the member for Heysen as to whether the measures to protect water resources are justified, I would have to say—and I have not gone through every aspect of water quality—based on the figures shown in that table, that the answer is a resounding 'Yes, they are.' I hope that we will not become bogged down in a protracted debate about whether one set of statistics provided by one researcher is the definitive answer on this matter. Indeed, we have to look at the fact that it is vitally important to move ahead with this issue.

The Hon. D.C. Wotton interjecting:

The Hon. S.M. LENEHAN: The member for Heysen said that a future Liberal Government will give priority to ensuring that all sewerage plants work properly and that all towns in the water protection area are sewered. I have no problem with that, as is exactly what this Government is doing and what the Engineering and Water Supply Department is undertaking. At the moment we are upgrading the Hahndorf treatment plant to remove nutrients from the waste stream. We have instigated investigations for works necessary to ensure that the Gumeracha treatment plant works more effectively and efficiently.

At the moment, a review is being conducted of the sewer policies in Stirling, and I will shortly announce some future developments in that area. The honourable member also stated that people living in the Mount Lofty Ranges do not want the area covered in concrete. I do not believe that anyone in South Australia would want the area covered in concrete.

The Hon. D.C. Wotton interjecting:

The Hon. S.M. LENEHAN: I am just saying that I agree. I think the honourable member is quite correct—no-one does. I believe that the management plan and the transferable title rights scheme will ensure that this does not happen. That is the fundamental reason for it. No-one wants to see an urban jungle in the Mount Lofty Ranges. I suppose that we would like to see a natural jungle. I know that the member for Davenport is not too keen on reafforestation and revegetation in the ranges. He has expounded the theory in this House that we have done too much, that we are not collecting enough water in our reservoirs and that we should be doing more clearing. When he stood in this House during the last session and said that, it occurred to me that he might want to have the whole Mount Lofty Ranges looking like the Magic Mountain. On reflection, I do not think that that is what the honourable member wants, and he probably regrets that he made those statements. I do not wish to be unkind.

We are not going to sit on our hands for another 20 years while we pursue every last little bit of information and research. I have had the privilege of representing this country at a number of international environmental conferences. One point that came out of the Bergen conference that we have adopted nationally in this country is the precautionary principle: you do not wait for the last bit of hard data before you take a decision; you are prepared to take a decision based on a precautionary means. I guess it goes back to the old adage that prevention is better than cure: it is much easier to prevent some of these environmental and ecological disasters than to try to cure them after the event, because some of them are totally incurable.

I am a little concerned that the member for Davenport consistently referred to landowners in the Mount Lofty Ranges as peasants. I am not quite sure how he meant that. Certainly, the Government does not take that view: it has treated everyone in the ranges as intelligent individuals who recognise the importance of protecting the natural resources in the ranges for future generations. In the interest of time, I will not refer further to any of the points made by the member for Davenport.

The member for Bragg asked specific questions about the number of allotments in various areas. I can provide some statistics, but the Department of Lands is working very closely with the Department of Environment and Planning to provide more accurate statistics. This is not easy because we would have to actually walk around and physically list all the blocks that have been built on, etc. We will have to devise a fairly sophisticated computer program in order to draw that information from a number of sources across a number of departments. That work is being undertaken at the moment, but I can indicate some of the figures to members to let them know whence we have come in terms of this whole debate.

Vacant contiguous allotments in the water protection zone are listed by local government area as follows: Onkaparinga, 443; Mount Barker, 320; Stirling, 167; and Gumeracha, 461. Smaller numbers exist in other council areas. These are the allotments that can be amalgamated to form amalgamation units. The estimated number of allotment yield in township areas by local government area is as follows: Onkaparinga,

1 127; Mount Barker, 1 032; Stirling, 277; and Gumeracha, 687. Those figures are not definitive, and I know that the member for Heysen will not embark on a debate about every single allotment. I want to put a 'caveat' on that by saying that we are looking at firming up those figures by getting the data from the Department of Lands and the Department of Environment and Planning. Those figures will be made available when they are finally assembled.

As far as supplying the market for amalgamation units is concerned, we have assessed to the best of our ability that the vacant contiguous allotments in the water supply protection area number approximately 2 200: 2 000 privately owned allotments and 200 under Government ownership. The estimated maximum number of allotments likely to become amalgamated units is about 1 250.

I will now look at the demand, because this point was raised by members and in any such debate one has to look at not only the supply but also the demand. It is estimated that the yield of allotments that could be created in township areas is about 3 600. Additional opportunities to expand the demand will exist through the creation of new rural living zones. Remember: the Government has said that any new rural living zone will require an amalgamation unit. Therefore, the balance of supply and demand is estimated at about 3:1.

The member for Bragg asked me how I would ensure that we would not create more supply than demand. In fact, the figures indicate a 3:1 demand over supply. That does not mean, of course, that every one of those potential titles will be developed. I point out to members that we have also been prepared to provide an incentive for people not to develop single titles in the water supply protection zone, but they can, through amalgamating with a neighbour with an adjoining title, have a transfer of title right created. Therefore, two titles would then be given the potential of one development, and that may bring about a significant diminution in the number of developments within the sensitive water supply protection zone. It is important that other issues that have been raised are addressed in Committee. I have tried to address the major issues raised by members opposite. The member for Light put forward the view that perhaps we should look at some form of massive compensation scheme.

The Hon. B.C. Eastick: Don't put words into my mouth.

The Hon. S.M. LENEHAN: I would not put words into the honourable member's mouth. The member for Light is very touchy this afternoon.

The Hon. D.C. Wotton: I think we all are.

The Hon. S.M. LENEHAN: I think we all are a little tired and emotional.

The Hon. B.C. Eastick interjecting:

The Hon. S.M. LENEHAN: I thought the honourable member for Light was drawing an analogy with the compensation scheme to be provided under the Native Vegetation Management Act which will cost about $60 million. No-one has suggested to me prior to this that we should look at a compensation scheme along the same lines. I think that people, whether they live in the Mount Lofty Ranges, the City of Adelaide or the broader South Australian community, recognise that that is not the way to proceed, that we have to take hard decisions but that we have to try to be equitable to those people who are having to accept the majority of the responsibility for the result of those decisions.

I believe that no-one could have gone to greater pains than I have to try to balance those two issues. I know that I have been criticised by some sections of the conservation movement; I have been very severely criticised by some sections of the development community. My experience in this House is that when one is criticised from both ends of the spectrum, one can be fairly sure not only that one might well be treading a fairly middle ground that meets the overall objectives of the four years of consultation in terms of preserving and protecting this absolutely vital part of our State but also that one is doing it in a way that is reasonably sensitive to those people who live within the ranges and that, for those who work—

The Hon. B.C. Eastick interjecting:

The Hon. S.M. LENEHAN: It does not walk over them; that is right. I have really gone to extreme lengths to ensure that I would not walk all over people. I have had my door open to anyone who wished to come before me and put a point of view. However, I want to put on the public record that because I have met with people and because I have been prepared to listen to them does not mean that they have hijacked my agenda, because I have never lost sight of the fundamental goal of all this. That goal is the ongoing preservation and protection of the Mount Lofty Ranges and an attempt to balance the complexity and multiplicity of uses so that we can leave to the next generation and the generation after that at least what is there now. However, I have the challenge ahead of me to try to improve what is there now so that what we leave to the next generation will be, in fact, a better quality of environment and life than exists in the ranges at this time. I commend the second reading of the Bill.

Bill read a second time.

In Committee.

Clause 1—'Short title.'

The Hon. D.C. WOTTON: The Bill indicates that this Act may be cited as the Real Property (Transfer of Allotments) Amendment Act 1992. I agree with the decision not to call the rights created by this Bill transferable title rights. I am not very fussed, either, by calling them amalgamation units. I know that this has already proceeded and it has gone much too far to change direction concerning the name. However, rights are created and I would have preferred perhaps to call them by a less misleading name, such as division rights, which comes to mind and which would separate it completely.

If it were possible even to have a full title 'Mount Lofty Ranges division rights' people would know exactly what we were talking about. I still believe that there is considerable confusion and that there will be confusion with this legislation and a reference to it as the Real Property (Transfer of Allotments) Amendment Act when, in fact, at this stage we are talking about amalgamation units. I bring that to the attention of the Minister; I am not asking for a response. This has been brought to my notice, particularly by the legal profession, which is concerned about the confusion that may be caused.

The Hon. S.M. LENEHAN: I think it is appropriate that I respond. In fact, these rights are called amalgamation units because that is exactly what they are. When one amalgamates two titles, one gets a unit for the amalgamation of two titles into one. If one amalgamates 10 titles into 10 titles, one gets nine rights. To call them a division right is quite wrong: one is not getting a unit for dividing; one is getting a unit for not dividing. It is quite the reverse. I am not being critical of the honourable member, because it was difficult to come up with a name that might be easily understood at law, not just within the community. It seems sensible to call it an amalgamation unit, because that is what we were aiming to do—getting people to amalgamate numbers of titles into one title. That then meant, of course, the preservation of that area for the future, rather than

having a whole lot of titles in the ranges, such as we have at the moment. That is the reason for the term 'amalgamation'; we wanted a term that would indicate clearly and simply what it was. One gets a right or a unit for amalgamating, and therefore it was sensible to call it an amalgamation unit.

The Hon. D.C. WOTTON: The real concern that I was trying to get across to the Minister is that they have been referred to previously as TTRs, and they are now referred to as amalgamation units. I would have thought that, if we were to look at correct terminology, it would be better to call them amalgamated units. However, my major concern is that we are now not talking about TTR: we are talking about something else. There is confusion and I would have thought that in time to come, when we had talked more about amalgamated units or amalgamation units than about transfer of title rights, people would come to understand what we were talking about, rather than being confused about the title of this legislation.

The Hon. S.M. LENEHAN: There will be a whole program of community education—I hope in conjunction with the local government authorities in the Mount Lofty Ranges—in terms of ensuring that the community clearly understands not only this aspect of the whole implementation of the management plan but also a whole range of other aspects. I think we will be able to pick up the point the honourable member has raised in that education program.

Clause passed.

Clause 2—'Commencement.'

The Hon. D.C. WOTTON: I would like to question the Minister about the availability of draft copies of the regulations. When are we likely to see all the regulations introduced in this House?

Clause passed.

Clause 3—'Interpretation.'

The CHAIRMAN: I draw the attention of members to a typographical error in lines 23 and 24.

The Hon. D.C. WOTTON: I move:

Page 1, after line 17—Insert paragraph as follows:

(aa) by inserting after the definition of 'amalgamation' in subsection (1) the following definition:

'amalgamation unit' means an amalgamation unit created pursuant to Division IVA upon the amalgamation of allotments:.

This is the open space provision, which is spelt out in the Real Property Act as it relates to the required contributions. The Real Property Act clearly indicates the requirement under the contribution; that is, they must either vest up to 12.5 per cent of the area of land in the council or the Crown to be held as open space or make a contribution in respect of open space. The reason why we wish to have this excluded from this legislation as it relates to amalgamation units is that every incentive needs to be given to make this system work. As has been said by all members who have contributed, including the Minister, none of us is sure whether the system will work. I have some grave concerns. I think that with some of the changes that have recently been made by the Minister there is less likelihood of this system working now than was previously the case.

Because of those uncertainties I believe that we need to provide as much incentive as possible to ensure that the system works. We recognise that when a division is to occur in a township within the water protection zone it will be necessary for a title to be transferred to make that happen and there will be costs associated with that. For that reason, and because of the importance of providing as much incentive as possible, I recommend the Committee to remove the need for the open space provisions to be entered into.

The Hon. S.M. LENEHAN: I think it is appropriate that I should give the honourable member an indication of my position on the consequential amendment 4a before dealing with the first amendment. I take it from the honourable member's explanation that the Opposition is seeking to exempt land subdivisions within townships in the water supply protection zone that require an amalgamation unit for the future subdivision. In other words, the Opposition is saying that there should not be any contribution of recreational or open space to those communities in which this process takes place.

The Hon. D.C. Wotton interjecting:

The Hon. S.M. LENEHAN: I have some grave problems with that on two levels. Why should those communities be deprived of recreational and open space? All the objective research, studies, consultation and everything else over 20 years has clearly identified that they are sensitive areas which need protecting. We are slowing down that growth in those areas. We are requiring particular environmental considerations for the subdivision of those blocks with respect to the treatment of stormwater and the disposal of sewage.

Another problem that I am concerned about in accepting this amendment is the precedent that it might create. Other subdividers in other communities could say, 'You did not require the open space contribution in Stirling and you did not require it in the Mount Lofty Ranges and other areas. We do not want to do it for another reason.' I think that can be fraught with difficulty. From an environmental point of view, the communities living in those areas should have the same right to open space as communities living elsewhere in South Australia.

I do not want to turn this into a protracted and bitter debate, but it is important that I should put my philosophical position on the table. Some of the open space that is produced is often used for the treatment of stormwater. If we are to look seriously at the cities and subdivisions of the future, whereby we have on-site treatment of stormwater through wetlands and pondings, I point out that we have a couple of pilot projects in the ranges looking at this. That open space recreational land could be used productively within those new subdivisions and communities for purposes such as this. By accepting the amendment we would be cutting off our options.

We would be cutting off the options of a similar quality of life for residents in those areas. We would also be cutting off future options for perhaps communal stormwater ponding, and the creation of wetlands and habitats for a whole range of birds, small animals and plants. I think this matter needs to be thought through a little more. I do not intend to accept the amendment. I hope that the honourable member will accept my reasons, because I think that they are very sound. Since I received these amendments I have had a chance to think through those reasons fairly clearly.

The Hon. D.C. WOTTON: I understand what the Minister is saying. There is a fairly strong feeling that we are looking at a new scheme, and we all hope that this scheme will work. We all believe that for it to work some incentives, which are already in place, will be available. I should have thought that this would have been another suitable incentive to have provided. I understand the attitude expressed by the Minister. It is a matter that we may consider at a later stage.

The Hon. S.M. LENEHAN: I understand that the honourable member wants to give an incentive for the demand for amalgamation units. If we are talking about a three to one demand over supply, surely that is enough incentive, rather than giving away the provisions of open space for

recreation and other purposes. Would it not be more sensible to see whether the system that we are proposing to have in place works before we give away up front any concept of open space for recreational purposes? Let us see whether the system works. We have what we think is a demand over supply of three to one. I should like to have consultation with the community. There has been no consultation with the community on this matter. Not one person, developer, landowner, or anyone has put this suggestion before me. This is the first that I have seen of this suggestion. In line with my reply to the second reading debate, I think that we should ascertain how the communities in those townships feel about it.

Amendment negatived.

The Hon. D.C. WOTTON: I want to ask the Minister about section 223*l*a. Paragraph *(b)* provides:

(1a) For the purposes of this Part allotments will be taken to be contiguous if they abut one another at any point or if they are separated only by—

(a) a road, street, railway . . .

I raise this matter because over a period, and particularly as a result of the review within the Mount Lofty Ranges, some concern has been expressed about how this happened. It has been represented to me that this clause is unreasonable. I say that because roads, streets and particularly railways in the ranges can be practically impassable barriers, preventing people passing from one side to the other. Reserves may be of any size. We might be talking about national parks or local government reserves. I suggest that a few people would regard properties on East Terrace and Dequetteville Terrace as being contiguous. It is the same thing.

To prevent the building of more than one dwelling on adjoining allotments which could be regarded as one consolidated property may be desirable in the interests of a community, but, on the other hand, to impose the same restriction on allotments which have no physical connection and which cannot be consolidated seems unreasonable and may mean that the land cannot be developed in an appropriate way. The reason for my asking this question, and I am seeking clarification from the Minister, is that I understand that this is a general requirement throughout the planning process and in other pieces of legislation as well. However, it is a question that I have been asked on a number of occasions and, accordingly, I would like the Minister to provide a response.

The Hon. S.M. LENEHAN: The honourable member has almost answered his own question. He is quite right, and to have some consistency across the Crown Lands Act, the Strata Titles Act and the Planning Act this definition of contiguous title is contained in that other legislation. I see the point that the honourable member is making. On the other side of the argument, if we did not maintain this consistency and allowed blocks to be considered non-contiguous, because they are divided by a road we would have the potential to create twice as much development in some cases within these very sensitive areas. I do not believe that is the intention of the honourable member, and it is certainly not mine. While I know that some individuals will feel aggrieved by this, nonetheless, I think it is a very defensible position for both the Opposition and for a local member, not an easy person's shoes to be in with some of these matters, to be able to very clearly state that this is consistent across those other pieces of legislation. So that is the basis for the definition of contiguous title.

Mr S.G. EVANS: It further provides that allotments will be taken to be contiguous if they are separated only by a reserve or other similar open space dedicated for public purposes. I can think of some properties—and these are outside the catchment area, but I am sure there are some inside the catchment area—that back onto Belair Recreation Park. Also, there are one or two that back onto the Piccadilly Botanic Gardens. They could be a kilometre apart. The Botanic Gardens, for example, are dedicated for a public purpose. I do not know whether we would include Woods and Forests land, but there are other large areas of reserve land in the Hills, and it would be possible to have two pieces of land separated by up to a kilometre if they backed onto a reserve such as a national park or something that is used for public purposes. Under this measure, they are considered to be contiguous. I think that is taking it too far. What is the Minister's response to this point?

The Hon. S.M. LENEHAN: I was just having an aside discussion with the use of a diagram, and maybe I can show that to the honourable member later.

The Hon. D.C. Wotton interjecting:

The Hon. S.M. LENEHAN: Perhaps we should introduce a white board into the Parliament that we could use to explain these things. In response to the honourable member, though, it would have to be in alignment. There would not be a block on one side, a huge area of public land and another block somewhere else. I am not a surveyor, and I am taking a bit of advice here. I know that members opposite do not like me using the following term, but in respect of the way in which this would operate there would have to be a degree of commonsense. When talking about reserves here we are not necessarily talking about large reserves. For example, it could be a walking trail, which would be quite narrow, or a closed road, or a drainage reserve could fall into this category. I take the point that the honourable member has raised but I again point out that we are trying to be consistent across the legislation. Does not the honourable member normally argue for consistency across legislation? I guess I can say that we would have to look at this. I do not know whether there are actually any specific cases, though. We may well be having a hypothetical discussion here this afternoon. There may not be any blocks in that sort of ownership. However, a block would obviously have to be in some sort of alignment, if that is the correct term. In the survey process it would make some kind of commonsense to do that.

Mr S.G. EVANS: I am always amazed at this comment that commonsense comes into it where the law is concerned. It does not. The Minister claims that she has commonsense; I do not know whether she has or not. Notwithstanding, she will not be there for all time. The Lord or someone else will take some action and she will move on. Quite clearly, this stipulates that if it abuts a reserve or a similar open space dedicated for public purposes it falls into this category. It has nothing to do with whether it is a small piece of land, a slim piece or a fat piece. It is simply saying that it relates to a piece of land that is vacant, as I interpret it. It might belong to a farmer who owns two blocks of land that are separate, with one abutting one side of the reserve and the other one on the other side. It could be a reserve like Belair Recreation Park. That is outside the catchment area, but I am sure there would be other properties inside that adjoin reserves.

I know a bit about Belair park because of some family property that was taken over a few years ago. However, this Parliament should never accept that commonsense has anything to do with the law. Those of us who have had anything to do with lawyers know that the courts, lawyers and Government departments interpret these things along the lines as written in the Act. I shall give the Minister an example. A contract was written to clear the Mount Bold watershed and it stipulated so much per acre and a minimum of so

many acres. The agreement was that the contractors would be paid for up to 220 acres, regardless. That was a verbal agreement across the desk, because it was an ambiguous contract. When it came time to pay the contractors they missed out on £1 760 because the lawyers interpreted it to be an ambiguous contract and the Government had only to pay the lower amount. The Minister is saying here that commonsense will prevail. In this Parliament when we make laws it has nothing to do with commonsense. It is what is written in the law, and this is saying that it is contiguous if it is separated only by a reserve or similar open space dedicated for public purposes—and that applies even if it is 50 miles apart. That is what it says.

The Hon. S.M. LENEHAN: I am very reliably informed that the Registrar-General's Division cannot recall ever having such a situation of contiguous titles either side of a national park or something of that magnitude or size.

Mr S.G. Evans interjecting:

The Hon. S.M. LENEHAN: Just a moment; I listened attentively to the honourable member's comments. As the honourable member cannot give any examples of this it seems that we are bogging the whole thing down with a hypothetical case that could occur either side of a national park. However, as I say, the Registrar-General's Division has never come across a case in history, in living memory, and the member opposite cannot give me an example. Surely we are not going to throw out the definition because in the next 100 years there might be two blocks either side of a national park.

Despite all the cynicism about commonsense, let us look logically at what this will do. It will ensure that if there are two blocks either side of things like walking trails, closed roads or drainage reserves, or other small reserves, where it is obvious that they are contiguous, they will be covered. There are two parts to this. There are winners and there are losers. The winners are those people who may not have the ability to amalgamate and have a unit created to be able to do that. I guess the losers are those people who want to develop both these separate blocks of land but who cannot do that. The Mount Lofty Ranges supplementary development plan is an issue that is bigger than whether someone owns a block of land on either side of the Belair National Park. Surely it is much bigger than that. Let us get back to the fundamental focus of the Bill.

The Hon. B.C. EASTICK: The Minister talked about hypothetical cases; let me give her a practical one.

The Hon. S.M. Lenehan: Is this an actual case?

The Hon. B.C. EASTICK: This is an actual case. There are a number of cases in which commonsense has not prevailed in a similar situation. For example, the Nuriootpa bypass of the Sturt Highway went through a property leaving a section of less than 12 acres on the south side of the Sturt Highway; the balance of the section was on the north side of the highway. The configuration of the property, the fencing, and so on, meant that the farmer, instead of having to go into just the one section to tend his vines, had to travel over half a mile to get from point A to point B to look after the 12 acres that were isolated on the other side of the highway. He sought to have it hived off as a separate block, because the bypass made that land no longer directly available to him. He could not do that; commonsense did not prevail. Eventually, the only commonsense available—to his detriment—was to sell that parcel of land to the person who had the block of land on the opposite side of the old road who, in turn, amalgamated it with the title.

Mr S.G. Evans: And he could beat him down in price.

The Hon. B.C. EASTICK: He beat him down in price. Commonsense did not prevail. That is not a hypothetical case: that is a practical example, and there are other numerous examples where bypasses have been created.

The Hon. S.M. LENEHAN: We could be here all day and all night hearing of examples in which commonsense did not prevail, and no doubt we could find 1 000 examples in which commonsense did prevail. I do not know whether that is progressing the aim of the Bill.

Mr S.G. Evans interjecting:

The Hon. S.M. LENEHAN: We do have systems of redress for the individual—for example, the Ombudsman—and I resent the implication from the member for Davenport that I do not care about individuals. That is just absolute nonsense. I will not be drawn on that any more than to say that we, in a democratic society, do have the ability as individuals to seek some form of fairness, commonsense and redress in this community. If that situation had been brought to my attention, I would have looked at redressing it, and I would have looked at ensuring that commonsense prevailed. This is the first I have heard of this example. It might be 20 years old for all I know, so I do not think it is relevant to what we are talking about here.

Clause passed.

Clauses 4 and 5 passed.

Clause 6—'Insertion of new Division.'

The Hon. D.C. WOTTON: I move:

Page 3, after 11—Insert subsection as follows:

(2) Amalgamation units are not created under subsection (1) where one or more of the allotments amalgamated is subject to a caveat unless the caveator has given his or her consent to the amalgamation.

This is where we get into the complicated areas, and I suggest that our legal colleagues in another place will have a lot more fun with these amendments than we in this place are likely to have. Nevertheless, this is an important amendment. A number of issues have been brought to our attention by financiers and by the Australian Finance Conference, and they are areas that need to be addressed. Quite simply, the amendment provides that an amalgamation unit cannot be created if it is subject to a caveat, unless the caveator has given his or her consent to the amalgamation; in other words, it protects the intent of the caveator.

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

Amendment carried.

The ACTING CHAIRPERSON (Mrs Hutchison): The next amendment will be the test case.

The Hon. D.C. WOTTON: I move:

Page 3, after line 14—Insert subsection as follows:

(1a) Where immediately before amalgamation, the allotments amalgamated were subject to a mortgage or encumbrance that was first registered before 14 September 1990, the rights to allocate the amalgamation units created by the amalgamation are charged with payment of the amount secured by the mortgage or encumbrance.

Proposed new subsection (1a) provides that, when a mortgage existed prior to 14 September 1990, there will be a charge over the right of allocation of the amalgamation unit. The amendment to line 15 is consequential on proposed new subsection (2a), which provides that the Registrar-General must record the charge. In other words, it is important that everybody knows what is the situation and that it be recorded. Also, the Registrar-General must issue a certificate to the person entitled to the charge and, if it relates to more than one charge, to the person entitled to the charge that is first in order of priority. I know that the provision is complicated, but I am advised that it is essential. As I said earlier, the amendments result from representations that we have received through the Australian Finance

Conference and from financiers generally, and I seek the support of the Committee.

The Hon. S.M. LENEHAN: Proposed new subsection (1a) provides that '... the allotments amalgamated were subject to a mortgage or encumbrance that was first registered before 14 September 1990.' Is the Opposition suggesting that the interests of the mortgagees and the encumbrancees registered since that date ought not to be protected? What happens to those people who registered a mortgage or an encumbrance between 14 September 1990 and 29 January this year when we brought in the concept of this system? To be consistent, why have not all those mortgagees and encumbrancees got the same form of protection as those who held mortgages prior to 14 September 1990? I do not want to hold up the deliberations of the House, but it is relevant from the viewpoint of consistency. Unless there is a valid and strong reason, the honourable member may be prepared to change the date to 29 January this year.

The Hon. D.C. WOTTON: I suggest that it would be subject to legal argument between now and when the Bill reaches the Upper House. I would have thought that the position put forward by the Minister is appropriate, and the Opposition would be prepared to accept it. Certainly I would like the opportunity to look at the matter again between now and when it is dealt with in another place.

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

Page 2, line 33—Leave out '14 September 1990' and insert '29 January 1992'.

The Hon. D.C. WOTTON: I still have some concerns about the date. The representations made to me were specific in terms of the September 1990 date. Rather than argue about it, as I would need to seek further information and as an amendment may have to be moved in another place as a result of legal advice, the Opposition is happy to accept the Minister's amendment.

Amendment to amendment carried; amendment as amended carried.

The Hon. D.C. WOTTON: I move:

Page 3—
Line 15—Leave out 'Upon' and insert 'Subject to subsection (2a), upon'.
After line 18—Insert subsection as follows:
(2a) The Registrar-General must record a charge operating under subsection (1a) on the certificates for the rights of allocation that are subject to the charge and must issue the certificates to the person entitled to the charge or, where more than one such charge is in operation, to the person entitled to the charge that is first in order of priority.

These amendments are consequential.

Amendments carried.

The Hon. D.C. WOTTON: I move:

Page 3—
After line 33—Insert new section as follows:
Right of allocation may be charged
223*ll*da. Upon lodgment at the Lands Titles Registration Office of a memorandum of charge of the right of allocation of an amalgamation unit together with the certificate issued in respect of the right, the Registrar-General must register the charge, cancel the certificate and issue a new certificate expressed to be subject to the charge.
Line 45—Leave out 'may' and insert 'must'.

The first amendment refers to the charge made over the right of the allotment once it is amalgamated and provides for money or security to be borrowed on these amalgamated allotments. Quite simply, it provides that the owner can use the land as security. Again, it is an aspect put forward in representations that we have received, and I ask the Committee to consider it. The second amendment relates to new section 223*ll*e (3). The Opposition is of the opinion that the rights should be revived automatically if a plan of division or a strata plan is withdrawn or not deposited.

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

Amendment carried.

The Hon. D.C. WOTTON: I move:

Page 3, after line 47—Insert new section as follows:
Dealings with right subject to charge
223*ll*ea. (1) Subject to subsection (2), where a right of allocation of an amalgamation unit is subject to a charge, the Registrar-General must not register a memorandum of transfer or a memorandum of charge of the right or a memorandum of allocation of the amalgamation unit without the written consent of the person entitled to the charge.
(2) The consent of a person entitled to a charge of lower priority is not required under subsection (1) to the registration of a memorandum of transfer by a person entitled to a charge of higher priority exercising a power of sale under section 223*ll*eb.

Under this amendment, the Registrar-General must not register any dealing with an amalgamated unit that is subject to a charge unless the Registrar-General has the written consent of the person entitled to the charge. It is a security mechanism. New subsection (2) is consequential.

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

Amendment carried.

The Hon. D.C. WOTTON: I move:

Page 3, after line 47—Insert new section as follows:
Power of sale
223*ll*eb. (1) A person who is entitled to a charge of the right of allocation of an amalgamation unit is entitled to sell the right in the circumstances in which a mortgagee or encumbrancee is entitled under this Act to sell land that is subject to the mortgage or encumbrance.
(2) Sections 132 to 136 inclusive apply to, and in relation to, a charge of a right of allocation as if the charge were a mortgage or encumbrance, the person entitled to the charge were the mortgagee or encumbrancee, the holder of the right of allocation were the mortgagor or encumbrancer and the right of allocation were the land mortgaged or encumbered.

I see an absolute need for this legislation to be revised, because it is extremely complicated. New subsection (1) deals with the power of sale of mortgaged land; new subsection (2) relates to sections 132 to 136 inclusive, which apply to a charge of a right of allocation. That means that a person entitled to charge is able to sell in the same circumstances as are mortgagees or encumbrancees.

The Hon. S.M. LENEHAN: I will not ask the honourable member to explain in detail exactly what this proposed new section means, but I am happy to accept it.

Amendment carried.

The Hon. D.C. WOTTON: I move:

Page 3, after line 43—Insert new sections as follows:
Discharge of charge on right of allocation
223*ll*ec. (1) A charge of a right of allocation is discharged in the following circumstances:
(a) upon registration by the Registrar-General of a discharge of the charge;
(b) in the case of a charge arising under section 223*ll*d (1a) on the creation of amalgamation units—upon the discharge of the mortgage or encumbrance giving rise to the charge under that section (but not where the discharge occurs upon registration of a transfer of the land by a mortgagee or encumbrancee exercising the power of sale conferred by this Act).
(2) Upon lodgment at the Lands Titles Registration Office of a full or partial discharge of a charge of a right of allocation together with the certificate issued in respect of the right, the Registrar-General must register the discharge, cancel the certificate and issue a new certificate in the name of the holder of the right.
(3) Where the amount secured by a charge has been paid the holder of the right of allocation is entitled to a discharge of the charge.
(4) Section 146 applies to, and in relation to, a charge of a right of allocation as if the charge were a mortgage, the person entitled to the charge were the mortgagee and the holder of the right of allocation were the mortgagor.

(5) Where two or more persons are entitled to a charge jointly a discharge of the charge may be signed by one on behalf of all of them.

Order of priority of charges

223*ll*ed. The order of priority of charges of a right of allocation is as follows:

(a) charges arising under section 223*ll*d (1a) have the same priority as the mortgage or encumbrance from which they arose;

(b) charges registered under section 223*ll*da have priority in accordance with the time of registration of the memorandum of charge;

and

(c) charges referred to in paragraph *(a)* have priority over charges referred to in paragraph *(b)*.

These proposed new sections will enable a charge to be discharged, and they set out the procedure by which that can happen. Paragraph *(b)* of proposed new section 223*ll*ec, (1) is complicated, but the Opposition wishes to see these proposed new sections inserted into the Act.

The Hon. S.M. LENEHAN: I am happy to accept the proposed new section.

Amendment carried.

The Hon. D.C. WOTTON: I move:

Page 4—

After line 7—Insert paragraph as follows:

(ba) particulars of the charges (if any) of the right to allocate the unit and of the discharge of any of those charges;

Line 10—After 'A memorandum of transfer,' insert 'a memorandum of charge, a discharge of a charge,'.

These amendments are consequential.

Amendments carried.

The Hon. D.C. WOTTON: I move:

Page 4—

Lines 13 to 15—Leave out subsection (2).

I referred earlier to the need for some incentive to be provided to make this scheme work. Many of these charges have already been addressed in the creation of original titles through either the Real Property Act or the Planning Act. I do not believe that it is necessary for these fees to be paid again. A letter from the Institution of Surveyors states:

With regard to the subdivision of land within the Mount Lofty Ranges area, the Act does not clarify whether the transfer of amalgamation units obviates the requirement for the payment of contributions in respect of open space contributions to the E&WS for sewerage and water supply. As no additional allotments are actually being created but are merely being transferred from one area to another one could argue that contributions as stipulated by the Planning and Real Property Acts are therefore not applicable. This should be spelt out in the legislation. The imposition of other Government charges such as transfer fees and stamp duty are also questionable. To encourage the transfer of these units then perhaps charges should be kept to a minimum or waived altogether.

I believe it is essential that an incentive be provided.

The Hon. S.M. LENEHAN: I am having an amendment prepared. Given the honourable member's explanation and the proposed new section, it is apparent that the Opposition is seeking to remove all fees and charges associated with dealings in respect of amalgamation units. If any person dealing in Torrens title land is subject to reasonable fees and charges, why should people dealing in amalgamated units not be subject to the same reasonable fees and charges? I made very clear, with respect to paragraph *(a)*, that we were talking about a $5 fee. I made that public on the day on which I announced this whole scheme. I have not had one person raise with me the question, the concern, the problem or the issue of paying a $5 fee. With respect to paragraphs *(b)* to *(e)*, the fee, exactly as it is, relating to Torrens title land dealings would be $55.

I have been prepared to accept the amendments, which have required a considerable increase in work for the department in respect of the protection of the mortgagee and, indeed, of the encumbrancee and their interests. This will create quite a considerable amount of work for the Lands Department. The Opposition (particularly the previous shadow Minister, the member for Murray-Mallee) has demanded of me in the Estimates Committee that we look at cost recovery and that this, indeed, is the charter of the Government and the Department of Lands.

The Hon. D.C. Wotton interjecting:

The Hon. S.M. LENEHAN: I have to say that this is a small coup for me as Minister—a very small one, but I am enjoying it. How can the Opposition reconcile the quite proper demands that it has made of me as Minister of Lands for a cost recovery unit within Government which is off-Government, off-budget and self-funding, where we have a beneficiary pay and where we are talking about very reasonable charges of $5 in one case and $55 in another—and not everyone will be required to pay all those charges, because it will be only one or more—

The Hon. D.C. Wotton interjecting:

The Hon. S.M. LENEHAN: Yes, but why are they being distinguished from the people who are involved in a normal Torrens title land transaction? From where does the Opposition think that the money for this will come, given that it has stated quite publicly that we must have a commercially responsible and an economically efficient and viable Department of Lands? We are not talking about huge charges that will prevent people proceeding to amalgamate the units. I am not sure whether my amendment is ready. However, I oppose the honourable member's amendment to lines 13 to 15, for the general reasons I have just given.

The Hon. D.C. WOTTON: I must say that I am disappointed at the Minister's response. I made the Opposition's amendments intended available to the Minister yesterday. I believe it is pretty poor when at this stage the Minister brings forward yet another amendment to an amendment that has already been introduced. The Minister asked me a specific question as to why the Opposition believes this situation should be different. I have already explained that.

The Hon. S.M. LENEHAN: On a point of order, I understood we were dealing only with lines 13 to 15. I do not have a copy of that amendment. Are we not just dealing with leaving those lines out?

The ACTING CHAIRPERSON: Yes.

The Hon. S.M. LENEHAN: I am opposing an amendment to leave those lines out. I am not moving an amendment with respect to lines 13 to 15. My amendment is really a procedural way of dealing with what I can accept and cannot accept in relation to the honourable member's next amendment. We are not dealing with that yet.

The ACTING CHAIRPERSON: We will deal separately with those amendments because of their complexity.

The Hon. D.C. WOTTON: I support that and we look forward with anticipation to what the Minister will tell us in relation to the next part of her amendment.

Amendment negatived.

The Hon. D.C. WOTTON: I move:

Page 4, after line 15—Insert new section as follows:

Exemption from fees and stamp duty

223llh. (1) No fee is payable in respect of—

(a) the issue by the Registrar-General of a certificate in respect of the right to allocate an amalgamation unit (except a certificate to replace one that has been lost, mislaid or destroyed);

(b) the registration of a memorandum of transfer of a right of allocation;

(c) the registration of a person as the holder of a right of allocation where the right has passed by testamentary disposition or by operation of law;

(d) the registration of a memorandum of charge of a right of allocation;

(e) the registration of a full or partial discharge of a charge of a right of allocation;

(f) the registration of a memorandum of allocation of an amalgamation unit.

(2) Where amalgamation units have been allocated to a division, no stamp duty is payable in respect of the first transfer by the person who applied for the division of an allotment created by the division but this exemption does not extend to a subsequent transfer of the allotment.

(3) Stamp duty is not payable in respect of the transfer or charging of the right of allocation of an amalgamation unit.

I have already spoken to this amendment and indicated why the Opposition wants this new section introduced. I can only say again, for the reasons that I indicated earlier, that the Opposition has received considerable representation. I do not know where the Minister has been if she has not received any of that representation; I cannot help that. I read from a couple of pieces of correspondence earlier, one of which was from the Institute of Surveyors and another from the Australian Finance Conference, and both made the same point. I have already explained to the Minister that this is felt necessary: because the scheme is untried, because we do not know whether it will work and because we believe that incentives need to be provided, we believe that fees should be waived. I hope that the Committee supports the amendment.

The Hon. S.M. LENEHAN: I would like to move an amendment to the member for Heysen's amendment as follows:

Delete paragraphs *(a)* to *(e)* in subsection 1. and delete subsection (2).

I have already asked a question of the honourable member and by asking that question I think I have indicated my position. I made it very clear on 29 January, when I announced this proposal for the Mount Lofty Ranges management plan, supplementary development plan and the concept of a transferable title rights scheme, that we would be looking for the creation of an amalgamation unit. I was asked on that day what kind of fees would be involved. For the creation of an amalgamation unit, I made it clear that we would be charging what could be called a peppercorn fee or a nominal fee of $5. I have not had one single representation since then, that it was inappropriate to charge for the establishment of that unit. I have had no representation at all in relation to that issue. I asked the honourable member why we differentiate in the treatment of people involved in a Torrens title land transaction or an amalgamation unit transaction when, in fact, we are talking about an overall fee of $55. This relates to paragraphs *(b)* to *(e)*. I do not believe the honourable member has answered that question to my satisfaction.

I am very happy to incorporate paragraph *(f)* in my amendment, which relates to having no fee payable in respect of the registration of a memorandum of allocation of amalgamation unit, because it was never my intention to have such a charge. In addition, it was never my intention—I am supporting part of what the honourable member has said, and it was not written into the Bill—to charge stamp duty in respect of a transfer or right of amalgamation of an amalgamation unit. Quite properly, that would be considered as double charging. One would be charging the developers when they purchased the proposal and also for the stamp duty on the purchase of the amalgamation units.

I have never thought that was fair, reasonable, equitable or just, and it was not my intention to do that. I have paid my ministerial colleagues the courtesy of checking that situation with the Minister of Finance, so it is not just my decision. There are implications for the budget. Indeed, the Government is quite happy with respect to subsection (3) in the Opposition's amendment, which I guess will be renumbered in my amendment. I believe that I am being reasonable in terms of an overall outcome.

I also point out, in terms of who pays, that the reason I am not prepared to accept subsection (2) is that it would mean that no stamp duty would be payable on any part of the transaction in the creation of a new allotment through a subdivision within a township in the water supply protection zone. Let us consider the implication of that amendment. It is the purchaser who pays the stamp duty, not the creator of the block of land. Who is likely to purchase a newly created block of land within the water protection zone township? It will probably be somebody from the plains area within the greater metropolitan area of Adelaide. So we are saying to that person, coming from somewhere else in South Australia, 'You do not have to pay stamp duty to buy a block of land inside a township in the water supply protection area, but you do have to pay if you purchase a block of land in a township outside the water supply protection zone or anywhere else in South Australia.' I do not think that was the intention of the amendment, but that is the reality of it. For those reasons, I cannot accept the amendment as drafted and I have moved my consequential amendment.

The Hon. D.C. WOTTON: I am disappointed that the Minister has not accepted the total amendment. I cannot accept the reasons that she has provided to the Committee. It is not my intention to take up time arguing about this further, because, from what the Minister said, I doubt whether there is very much that I could say to convince her otherwise. I take the Minister's word that she has not received any representations on this matter, but I find it unusual that that should be the case. I have already referred to correspondence in my second reading speech and earlier in Committee in which people have made representations about this matter. I am not quite sure why they have not taken it up with the Minister as well. I should have thought it was appropriate that they should do so. The Opposition will accept the Minister's amendment, but it will also make further representations regarding the issues that have been raised in the total amendment that I moved when it is appropriate to do so in another place.

The Hon. S.M. LENEHAN: I need to clarify one point for the record. I have just had pointed out to me that in the draft regulations, which were put together very quickly at the request of the member for Heysen, *(f)* is included as a charge. I acknowledge quite openly that I was not aware that it was within the draft regulations. I want to put on the public record that that is not the intention. It will be removed from the draft regulations. I think that is a commonsense approach. In fact, the amendment that I moved represents my position on this matter.

The Hon. S.M. Lenehan's amendment carried; the Hon. D.C. Wotton's amendment as amended carried; clause as amended passed.

Clause 7 and title passed.

The Hon. S.M. LENEHAN (Minister for Environment and Planning): I move:

That this Bill be now read a third time.

I thank all members for their support in the deliberations on this Bill. It is a vital first step in facilitating what will be historic and something of which all members of Parliament can be proud for future generations in terms of the preservation of the Mount Lofty Ranges.

The Hon. D.C. WOTTON (Heysen): At this third reading stage I would express the same concern as I expressed on the second reading regarding the mechanics that will be provided in the regulations. We have only seen draft regu-

lations and we look forward to seeing the actual material provided. I also indicate my continuing concern about the success of the system. At this stage, as it is the only compensation that can be provided to land-owners, I hope that the system will work. I hope also that the amendments that have been accepted will provide some incentive to ensure that is the case.

Bill read a third time and passed.

SITTING AND BUSINESS

The Hon. S.M. LENEHAN (Minister for Environment and Planning): I move:

That the sitting of the House be suspended until 7.30 p.m.

The Hon. B.C. EASTICK (Light): The Opposition opposes this motion.

The DEPUTY SPEAKER: It is not debatable.

The House divided on the motion:

Ayes (20)—Messrs L.M.F. Arnold, Atkinson, Bannon, Crafter, De Laine, M.J. Evans, Ferguson, Groom, Hamilton, Hemmings, Heron, Holloway and Hopgood, Mrs Hutchison, Mr Klunder, Ms Lenehan (teller), Messrs McKee, Mayes, Quirke and Rann.

Noes (17)—Messrs Allison, P.B. Arnold, D.S. Baker, S.J. Baker, Becker, Blacker and Brindal, Ms Cashmore, Messrs Eastick (teller), S.G. Evans, Ingerson, Lewis, Matthew, Oswald, Such, Venning and Wotton.

Pairs—Ayes—Messrs Blevins, Gregory and Trainer. Noes—Messrs Armitage, Gunn and Meier.

Majority of 3 for the Ayes.

Motion thus carried.

[*Sitting suspended from 6.1 to 7.30 p.m.*]

LOCAL GOVERNMENT (REFORM) AMENDMENT BILL

Received from the Legislative Council and read a first time.

The Hon. M.D. RANN (Minister of Employment and Further 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 is the first of a series of reform Bills which will result from the negotiation process between the State government and Local government established under the Memorandum of Understanding signed by the Premier and the President of the Local Government Association in 1990.

As Members will be aware from other statements made in this place, the intent of the Memorandum is to establish new relationships reflecting a co-operative approach to the development of the State and the productive and efficient provision, planning, funding, and management of services to the South Australian community.

It was evident from the outset with the winding up of the Department of Local Government that interaction between the State and Local government would change significantly as a result of the negotiations. Each agreement which has been concluded to date—such as the recent agreement on the funding and servicing of libraries and community information services—has clarified State and Local roles and responsibilities so as to produce a better outcome for the community. Common features of these agreements are clear and agreed objectives about what is to be achieved, greater local self-management and secure funding arrangements with built-in incentives for efficient financial management.

This Bill is a major step towards a legislative framework which reflects and consolidates the new level of co-operation between Local government and State government. It revises the current processes for changing council areas, reviewing council representation and ward boundaries, making council by-laws, and setting fees payable to Councils. The features of the negotiated agreements which have been made in other areas have been translated into legislative models. Provisions which require supervision of Local government activities by a Minister of the State are removed or replaced by provisions which state the objectives and principles to be observed in the public interest. New processes are proposed which maximise local self-management. Local government is given new authority and responsibility for the fees imposed for certain functions it performs and for the cost of its own structural reform.

The changes proposed do not remove checks and balances—every Australian system of government has and wants those. Local government remains primarily accountable to its own constituents and clients and to the Parliament. Rather the changes proposed in this Bill indicate Local government's commitment to its own management and development and the State's commitment to working with Local government in partnership for the benefit of the South Australian community. The result we are looking for is a very practical one—elimination of duplication and delay and more creative use of public resources. The Bill includes the provision that the operation of the systems for changes to Council areas, membership and ward boundaries be reviewed after five years and a report laid before Parliament, so there will be a formal opportunity to consider whether they have been successful.

I would like to make some specific comments on the key proposals contained in the Bill.

1. Process for Constitution Amalgamation, and Changes to Boundaries or Abolition of a Council

The Local government Advisory Commission was established in its present form in 1984 to provide advice to the Minister on any matters affecting Local government. Almost all of its work has involved investigating and recommending Local government boundary changes and reviewing reports of councils' periodical reviews of elected membership and ward-structure.

As a system for facilitating change, the Advisory Commission process has been more successful than methods such as Parliamentary Select Committees, Royal Commissions with a master plan, or legalistic petitions requiring the signature of a majority of electors. Since its establishment, the Commission has finalised 76 proposals for constitutional change referred to it. Forty-four of those have resulted in some change including significant amalgamations and boundary changes. Commissioners and Commission staff, past and present, deserve the respect of both State and Local government for the complex, and occasionally thankless, task they have performed.

In line with the principle of greater self-management by Local government of its own affairs, the Bill proposes that the Local Government Advisory Commission be wound up as of 30 June this year and be replaced by a process for Council constitution, amalgamation, boundary change and abolition which is managed by Local Government. A panel of four will be constituted by the Local Government Association, to facilitate and report on each proposal. Each panel will have a representative of the Association, the State government, and Local Government sector unions, and an expert in council administration.

Proposals may be initiated by either electors or councils. Electors may also demand a poll on any panel recommendation. The role of the panel includes conflict-resolution and adjudication but the process proposed relies heavily on a consultative and non-adversarial approach. In this sense it builds on the experience of the Local Government Advisory Commission. In 1989 it became apparent that the administrative practices and procedures which governed the operation of the Commission should be reviewed to ensure that people concerned could participate more effectively in the decisions which were being made. As a result of the review the Commission developed and adopted procedures which emphasise consultation, mediation, and conciliation. The rationale of the system now proposed is that councils will be prepared to co-operate in an objective way, secure in the knowledge that if any party to a proposal disagrees with the changes ultimately recommended those changes cannot be implemented unless demanded by electors.

The proposed disbanding of the Local Government Advisory Commission does not mean that the State government has no interest in structural reform in Local government. It does mean accepting that Local government has an equal or greater interest in structural reform which will enhance its capacity and reputation. The objects of making structural changes to Local government are explicitly stated in the Bill and it is clear that amalgamation and boundary change are not the only ways in which these can be achieved.

2. Periodical Reviews of Council Membership and Ward-Structure

Councils are presently required to undertake a review of membership and internal electoral boundaries at least once every seven years. Before the end of June this year all councils, with the exception of one which has been deferred due to that council's involvement in an amalgamation proposal, will have conducted at least one review since 1985 when these provisions were introduced. As a result electors are now more fairly and adequately represented because of the application by councils and the Advisory Commission of the principle of one vote/one value. Within each council area numbers of electors per electoral district have generally been equalised.

Other trends are also evident. There are now 23 councils without wards compared to four in 1984. The number of councils with aldermen has dropped from 21 to 15 and a further five councils have reduced the number of aldermen. Representation ratios between councils still vary widely and some council areas in South Australia appear to be over-represented.

The Bill retains the requirement for councils to conduct periodical reviews of representation and electoral boundaries. The object of these reviews is made quite clear by the inclusion of principles consistent with those set out in the Constitution Act and applying to State electoral redistributions. Reports of these reviews will no longer be referred to the Minister for investigation by the Local Government Advisory Commission. However, they will be referred by councils to the Electoral Commissioner for certification that they have been duly conducted.

There is a difference of perspective between State and Local government as to whether the Electoral Commission should be the only body which performs this check of council periodical reviews. The State perspective is that it is appropriate for the Electoral Commissioner who is disinterested in State and local political outcomes, who has wide knowledge and experience in electoral matters, and who has the necessary resources and information, to perform this role. The State Government does not believe that it is any more appropriate for the local government sector to conduct peer assessments of periodical reviews than it would be for this Parliament to make electoral redistributions. The fairness of the electoral system is absolutely central to representative government and the State Government believes that South Australian electors will have the most confidence in a system which involves the Electoral Commissioner.

Local government agrees with the need for an independent check but tends to see the certification process as a professional service to councils which could be performed by other experts. It believes that local government should have an alternative available to it which might be competitive in terms of cost.

3. By-Law Making Process

The new process proposed for the making of local by-laws removes the necessity for vetting by the Minister and Executive Council. However, by-laws will remain subject to disallowance by the Legislative Review Committee of Parliament—as is the case for all subordinate legislation.

The Bill establishes a set of principles relating to the objectives and forms of by-laws which will guide councils when making by-laws. Councils are also required to give their communities notice of the fact that they intend to consider making a particular by-law.

The Local Government Association will be able to adopt as a model any by-law made by a council which has gone through the process of Parliamentary review. Councils will be able to adopt a model by-law by resolution, which makes for an efficient sharing of resources and ideas within local government. It is important to note that the association's role is restricted to selecting those by-laws made by directly-elected representatives of the community which may have some application for other councils.

4. Fees and Charges

The Bill provides a mechanism which will give the local government sector the authority and responsibility for determining the fees to be charged for certain functions performed by councils.

The mechanism chosen is one which

- allows the range of fees to be progressively added to as fees currently set by State agencies, by regulation, are transferred, or new functions and associated fees are devolved to local government;
- also transfers to local government the decision as to whether any particular fee will be standard across the State or may vary from council to council.

The Local Government Association will have power, to the extent declared by the Governor by notice in the *Gazette*, to make regulations governing fees imposed by councils. Initially only an agreed set of fees under the Local Government Act, the Land Agents Brokers and Valuers Act, the Strata Titles Act, the Real Property Act, the Planning Act and the Building Act will be involved but it is expected that responsibility for other fees collected by councils for work which they perform will be routinely transferred by Governor's notice. Regulations made by the Local Government Association will be reviewable by the Legislative Review Committee of Parliament and subject to disallowance. If the Local Government Association determines not to require uniformity across the State for any particular fee, then each council may set its own.

The Local Government Association and State agencies will cooperate to ensure that the transition to this new process is a smooth one. The Association has agreed that it would make regulations fixing these fees for the first two years so that planning and building approval fees, in particular, remain standard over the State. It will also seek the advice of State agencies and consult with bodies currently consulted by State agencies in setting these fees.

It is clearly understood and agreed that this new system will not jeopardise the development of proposed or potential schemes for 'one-stop-shop' enquiry and approval, in which one level of government is the contact point and fee collector for work carried out at both levels of government. Examples of such systems include the proposal that persons be able to obtain all necessary details of State and local council encumbrances on titles by enquiring through the Department of Lands, and the new procedures for control of the planning and development of land being developed by the Planning Review. Such schemes will be the subject of ongoing negotiations with the Association.

In addition to these major reforms the Bill removes a number of requirements for ministerial notification and approval.

The changes which are occurring in the relationship between local government and State Government are evident from the manner in which this Bill has been developed. The Local Government Association has taken responsibility for consultation on these proposals with councils and other interested parties and has participated in joint briefings for members of Parliament. Despite the one issue which I have described about which State and local government take a different view, this Bill is evidence of a new level of respect and understanding between the local and State sectors in South Australia.

As a result of a process of discussion and negotiation conducted in a spirit of co-operation, local and State Government have arrived at a virtually unanimous agreement concerning the provisions of this Bill. Above all we have in common the desire to reshape former ways of managing things in favour of new practices which will allow us to function more effectively.

The provisions of the Bill are as follows:

Clause 1 is formal.

Clause 2 provides for the commencement of the measure. It is noted that the provisions relating to the structure of local government and the abolition of the Local Government Advisory Commission will come into operation on 1 July 1992.

Clause 3 relates to the definitions used in the Act. Reference is made to the use of 'chairperson' in the Act (meaning the principal member of a council that does not have a mayor).

Clause 4 provides for the substitution of those provisions of Part II of the Act that relate to the structure of local government. In particular, new sections 6 to 13 (inclusive) are similar to the existing provisions except that in some cases change will be able to be effected through notices published by the relevant council in the *Gazette*. New section 14 sets out various objects and principles that are to be taken into account in the formulation of a proposal under the new provisions. Section 15 is similar to sections 15, 15a, 16 and 17 of the existing Act. In particular, a proclamation will be able to be made in pursuance of an address of both Houses, or in pursuance of a proposal recommended under the new provisions that provide for the constitution of local government panels. New sections 16 to 22 relate to a proposal in relation to the constitution, amalgamation, boundaries or abolition of a council. Such a proposal can be initiated by the relevant council or, if the proposal affects more than one council, by all of the councils for the areas, or by 10 per cent of electors for an area or 50 per cent of electors for a portion of an area (if the proposal directly affects that portion of the area but not the whole of the area). The proposal will then be referred to the Local Government Association and a panel of four persons constituted to oversee the preparation of a report by the representatives of the parties to the proposal. These representatives will be persons nominated by the councils affected by the proposal and, in the case of an elector-initiated proposal, persons (being three in number) nominated at the time of the formulation of the proposal. A program of public consultation, and consultation with other appropriate organisations, will be undertaken by the representatives of the parties to the proposal. The panel will then prepare a report in which it makes recommendations in relation to the proposal. If a representative of a party expresses serious opposition to any recommendation and the matter cannot be resolved within a reasonable time, the proposal will not be able to proceed. The report will be available to the general public. Ten per cent

or more of the electors for an area can request that an indicative poll be conducted on any recommendation contained in the report. Any proposal can then be forwarded to the Minister and thereafter to the Governor.

New sections 23 and 24 relate to proposals to alter the composition or ward-structure of a council. These matters are 'internal' to a council. A council will be required to carry out a review in accordance with section 24. A council must ensure that all aspects of the composition and wards of the council are reviewed at least once in every seven years. It is proposed that the review process will include the preparation of a report, public submissions, and the formulation of appropriate proposals. The report will be considered by the Electoral Commissioner to ensure compliance with the statutory standards and requirements. The council will, in due course, be able to give effect to any appropriate recommendation by notice in the *Gazette*. A recommendation will come into operation at the first general election held after the expiration of five months from the date of publication of the notice in the *Gazette*.

New sections 25 and 26 relate to proposals to alter the status of a council or its name. Public submissions will be sought. The council will then be entitled to effect any appropriate change by notice in the *Gazette*.

It is noted that this scheme is to be the subject of a review by the Minister and the Local Government Association after five years and an appropriate report prepared and tabled in Parliament.

Clause 5 provides that the title of the principal member of a council that does not have a mayor is at the discretion of the council.

Clause 6 is a consequential amendment to section 47.

Clause 7 provides that each council must establish and maintain a Register of Interests relating to officers and employees specified bythe regulations.

Clause 8 provides for the continuation of the Local Government Superannuation Scheme. The board will be able to amend the scheme by regulation (and the regulation will then be subject to the disallowance under the Subordinate Legislation Act 1978).

Clause 9 relates to the board. The presiding member of the board will be appointed after consultation with the associations referred to in section 74 (3).

Clause 10 deletes the provision that requires the approval of the Minister for the board to appoint investment managers.

Clause 11 will allow a council to grant an exemption from the operation of section 80 (5) of the Act. The provision presently provides that an officer of a council cannot act in relation to a matter in which he or she has a personal interest without an exemption from the Minister. An exemption will expire at the first meeting of the council after a general election (but may then be renewed).

Clause 12 relates to a determination of a council under section 122 of the Act to change the method of counting votes at an election of the council. Notice of such a determination must be published in the *Gazette* and given to the Minister. A council will no longer be required to give such notice to the Minister.

Clause 13 will allow a council to determine a basis other than a basis specifically allowed under section 176 of the Act for the purposes of differential rating if it is appropriate to do so after an amalgamation or boundary change.

Clause 14 will allow a council to determine the method of payment for separate rates or service rates without the need to obtain ministerial approval.

Clauses 15, 16 and 17 relate to the fixing of fees by councils. In particular, the Local Government Association will in declared circumstances, be able to make regulations governing the fees and charges imposed by councils.

Clauses 18, 19 and 20 delete the requirement to obtain Ministerial consent for certain functions undertaken by councils.

Clause 21 relates to the granting of leases or licences for cultivation purposes by councils under section 375 of the Act. The new provision will strengthen the public's opportunity to make submissions in relation to such matters. A council will no longer be required to obtain ministerial consent under this section.

Clauses 22, 23, 24 and 25 relate to the by-law making powers of councils. New section 668 sets out various principles that are to apply in relation to by-laws. Many of these principles express rules that already apply to by-laws. Other principles are intended to ensure that by-laws do not unreasonably interfere with the rights and liberties of the person, or with principles of justice and fairness. A by-law will be able to incorporate other material. New section 671 is of particular note. This provision will require a council to give at least 21 days public notice of its intention to make a by-law. New section 682 will allow the Local Government Association to adopt an operative by-law of a council as a model by-law, and councils will then be able to adopt the model by-law.

Clause 26 is a consequential amendment to section 855c.

Clause 27 is a consequential amendment to secion 874.

Clause 28 is a transitional provision. It particularly addresses the issues that arise by virtue of the winding-down of the Local Government Advisory Commission after 1 July 1992.

The schedule sets out amendments to certain other Acts to enable certain fees payable to councils under those Acts to be fixed under the Local Government Act. The amendments to the Subordinate Legislation Act 1978 will bring by-laws under the operation of that Act (and to make by-laws subject to consideration by Parliament under that Act and not the Local Government Act), and will ensure that by-laws, and regulations made by the Local Government Association and Local Government Superannuation Board, are not subject to Part IIIA of the Act.

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

STATUTES AMENDMENT (ATTORNEY-GENERAL'S PORTFOLIO) BILL

Received from the Legislative Council and read a first time.

CROWN PROCEEDINGS BILL

The Legislative Council intimated that it had agreed to the House of Assembly's amendments.

INDUSTRIAL RELATIONS (DECLARED ORGANISATIONS) AMENDMENT BILL

Returned from the Legislative Council without amendment.

WILDERNESS PROTECTION BILL

Adjourned debate on second reading.

(Continued from 18 February. Page 2873.)

The Hon. JENNIFER CASHMORE (Coles): I wish to make clear that I am not the lead speaker on this Bill, and I thank the member for Heysen for his courtesy in permitting me to speak first. He will be leading the debate for the Opposition, as shadow Minister for Environment and Planning. The very word 'wilderness' conjures up in the minds of most of us pictures of remote areas that are completely natural and that have in fact almost vanished from the face of this earth. It is interesting to speculate what the first settlers of this country would have thought had they known that within 200 years or so Parliaments would be enacting legislation to protect the wilderness of Australia. In those 200 years, and in South Australia in the space of 150-plus years, we have hacked and slashed at our native vegetation; we have dug, drilled and pumped; we have gouged and eroded—and we now find that we have very little left that could be described as virgin country or wilderness areas in this State.

It is also interesting to think that, when we contemplate wilderness, most of us tend to have a picture that is borne out of the northern hemisphere experience of vast prairies, of great forests and of cool country mountain ranges—and such, of course, is the notion of wilderness in Tasmania, where the political movements for wilderness protection first began. But South Australia's wilderness is of a very different kind, yet as beautiful, in my eyes at least and I think in the eyes of many of us, as anything that could be found anywhere else in the world.

Our wilderness areas are, in the main, in arid country. I think particularly of the vast field of parallel land dunes in the Simpson Desert and of Lake Eyre, which is the focus of the largest internal drainage system in the world. Simi-

larly, in the Unnamed Conservation Park, which is one of the world's largest and most remote natural reserves, there is wilderness country left. There are the Gammon Ranges, which are magnificent and ancient mountain ranges in the north-east of South Australia. In the 90-mile Desert we have a different kind of wilderness, composed of splendid heath and mallee land and, in the coastal areas, particularly the remote coasts of Eyre Peninsula and parts of Kangaroo Island, we have coastal wilderness which itself has a unique charm and a quality that is vulnerable if exploited by human beings.

It is fair to say that this legislation would not be before the House were it not for the sustained advocacy of a group, of mainly young people, who comprise the membership of the Wilderness Society. I believe that it was in 1987 when the first calls were made for wilderness protection legislation. It was my pleasure as shadow Minister for Environment and Planning in 1988 to indicate the Liberal Party's support for the concept of wilderness protection in legislation. I mentioned that the Wilderness Society members are, in the main, young people, because I think it is the view of the young that we hold in trust for future generations those vestiges of wilderness that still remain.

If we continue to proceed at the present rate of destruction of wilderness, it has been estimated that there will be no wilderness left worldwide in approximately three decades time. It is the view of the young that this cannot be allowed to occur, and I think that is why they have been so passionate in their advocacy and also so meticulous and logical in their research, and so courteous and persistent in their approach. I can only pay a tribute to those members of the Wilderness Society who intiated the concept and who have followed it through in a systematic fashion. I am sure that the Minister would acknowledge, as with in Opposition do, that we owe those young people a great deal.

The concept of this legislation is based on the fact that, in order to protect the wilderness, we first need to establish a clear system for identifying and assessing wilderness areas. The Bill provides for that through an independent wilderness advisory committee. As I said, there is very little wilderness in South Australia. The actual areas—and one can only guess where they are, because they have not been identified—would comprise perhaps 2 per cent or a little more of the State's land mass, which is 100 million hectares. It is not a big area, and many of those wilderness areas are already within our system of reserves, so they have protection, albeit limited.

The second principle of the Bill is that there should be an explicit decision making process in which there are opportunities for public input in the wilderness protection process. The third principle is a provision for permanent protection and proper management of wilderness areas by excluding mining, mineral exploration and grazing from wilderness areas. Of course, this is the most contentious aspect of the legislation. The three activities in South Australia which most threaten wilderness are mining and mineral exploration, tourism, and grazing and pastoral activities. In fact, very little wilderness area is contained in the pastoral lands, because the impact of mankind and of animals has already rendered those areas unsuitable for decision as wilderness areas.

The definition of 'wilderness,' which has been adopted by international conservation bodies, is:

> A large tract of land remote at its core from access and settlement, substantially unmodified by modern technological society or capable of being restored to that state, and of sufficient size to make practical the long-term protection of its natural systems.

The definition in the Bill is somewhat different from that. Clause 3(2) provides:

> The following are the criteria for determining whether or not land should be regarded as wilderness:
>
> *(a)* the land and its ecosystems must not have been affected, or must have been affected to only a minor extent, by modern technology;
>
> *(b)* the land and its ecosystems must not have been seriously affected by exotic animals or plants or other exotic organisms.

Already, we see in the very definition of 'wilderness' a compromise. There are qualifications in that definition which identify clearly the fact that we are already in a compromise position before we even debate the provisions of the Bill. As we go through the Bill, we will see in relation to mining that again there are qualifications and compromises.

The Hon. S.M. Lenehan interjecting:

The Hon. JENNIFER CASHMORE: I recognise with regret that compromise is inevitable, that it is a reality. I recognise it because the law itself requires compromise. Existing law, indentures and mining tenements mean that we are already so far advanced in what we are pleased to call a civilised state that to achieve the concept of wilderness in Australia today is a virtual impossibility in terms of the international conservation definition of such areas.

It is important to establish at the outset that what we are doing is the best that can be done in the circumstances. Of course, further debate will occur about what is the best that can be done. The qualifications and compromises that have been made in respect of mining provide that the Governor may, by proclamation made on the recommendation of the Minister in the first instance, constitute a wilderness protection area or a wilderness protection zone, and there is a distinction between the two. The Governor may also, on the recommendation of the Minister by subsequent proclamation, abolish a wilderness protection area or wilderness protection zone, alter the boundaries or alter the name.

However, a proclamation cannot be made in those circumstances unless it is made pursuant to a resolution passed by both Houses of Parliament. That clause simply acknowledges the sovereignty of Parliament and the impossibility, indeed the undesirability, of any law being incapable of amendment and thus binding future generations and diminishing the sovereignty of future Parliaments. So, that is a reality, and it needs to be understood as such. We are doing the best we can in the circumstances, given the nature of our democracy and given the nature of the country with which we are dealing.

The question of exploration will always be a vexed one in a country which relies so heavily on mining for its export income and for the health of its economy. In South Australia's case, that has always been important from the very establishment of the province, and it is still important. It is my view that the protection in the Bill, whilst it may not be, and undoubtedly is not, as adequate as the Wilderness Society would like, it is nevertheless consistent with our approach to the existing rights of anyone—in this case mining companies—who may have tenements over areas which could well be declared wilderness protection zones and the rights of the people themselves, the people of South Australia, in whose Parliament is vested the power to grant tenements and in whose Parliament is vested the right to obtain royalties from mining.

The provisions of the Bill relative to identification of wilderness areas and the adoption and implementation of codes of management for wilderness areas provide good opportunity for public input, and that is an initiative that has not occurred before in respect of reserves. There is no such opportunity with national parks, and I welcome it for reserves. However, I do make the point that the adoption and implementation of management plans for wilderness areas can be successful only if adequate funds are provided

for those management plans to be implemented in the way that should occur. It is worth noting that, in the approximately 240 parks in South Australia, there is a requirement by law for a management plan for each of those parks. In fact, only about 60 per cent of the parks are covered by management plans, and the majority of those plans are broad concept plans, not finely detailed plans.

Not even the Minister would claim that there is anywhere near sufficient finance to ensure that those management plans are administered properly and in the interests of the parks, the elimination of feral animals, noxious weeds, pest plants and exotic vegetation and in the proper management of people. We are a long way from managing properly the 20 per cent of the State that is under the reserve system and, therefore, it seems ambitious to be attempting yet another scale of management that will require a particular skill and, undoubtedly, particular funds. In the Committee stage of the debate, we would all be interested to discover from the Minister what kind of budget might be anticipated to accompany this legislation if it is to be successful.

Further principles inherent in the Bill are that the management and identification of wilderness areas be compatible with the maintenance of Aboriginal heritage and traditional culture and that the public should have legal access to the courts to enforce wilderness protection. I and my colleagues believe that that access should be somewhat wider than it is presently, but the fact that it is there at all is a huge step forward from existing legislation that covers national parks, and some of us have very good reason to feel deeply about that. The Act binds the Crown, which is essential.

In conclusion, I refer briefly to the maintenance of Aboriginal heritage and traditional culture. I remember reading in an American novel a description of the Sioux Indians who passed through the land like a fish through the sea or a bird through the air. They left no trace upon the landscape. The same cannot be said of Australian Aborigines because their artefacts are left and the remnants of their occupation can be found all over the continent. Those remnants are valued and our Australian concept of wilderness would certainly not want to disregard areas that have signs of Aboriginal habitation simply because there are vestiges of human impact on the landscape. The Australian concept of wilderness is somewhat different from that which may apply in other continents and on other lands.

I can only conclude by saying that, if we are indeed the last custodians of wilderness insofar as we are probably the last generation of legislators who will have a chance to protect the small areas still left, we must take that chance and do the very best that we can with it. The Bill is a compromise. Many would like to see it much stricter, but in its present form it is a great advance on no legislation at all. It will depend very much on the finance available as to how successful it is, and it will also depend on the goodwill and the education of South Australians to support the concept, to value it and to ensure the legislation works as it is intended.

The Hon. T.H. HEMMINGS (Napier): Anyone who has listened to the contribution of the member for Coles could never deny the deep conviction she has with regard to the environment. If one can say, 'I have said it all' in relation to this piece of legislation, the member for Coles can say it now. However, some of us also wish to add our comments to the Bill. As the member for Coles said, if we have got it right this time and have managed to tread the fine line of compromise in relation to other interests—some of which are a little more avid in their request for areas which they can mine, while others can be, and are sympathetic to the environment—this should be the last piece of legislation with which we will deal to ensure the protection of those areas known as the wilderness.

I will put a migrant's interpretation on the wilderness. As a migrant of 28 years standing, I immediately fell in love with the Australian landscape and over the years have come to recognise the wilderness and the sensitivity with which we have to approach such land. The member for Coles attempted to place a percentage on such land—and I will accept her estimate of two per cent, although she may be wrong. The percentage is irrelevant. However, I agree that very little remains and for that reason alone we should be doing everything we can to protect it. I have often stood up in this Chamber and complimented the Minister on the way in which she consults the community about any piece of legislation of which she has carriage. Sometimes I have even accused the Minister of over-consultation. In this area the Minister has been able to achieve acceptance by all sections of the community that this is the way to go. Judging by the contribution of the member for Coles, I suspect that she is echoing the line of most members opposite on this legislation, perhaps with a little variation one way or another. I would never in my wildest dreams suggest that the member for Heysen is a rabid believer of the 'If it is in the ground, let's mine it philosophy'. He is too sensitive for that.

In the area of mining compromise is not quite the correct term. When I look at the word 'compromise' I think of 'appeasement', 'surrender' and other words that mean that the Government is backing down. One of the beauties of a democratic system such as ours is that in Cabinet we have a Minister for Environment and Planning and a Minister of Mines and Energy. I can go back to the days when I had grey hair and bags under my eyes when I was part of Cabinet and I would see different viewpoints being put forward and with my traditional style of having a voice of reason, we tried to overcome it. What we have here is something more of a compromise. What we have here is a realistic approach and an acceptance by all parties, not only in Cabinet but also out in the community, the mining industry and many facets of the conservation movement. We have achieved the best possible result—that is not compromise.

I will not congratulate the Minister on having done it in the eye with the Minister of Mines and Energy, as I know that that is not the way she operates. We are not talking about compromise but about a realistic approach to the whole situation. The key area is that the Bill proposes that simple wilderness areas, unencumbered as yet by mining tenements, will be proclaimed wilderness protection areas. Thus they will receive all the protection that this legislation is designed to give. When Governments of either persuasion bring in a new piece of legislation, the criticism can be made that we are creating another bureaucratic monster.

It is to the credit of the National Parks and Wildlife Service that the management of the wilderness area will be carried out by that body. That says a lot for that organisation, because not only is it responsible for our national parks, which it manages very well, but it is now picking up the sensitive area of the wilderness, which it will manage effectively on behalf of the community. In relation to national parks, the Minister in her second reading explanation said:

> South Australia has proclaimed more area as park than any other State.

Whilst that is true, it may give the impression that the parks belong to this Parliament or to the South Australian Government. They do not: they belong to the South Australian

community, including generations to come. We have had adverse criticism from some sections of the mining lobby to the effect that, if we are not careful, the whole of the State will be proclaimed a national park. That is one of the unkindest things that can be said. If it is worth preserving, it is worth preserving for ever.

In my role as a member of the Bushfire Convention and Suppression Committee, I have had a real education in this regard. By leaving particular areas in their natural state, we ensure that those areas will live forever. The argument has also been put that human beings should not be allowed into some national parks. Whilst I would not go as far as to say that, I think that the criss-crossing of some national parks and wilderness areas with roads and access tracks is only not criminal but will do more to degrade those areas than anything else. However, I see in the Bill a sensitive approach to allowing access by human beings while maintaining the delicate nature of these areas.

I believe that the member for Coles summed up the views of most members of this House. I congratulate her for her understanding of this Bill, and I also congratulate the Minister, who has been working on this matter for some considerable time. It has been well worth it, because the end result is a piece of legislation of which we should all be proud.

The Hon. D.C. WOTTON (Heysen): I am delighted to support the Bill; I am pleased that it has been brought forward. I know that there has been concern in the community that we might not have had the time to debate this legislation in this session. While we are not accustomed to the House sitting on Thursday nights, I can honestly say that I am quite happy to be here tonight debating this Bill, and I am sure that I speak on behalf of all my colleagues.

I add my comments to those of the member for Napier in respect of the contribution of my colleague the member for Coles. I was very happy to facilitate her request to speak early, as she has another engagement this evening. I am sure that the member for Coles spoke on behalf of many of us in her representations on this Bill.

Much of the debate and discussion will take place in Committee. However, I want to refer to what the member for Coles said earlier, because I think it is important when we are discussing any legislation, and certainly this Bill, that we have in our minds what we are talking about and what we are trying to achieve, because we are doing that on behalf of the community, the State and future generations. That is why I am delighted to be able to participate, as the Opposition's lead speaker, in this debate.

The member for Coles referred to a number of areas that it has been suggested might be proclaimed in the future as wilderness areas, for example the Unnamed Conservation Park and the Gammon Ranges. Those two areas are very special to me. I spent the most delightful four weeks of my life in the Unnamed Conservation Park when as shadow Minister I was given the privilege—and I believe it to be an absolute privilege—of visiting it. It was an experience that I will never forget. I came away from the Unnamed Conservation Park totally frustrated, because my immediate thought was, 'Why in the world can't all South Australians participate in this magnificent experience? Why can't all South Australians enjoy the Unnamed Conservation Park?' Of course, if that were a reality, it would be a disaster for the area. I suppose we all conjure up different thoughts as to what wilderness might be, but to me that was certainly wilderness. It is a magnificent area, one of the many magnificent parts of the State that come under our parks system. The same thing can be said of the Gammon Ranges. It is a very special area to me, because it brings back particular memories. It is truly a very sensitive area, one that I hope all South Australians would want to protect for their children.

At the outset, I acknowledge that this Bill is the product of an extensive consultative process. I have read the various papers that have been prepared, and I would like to commend the officers who have been involved over a long period of time in bringing together this legislation. I know that those officers have probably felt considerably frustrated at various times, but we now have legislation which, on the whole, I think is excellent.

As I said earlier, some areas will be subject to discussion and debate and, perhaps, amendment in Committee. But this is very good legislation indeed. The extensive consultation has involved a wide cross-section of individuals and organisations. I refer particularly to the Wilderness Society, which has been very active in ensuring that this Bill is effective. The Chamber of Mines and Energy has been involved from the very start of the consultative process, and the UF&S, representing the pastoralists and the landowners in a large area of the State, has also been involved.

There has been some debate tonight about whether the Bill is a compromise. I believe it is. I do not think there is anything wrong with saying that. Probably all aspects of the argument have been considered, and I am certainly aware that some people feel that the legislation should be strengthened; others believe it should be amended; and some believe it should be amended significantly. As was said earlier, I believe that the Minister has introduced a Bill that would be generally recognised as being reasonably acceptable to all those people. I know that some matters will be discussed later in Committee.

There has been considerable debate over time as to whether wilderness protection should come under the National Parks and Wildlife Act or whether it should be covered by separate legislation. I am also aware of the strong feelings in relation to that matter, because on behalf of the Opposition I have received many representations from people who have both opinions.

Like the member for Coles, I want to commend the Wilderness Society, in particular, for its enthusiasm and forceful representations to the Government. As the member for Coles said, it shows a lot of get up and go, it has been persistent and it deserves a victory in this area. Prior to the last election the Premier made a commitment—

The Hon. S.M. Lenehan interjecting:

The Hon. D.C. WOTTON: I understand; I was just about to say that the Premier and the Minister made a commitment prior to the last election that separate legislation would be introduced. I do not want to go into the politics of that. It is a decision of the Government of the day and, provided the legislation is effective, I am quite happy with that outcome. I believe it would perhaps have been more appropriate to introduce separate legislation, but that is just a personal opinion. If that were not to be the case, I would have preferred to see this legislation running concurrently with an updated National Parks and Wildlife Act.

The Hon. S.M. Lenehan interjecting:

The Hon. D.C. WOTTON: The Minister says it is coming. I would not mind $5 for every time we have heard that amendments to the National Parks and Wildlife Act were coming. I hope they are.

The Hon. S.M. Lenehan interjecting:

The Hon. D.C. WOTTON: I do know you, Minister.

The SPEAKER: Order! The honourable member will address his remarks through the Chair, and the Minister will cease interjecting.

The Hon. D.C. WOTTON: I sincerely hope that in the very near future we will see updated legislation for the administration of our national parks in this State, because I believe that that is essential. We have been hearing for a long time that a review of the legislation is being carried out. I have particular concerns that our national parks system, and its administration, has suffered in more recent times because the Government has not give it a high priority. We are very fortunate in this State: we have some of the most magnificent areas of Australia under our parks system. And we have some of the most enthusiastic and committed people working in those parks.

I have always enjoyed the opportunity to meet a number of the people who are working in those areas when I have been travelling around the parks and reserves in this State. They are committed, and they are finding it very difficult at present. I am aware of the frustration that is felt by a number of those people, because they are trying; they are doing their very best. However, as a result of the current level of funding, they are not able to achieve in the way they would want to achieve.

In her second reading explanation the Minister reminded us of the new areas that have been included in the parks system while it has been under the control of the present Government. I do not back away from that: I commend the Minister for that—as I have done in the past. I have a sneaking suspicion that she would like to be doing a lot more in terms of providing funding to ensure that the parks are properly administered and maintained, because it is a significant priority that needs to be taken into account.

Of course, we in this State have a magnificent system involving Friends of the Parks and consultative committees, which is envied by a number of other States in Australia. I am also concerned that I have been receiving expressions of frustration from a number of those groups, and in some cases very real anger has been expressed. That anger is not as a result of their working with the staff but, rather, because of a lack of funding and general support from the Government at this stage.

That is why I am concerned that this legislation will be administered by the Department of Environment and Planning while the management of the areas will be the responsibility of the National Parks and Wildlife Service. In her second reading explanation, the Minister argued that 'additional workloads are not anticipated as a result of this legislation'. I am advised that it is likely that a large percentage of the areas will be considered and proclaimed as wilderness areas. It has been suggested that that might involve up to 90 per cent of the existing national parks and wildlife reserves. I cannot help but believe that greater pressure will be placed on staff within the National Parks and Wildlife Service. If that is to be the case—because somebody has to do it—I sincerely hope that the Government will recognise that and provide the assistance necessary to ensure that that work is carried out adequately.

I am aware of the considerable support for this legislation from within the community. I presume that the majority of members have received representations, as I certainly have, from constituents and people throughout South Australia who are keen to see this Bill become law. It is good that that should be the case.

I have received a newsletter from the Nature Conservation Society of South Australia. I do not intend to read it into *Hansard*, because it is lengthy and others want to contribute to the debate. However, it is not altogether complimentary to this measure as separate legislation. I understand from discussions I have had with the writer of that newsletter that it may be a personal attitude rather than the attitude of that society. Certainly that contribution has been made. I have also received substantial representation from the National Environmental Law Association. A number of the matters that that association has raised I shall refer to in Committee.

One of the most contentious issues coming out of this legislation is whether exploration of mineral and hydrocarbon resources should be prohibited in wilderness protection areas. The category of wilderness protection areas is designed to preserve wilderness in perpetuity. I know the strength of feeling on the part of the Wilderness Society and a very large percentage of the people in South Australia in support of that objective. There is a strong attitude—not just on the part of the mining industry, I assure the House—to provide for a form of non-intrusive, non-ecologically damaging (perhaps aerial) surveying to be permitted to enable exploration to take place. That matter needs to be considered further in Committee.

I have also been made aware of the total areas of the reserves, parks and some of the other areas of the State that have been set aside for various purposes. I seek leave to have this material inserted in *Hansard* without my reading it. It is purely statistical.

Leave granted.

South Australia	Total Area: 984 400 sq km		
Land use	Area sq km		%
Aboriginal freehold and trust lands	188 087		19.1
Aboriginal heritage sites	unknown		
National/Conservation Parks (220)	99 975	(50.3% Joint Proclamation)	10.1
Regional Reserves (6)	103 266	(100% Joint Proclamation)	10.5
Game Reserves (9)	13 589		1.3
Recreation Parks (13)	4 550		.5
Environmental Areas (Planning Act)	16 400		1.7
Precious Stone Fields	5 000		.5
Commonwealth Lands (Defence Act)	4 600		.5
Urban Areas	2 000		.2
Coastal Zone	3 000		.3
Forest Reserves	1 400		.1
National Estate Land (Australian Heritage Commission Act)	24 400		2.5
			28.2
			47.3

	1975		1985		1991 (Dec)	
	Number	% of State	Number	% of State	Number	% of State
Parks and Reserves	178	= 3.7	209	= 6.9	248	= 22.4
Parks and Reserves subject to Joint/Proclamation	1	= .7	8	= 3.0	32	= 16.6

The Hon. D.C. WOTTON: The Chamber of Mines wants the intent of the Bill clarified to ensure that existing tenements are recognised in a wilderness protection zone and that a wilderness protection zone be declared over every area with wilderness quality which is subject to an existing mining tenement or under application for a mining tenement at the time of the declaration and which, in the opinion of the Minister of Mines and Energy, is of high geological potential for the discovery of a significant mineral resource. Reference is made to this matter in the legislation, but there is a need for clarification on that point. I shall be seeking further information on that in Committee.

The Bill also provides for the Minister to have regard to the comments of the Wilderness Advisory Committee when assessing a proposal. The Minister is required to give a copy of the public notice identifying the land and setting out the text of the committee's report to the Natural Resources Management Standing Committee. There are those in the community who are anxious for the Minister to have regard to the NRMSC rather than the Wilderness Advisory Committee. On the other hand, others—I refer particularly to the UF&S—believe that the National Parks Advisory Committee should take the place of the proposed Wilderness Advisory Committee.

The Bill provides for civil enforcement in clause 34, but, in the opinion of people who have made representations to me, it is discriminatory in that it limits access to civil remedies to the Director or a wilderness support group which is a body corporate that has as its principal object the protection of wilderness.

There is also concern that there is no mechanism within the Bill that protects an area between the time when it is nominated as a potential wilderness area and the time when the Minister makes a decision on its future status. The Opposition is concerned about the provisions relating to the powers of entry and search. I shall want to pursue that area in Committee. There has also been a request that the Bill be amended to provide a process for enabling the public to nominate potential areas for assessment.

I have referred to some of the issues that have been brought to the notice of the Opposition. As I said earlier, this Bill will require much consideration in Committee and I look forward to that time. I commend those who have been able with success to bring this legislation before the House. I believe that it has been needed for some time. I hope that the Minister will take account of the points that have been made, particularly in regard to my concerns, and the concerns of many others in South Australia, about the responsibilities that she has for the maintenance and proper management of our national parks and that much higher priority will be given by the Government to ensure that that happens in the future rather than, as is anticipated, our seeing a further reduction in available funding for the National Parks and Wildlife Service in this State. I commend the legislation to the House and look forward to the Committee stage.

Mr SUCH (Fisher): I am pleased to support this Bill. I am an unashamed advocate of wilderness. I believe that the Bill may require some fine tuning, but it is a step in the right direction. I appreciate that it is difficult to define 'wilderness'. I guess that a purist might argue that we do not have any wilderness in any absolute sense in South Australia, and I suppose that is true. However, it is better late than never. It is important that we take stock of what little wilderness-type areas are left and ensure that they are retained for the future.

We often talk about things for the benefit of people. I believe that wilderness does not have to be justified in terms of benefit to people. There are things in nature which have a right to exist and which do not have to be justified purely because they benefit people. I do not accept, either, that everything in life has to revolve around the dollar. I reject the notion that wilderness is basically for people. Wilderness is basically not for people.

We have a paradox when people want to go into wilderness areas. The paradox is that if everyone goes into such areas, we do not have any. Therefore, there has to be discipline. We do not like being excluded, but that is the reality. If we allow open access, it will not be long before we have no wilderness areas at all. Fortunately in our society in recent times there has been a greater understanding of ecology and ecosystems, the need to ensure diversity of species and the retention of gene pools. Wilderness will help do that. However, we still have a long way to go before the wider community fully understands ecology and ecosystems and what they mean. I will not pretend that I do. The basic principles of ecology, of inter-dependence and inter-relationship, are simple, but they are still not widely understood in our community. We have a major task ahead of us to educate and inform people. I hope that it will be possible in respect of the functions of the committee (clause 11) for it to promote community understanding of the significance and importance of wilderness.

It is not enough just to have wilderness unless there is a parallel attempt to encourage and enable people to understand why there is wilderness and why it is not desirable to have everyone entering into those areas. I believe that we could learn a lot from the traditional Aboriginal people whose philosophy was that we belong to the land, not vice versa. I think the sooner we start reorientating our thoughts along those lines the better. For too long we have been focusing on the environment purely in human terms. The animals that are most popular with human beings are those that tend to resemble people. I am not trying to be nasty, but koala bears, for example, tend to look more like humans than some other creatures do. Dolphins and whales are popular because apparently they have an intelligence similar to what we have, perhaps even higher. So what we have done is to define the environment in terms of humans; in other words, we see the environment largely in human terms, and that is why we have to change that thinking and get away from the idea that it exists purely for the benefit of people. It doesn't.

I am often puzzled by the emphasis that people put on paintings and works of art—and this is no criticism of that—but I have yet to find a person who can replicate, for example, the beauty of a parrot or the other miracles that we see in nature. Yet we create our own shrines to celebrate our own artworks, which in no way match the brilliance of nature. We need to remember that we need wilderness and that the wilderness does not need us. There is something in all of us that requires the preservation as far as possible of natural elements. I do not believe that we have to be actually in a wilderness area to enjoy it. To know that it exists can give pleasure and to know that it can continue to survive can give us great and continuing pleasure. So we do not have to go trampling in the wilderness areas to get satisfaction.

The contentious aspect, I guess, is in relation to potential mining. I believe that it would be possible to undertake a resource audit in a non-intrusive, non-exploitative and non-ecologically damaging way, using some of the latest aerial and laser survey techniques. I do not believe it is necessary in this day and age to undertake damaging ground-type

surveys. I believe that it would be possible for potential areas to be examined in terms of a resource audit that would not in any way damage the integrity of the existing ecosystems.

I mentioned the fact that we tend to look at the environment in human terms and I referred to koalas, dolphins and whales. A lot of people think of the environment purely in terms of trees. Whilst trees are a critical and important part of the environment, one of the most obviously visual parts, they do not represent the environment in total and they are only part of it. It comes back to the question of taking a wider perspective and getting rid of the arrogance that has characterised so much of the human view of the environment.

I recognise that in this Bill many of the areas that are currently within our parks system will become wilderness areas and I have no problem with that. I am thankful that in the past people have had the foresight to set aside areas for conservation. However, I acknowledge that there are many deficiencies in our existing system, particularly in relation to wetlands and high rainfall areas. I appreciate that this legislation, if it becomes an Act, will not overcome that, but at least it will do something to address one specific aspect, notably in relation to wilderness.

Once wilderness areas are damaged, they can never be made the same again. We often hear people say we can restore areas, but I believe that is a fallacy in respect of what we call wilderness areas. We can make something look reasonable, but we can never make it look exactly the same. That is not overlooking the fact that nature changes itself, that it is not a static system but a changing one; but it is a change that is occurring without the massive intrusion of human activity.

Some people ask whether we can afford wilderness. I would turn the question the other way around and ask whether we can afford not to have wilderness. We need to pass on to future generations, not just our children and grandchildren but those who are yet to come in the next 100, 200 or 300 years, the wilderness areas that we have. We tend to take a short-term view and think of the future as next week but we should be looking 100 or 200 years hence and beyond. I hope that these wilderness areas exist long after I have left this world.

As I come towards the end of my contribution I want to reflect on the often alleged dichotomy between people in business and mining and the need for conservation. In my experience, there are many people in the mining industry, in business, and in farming and grazing who are very enlightened and who are often not in the category they are portrayed as being in, namely, anti-environment. Many of them, (indeed, the sensible ones), realise that their children and grandchildren will have to live on this earth and they do not want to see the world left in some worn out, clapped out state, without wilderness areas. So I think we should avoid that categorisation which portrays mining industry leaders, miners, and so on as anti the environment, because I believe that there is a large number who are not in that category and who are supportive of enlightened legislation such as this.

We often talk about crimes against the community in this place. I believe that not to set aside wilderness areas would be a real crime, a crime not only against the present generation but against future generations. The challenge of protecting the environment is far from over. The environment and the wilderness areas need all the protection and friends they can get, because there will always be people in our community who will be tempted to take a short-term view and disregard the values of those areas. I look forward to this Bill, with some fine-tuning, becoming law, because I see it as a measure which in the long-term will help protect what little wilderness we have left.

Mr GUNN (Eyre): Well, Mr Deputy Speaker, we have now arrived at the stage where tokenism has taken control of our commonsense. We are currently in the worst economic recession this country has been in for 50 years. We have people marching and holding public rallies, and what does the Government offer them? It offers poker machines and wilderness legislation. It is offering not one job. There is nothing in this legislation that could not be achieved under the current National Parks and Wildlife Act. In my judgment, there is not a thing that could not be achieved under that legislation.

This is tokenism. It is appealing to the trendy, yuppie middle class. That is all that it is appealing to—about four or five per cent of the community. Let members opposite go out and ask all those thousands of people who are unemployed and the average person in the street. They would not even know that this existed—and could not care less, anyway. They are concerned about the real world. Here is this Parliament, sitting on a Thursday night, dealing with such legislation. People wonder why I am annoyed and stirred up about it. I am often out in my electorate, out in the real world, not locked in to a Government department, getting bits of paper coming through, signing dockets and passing silly laws—with people thinking that they have done a great thing.

What have they done? They have done absolutely nothing for the real world and the people that are suffering. Other members can pat themselves on the back and think what a great thing they have done, but they have done absolutely nothing. It is about time this Parliament faced the realities of the day. We should not be engaging in this sort of drivel and nonsense that we have had served up to us tonight. It will not matter one iota to the environment if this legislation floats out the window and nothing is done about it, because all the provisions can be achieved under other Acts of Parliament.

How many people really understand what we are on about in here? How many people are really concerned? The overwhelming majority of the community do not know and do not care. I bet there are not 10 people in the member for Playford's district who are concerned about this matter: they are concerned about real issues, about trying to educate their children, about trying to make a living, about paying for their homes. That is what they are concerned about, not this sort of tokenism that we have had served up to us. That is the real world, and the public will start to react very firmly. This country has been put in a position where it can benefit from the endeavours of the total community, and I am concerned that the people who are working hard to earn an income—who are prepared to get a bit of dirt and grease on their hands—have been absolutely excluded, and that we are pandering to the small minorities.

This is another attack on the pastoral, rural and mining industries. It is nonsense that this legislation will exclude exploration. A lot of exploration can be done using aeroplanes. That practice will be excluded from the legislation. The next thing we know is that the Government will want to exclude people using global positioning satellites (GPSs), because that will be of benefit if it is in the wilderness area. Where are we at? Why do we not get out and face the real world, instead of putting this sort of nonsense to the Parliament? We have been called back here on Thursday night. I ask you, Mr Deputy Speaker, the Minister and the House: what is in this for the average South Australian? What is

in it for the people of my electorate? Will it give them a job? Will it help the tourist industry?

The Hon. M.K. Mayes: I thought you were a reasonable bloke.

Mr GUNN: Well, I am a reasonable bloke. If the Minister thought about the people of this State, he would not make those naive interjections, because he would know that what I am saying is true. The whole trouble is that not enough members are prepared to face the realities: they are pandering to minority interest groups who they think will help the Government get back in power. This legislation was put up only at the last election as part of the Government's strategy to try to get re-elected. The Government got only 48 per cent of the vote, so it does not have a mandate for it. It is all right for the Minister of Housing and Construction to interject out of his seat and try to cast aspersions on me. I have the courage of my convictions. I do not care what these trendies think about me: I have a concern for the real people.

Mr Deputy Speaker, you know what happened in Tasmania: it was the blue-collar people who put the Groom Government in power. The blue-collar people, who have had a gutfull of these trendies, will pitch this Government and the Federal Government out of office, because it is those people's children, jobs and futures that are being destroyed by this sort of tokenism.

I am far from impressed with this legislation. I am concerned that it will exclude exploration. I have been told in my briefing—and I appreciate the information that has been conveyed to me—that most wilderness areas which will be looked at are probably already contained within national parks. I understand that the Government will be looking at areas in Cook. How far out to sea will the Government go? Will it stop people fishing in the Great Australian Bight? What will happen out there? Will those people be prevented from fishing because there is great potential there? What will happen in the Aboriginal lands? Will we be considering some of the Maralinga lands or some of those attractive areas in the Pitjantjatjara lands? I would think not.

So, let us then refine the area down to just north of Cook, which has some of the most isolated areas in the State. One could probably say that that area is as close to wilderness as one could get, because it is full of rabbits, cats and other vermin. People have been driving through it, and it is not really wilderness. However, what plans have we had presented to us to deal with these problems? If this Parliament were debating the appropriation of $3 million, $4 million or $5 million to speed up the biological control of rabbits, we would be doing something constructive. If it were doing something to help get rid of feral cats, we would be doing something constructive.

Mr S.G. Evans: Donkeys and goats.

Mr GUNN: We have goats by the millions. Until recently, the national parks have had a crazy policy of not letting people in to shoot or poison the goats. Tremendous damage has been done. But we will continue to produce the paper, with no action. It is a recipe to continue the downgrading of the welfare of the people of this State.

I know that people think I am going off at a tangent, but I have a clear conscience. Mr Speaker, I ask you to talk to the average South Australian citizen and see whose views they support. I am prepared to back my judgment on any occasion when I deal with them. I know what they are thinking, and they are not a bit interested in this tokenism that we are having served up to us tonight. I understand the Minister is doing a job for the Government, and she is doing it to the best of her ability. I have no problem with her doing that. What I do know is that commonsense and reality ought to apply, and they are certainly not applying today. We can have people racing around the country setting aside areas, but all we are doing is taking South Australia further down the economic mile.

I have had correspondence from a number of groups in relation to this matter. I have been taking that correspondence home with me in my travels and giving it my due attention to make sure I properly understand the points of view. Being a moderate fellow, a simple country lad, I thought I had better get myself properly briefed on this matter. One thing that did concern me in the summary of the Wilderness Society's position, which was dated 17 March, was its statement as follows:

> The society considers the Bill provides a sound framework to protect wilderness for future generations, but is concerned that there is already an accommodation of the mining industry's position to an unacceptable degree. We are also concerned that some representation of the industry may seek to still further erode the level of protection currently provided in the Bill.

This country has been developed by people who have got dirt and grease on their hands and by the farming and mining communities. If we put further restrictions on those communities, we will further erode the standard of living of people in this State. It is as simple as that. If this country believes that it can survive by locking up areas and not allowing exploration and mining, we will commit the next generation of South Australians to a lower standard of living. The only way we will survive in this country is by having a soundly based agricultural industry, a sound developing mining industry and a tourist industry. Unfortunately, we do not have much else to offer, because Governments have listened to all the economic theorists talking about level playing fields and all that sort of nonsense. They are setting out to destroy our manufacturing base, and this sort of nonsense will only make it more difficult for those industries which have developed the country and which, if given a fair go, will keep people in a reasonable standard of living.

I am concerned about the welfare of the average South Australian. There is no benefit in the long term for members of my electorate; there is nothing for the people of Port Augusta, whom I had the privilege of addressing the other day and who were protesting about all their friends who had lost jobs. This legislation will only keep a few more public servants occupied dreaming up areas that should be set aside for wilderness, creating more red tape, more regulations and proclamations. The national parks organisation does not have enough people now. I am told that it will reduce its staff at Port Augusta. It cannot administer a national park, yet more people will be required to administer this legislation.

Inspectors are given far more authority than they should have: there is no protection for the public against aggressive or over-zealous inspectors. I am pleased to see that the member for Heysen will move the sort of amendment which I traditionally move to try to balance these matters. We have set aside in this State a significant area of South Australia for national parks. No responsible person would have any problem with that, because we have to preserve for future generations reasonable areas of our natural habitat. I do not have a problem with that, but I do have a problem with tokenism and nonsense.

In setting aside those areas, we have to make sure that the tourism industry has reasonable access, because we need an expanding tourism industry in this country and need to ensure that the mining industry can responsibly explore so that we know what is there. Then the Parliament can make a judgment. All those things can be achieved under the National Parks and Wildlife Act, so I do not believe that

the Bill is necessary. Parliament will agree to this legislation, because it will make certain people feel better. They will have a warm inner glow, knowing that they have done something. They will run out and issue three press statements, give four interviews and two television appearances, and they will all feel a lot better. What jolly good things they have done! At the end of the day they have not done anything, because there is nothing in the legislation that cannot already be enacted or done.

The whole thing is a charade of nonsense. It is tokenism to the middle-class trendies and yuppies, most of whom are probably employed in the Public Service. They are well paid and in secure positions. They can afford to take the high moral ground, because their future will not be jeopardised—they are okay. To continue to squeeze the pockets of the long suffering taxpayers means that we will kill the goose that lays the golden egg. I realise that not too many members would agree with what I have had to say, but I believe that I have reflected the views of the average South Australian citizens, who are more interested in securing long-term job security and providing for their families. That is what this Parliament should be looking at first and foremost.

Mr LEWIS (Murray-Mallee): The remarks I wish to make have in some part been covered by speakers before me. Unquestionably at present we have confronting us a responsibility to ensure that we provide in perpetuity the means by which we can secure a genetic diversity of all species that have survived to this point and which have a reasonable prospect of continued survival. However, the means by which we do that are manifold. Certainly it cannot be expected that the passage of this legislation will secure that goal for us. In fact, I do not think that this legislation will contribute very much in that direction. Clearly there are more important things that this Parliament ought to be compelling the Government to do in quest of that goal, such as the survival of species already threatened or endangered. Just tying up areas of land in a way that prevents access to it by certain classes of people of itself as an action of the Parliament will not secure it.

It is the predation of small animals and birds (ground dwelling birds in particular) and the competition for the food source provided by feral animals, pests that have attacked the food source and habitat of those animals which pose the greatest threat to their continued survival. Indeed, it is not just the food or the predation but the destruction of where they live that is important. Of course humankind has contributed to that. That is especially true in the case of European man in recent times. It was not so different 10 000 to 12 000 years ago as far as palaeotologists, archeologists and botanists who had studied botanical history had been able to determine. A great number of species disappeared from Australia at that time when the last wave of migrants came here.

The people we presently call Aborigines are not the original human inhabitants of this continent. They came here and introduced various management strategies. The impact that they had on the ecosystem at large resulted, to our certain knowledge, in the extinction of a large number of herbivores—the large herbivores in particular disappeared. Some of the larger reptiles disappeared, as did some of the ratites—birds which do not have a breastbone and are flightless. We are left now with only the cassowary and the emu from that group. The kiwi still survives in New Zealand. All that is interesting and it is not by the by: it is vital and important.

It is not only about animals and birds either: it is about fish, plants, bacteria, fungi and such things as lichens and insects. They are all part of the fabric of the ecosystem prior to the arrival of European man, which has been dramatically affected by the presence of the things such as rabbits that European man brought when settlement occurred. Other introduced species include exotic plants (not just trees but much smaller plants than that) which compete with existing plants for nutrients, light and water in the habitat of those native plants that were here; and European insects like the bee, which destroys the food source of the native bees that do not swarm. In fact, a whole range of things do not add up to the warm and furry types that we have tended to relate to because they look more like humans and can be seen in behavioural terms to be more like ourselves. They are higher animals—the sort of thing to which the member for Fisher referred.

To the extent that this legislation may provide (and I underline and emphasise the word 'may') a means by which we can in perpetuity secure some residual part of those ecosystems which remain is to be commended. I have no difficulty acknowledging that. It is a song that I have been singing since I was first fascinated by nature study when I listened to the lessons provided on the ABC by Bert Minnis about 35 or 40 years ago. I probably have some quaint habits. I was seen to be quaint when I was a child and an adolescent in that I collected things like insects and came to understand where they fitted and what they were, and already I was well interested in that before I got to Roseworthy, where it was a compulsory subject, so it was a breeze. It astonishes me that we pay no attention whatever to the smaller things, which are perhaps unpleasant in some ways but nonetheless an essential part of the total infrastructure or fabric of life here. We pay no attention to that—we simply look at the big picture, the big animals and the big paddock.

The rest of the remarks that I wish to make are constructively critical of what I see in the legislation where it fails and what I note is a connection between what the Government says it is trying to do and in fact what I quite cynically (I openly and honestly admit that cynicism) believe it is trying to do to win votes. Before going into that short but relevant dissertation, I seek leave to have incorporated in *Hansard* a purely statistical table which sets out the funding and staffing time series for Crown land management.

Leave granted.

CROWN LANDS MANAGEMENT—FUNDING AND STAFFING TIME SERIES

	1981-82	1982-83	1983-84	1984-85	1985-86	1986-87	1987-88	1988-89	1989-90	1990-91	1991-92 (est.)	Incr. 1981-82 to 1991-92
												%
Total public sector employees (FTEs) [a]	89 444.0	90 314.2	90 437.5	92 322.8	96 227.7	96 738.1	95 226.0	96 026.1	98 469.4	96 894.0	—	8.3
Total Environment and Planning Department staff (FTEs)	679.0	693.9	713.5	709.0	719.7	718.4	708.3	694.7	710.2	733.4	736.4	8.5
DEP as % of total public sector employees (%)	0.76	0.77	0.79	0.77	0.75	0.74	0.74	0.72	0.72	0.76	—	—
NPWS staff adjusted to include all functions now performed by the Service (FTEs):												
Program: Conservation of Flora, Fauna and Park Management:												
Program management and administration	21.0	24.0	23.1	26.3	30.8	32.6	27.3	—	—	—	—	—
Park management, planning, research and information	20.0	31.1	28.0	23.4	19.0	12.3	4.9	—	—	—	—	—
Black Hill nursery operations	6.0	5.0	5.0	9.0	5.0	1.0	—	—	—	—	—	—
Park Management	138.0	139.4	143.0	137.8	145.7	166.0	—	—	—	—	—	—
Park development and protection	2.0	4.0	5.5	10.0	1.0	7.0	210.4	—	—	—	—	—
Vegetation retention scheme	8.5	8.0	16.0	18.1	—	—	—	—	—	—	—	—
Wildlife conservation	11.5	15.0	13.5	17.0	9.4	6.1	21.8	—	—	—	—	—
Recreation areas and facilities	53.0	48.0	50.0	50.0	56.1	38.4	—	—	—	—	—	—
Natural and cultural resource conservation	—	—	—	—	—	—	—	29.9	29.2	31.8	32.4	—
Resource protection—park management	—	—	—	—	—	—	—	129.9	122.5	118.3	111.3	—
Visitor management—recreation facilities	—	—	—	—	—	—	—	48.7	64.3	78.9	82.8	—
Infrastructure—buildings, equipment, services	—	—	—	—	—	—	—	1.0	7.6	10.6	9.5	—
Animal Welfare [b]	—	—	—	1.0	1.0	1.8	2.0	2.0	1.0	3.0	3.0	—
Total program	260.0	274.5	284.0	292.6	268.0	265.2	266.4	270.7	283.1	290.6	286.0	10.0
Adjusted NPWS staff as % DEP total (%)	38.3	39.6	39.8	41.3	37.2	36.9	37.6	39.0	39.9	39.6	38.8	0.5
Area of parks and reserves, at end of financial year (ha)	4 456 779	4 521 584	4 526 652	4 578 661	6 710 905	6 711 463	6 748 009	11 099 838	16 650 932	16 665 765	—	—
Total Department of Lands (FTEs)	912.4	893.9	886.5	927.5	935.0	926.2	905.3	906.7	907.8	919.6	858.6	—
Department of Lands, pastoral lease administration (FTEs) [c]	13.0	—	—	—	—	—	—	—	24.0	24.0	24.0[c]	—
Area of pastoral leases (ha)	44 264 500 [d]	43 984 800 [e]	42 183 300 [e]	40 980 331 [e]	39 960 676 [e]	39 961 671 [e]	40 588 875 [e]	40 588 740 [e]	40 730 273	41 312 666	—	—

[a] Source: Annual Reports of the Public Service Board and the Department of Personnel and Industrial Relations.
This time series does show, strictly, the number of people employed within the State Public Sector. However, several thousand people were brought under this umbrella in the mid-1980s because of funding changes. For example, the South Australian Health Commission stopped funding organisations such as the Royal District Nursing Society and the Julia Fare Centre to cover their staffing costs, and instead paid those staff directly as Health Commission staff. I estimate that between 1983 and 1987 the Health Commission staffing numbers increased by 3 000 people just from this change in funding practices. Nonetheless, I am not able to work out a better figure for total public sector staff.
[b] The Animal Welfare program originated in the Department of Lands in 1984-85 and was moved to Environment and Planning in 1989-90.
[c] In 1991-92 this function will be transferred to the Department of Environment and Planning.
[d] Excluded 1 698 600 ha which was alienated pursuant to the Pitjantjatjara Land Rights Act 1981, while the lessees continued in occupation.
[e] Excluded 952 000 ha while the lessees continued in occupation pursuant to the Pitjantjatjara Land Rights Act 1981.

Mr LEWIS: The table covers the period 1981-82 to 1991-92 inclusive—10 years. It sets out to show the number of public sector employees and the way in which those numbers have changed. In themselves they are interesting, because there has been an increase of 8.3 per cent on the base figure over that period—some 7 400 public servants.

The Tonkin Government struggled to reduce the cost and size of the Public Service by way of attrition and got it down by 4 000 to 89 444, but it is now 7 400 greater at 96 894. I have set out the total staff of the Department of Environment and Planning in full-time equivalents over that 10 year period as well as I could establish on comparative figures. I have looked at the staff of the National Parks and Wildlife Service adjusted to include all functions now performed by that service by full-time equivalents.

I started out using categories such as the conservation of flora and fauna and park management; program management and administration; park management, planning research and information, and I even included the Black Hill Nursery's operations; park development and protection; the vegetation retention scheme; wildlife conservation staff, and recreation areas and facilities staff. In 1987-88 it was all cut off, so I then needed to look at different categories because the Government rearranged things with the approval of the Parliament. I looked at categories such as natural and cultural resource conservation: resource protection; park management; visitor management and recreation facilities; infrastructure services; and animal welfare. Added together, we find that there has been a 10 per cent increase in staff.

As a matter of interest, I then examined the area of parks and reserves. I found that in 1981-82 we had slightly more than 4.4 million hectares. It grew very slowly until the end of the 1985 financial year when it took off and jumped by about 40 per cent. In 1988-89 it increased by a whopping almost 90 per cent to over 11 million hectares and it then jumped again three years ago until now we have in excess of 16 600 000 hectares, which is almost a four-fold increase from the original 4 million hectares in the area set aside for parks and reserves.

I would have no quarrel with that if I could see some evidence of the need for it. It is senseless to continue to lock up land that is alienated for any other purpose for all time when we do not know whether we will need that land to ensure the survival of the species that inhabit it and, more particularly, when we make no effort whatsoever to secure their presence in perpetuity on that land. It is crazy to have land locked up as a national park and to allow it to be plagued by rabbits, goats, camels and donkeys and its vegetation to be contaminated by exotic plants of European or other continental origin that have taken off and spread through the botanical sector of the ecosystem. It is crazy! It does not make sense at all. We are using scarce resources simply for the sake of grabbing land. That is not the way in which I believe we can most effectively secure the survival of the great number and diverse range of species in our State and on our continent. It does not achieve that goal.

We should have more effectively defined a program of management of resources after having first identified which areas we need for each of the ecosystems. It is not necessary to have a huge area in excess of what is necessary to secure the survival of those species that can survive. No attempt has been made by this Government to identify the size of that area in each case. Indeed, very little attempt has been made by this Government. More work has been done by universities and other scientific professionals including volunteers from the Nature Conservation Society and the like, to catalogue the species that are there and identify important factors to secure the survival species by species, be it animal, bird, plant and, to a lesser extent, insect and other flora and fauna.

I am very critical of the Government. This legislation simply does not address that matter. It locks up even more land as though there is some virtue in doing so. That is daft! The other matter to which I draw attention is that, notwithstanding the stupidity of that political approach to addressing the problem of species survival, we have different categories of scientists. I will go through this in Committee, but I mention it now so that the Minister and other members will be aware of it. It is okay according to this legislation for a scientist in a four-wheel drive vehicle to go into an area that is to be called wilderness so long as that scientist is going to examine the animals, plants or insects and do research on them, but it is not okay for another scientist to take the same four-wheel drive and go into the same area to study geology, geomorphology, palaeontology and historic botany. It is not okay to do that. We are ruling that out. I think it is crazy and I cannot understand the difference.

If we wish to understand the spectrum of phenomena that go to make up what we have now, there is no necessity to include someone just because they want to study rocks, what those rocks are made of and the various kinds of rocks that might occur in that area. As long as any of those activities are permitted, all of them ought to be permitted. None of them are any more or less destructive than any other. If there were the prospect of any of them being destructive, it would be an easy exercise to prevent any such destruction from occurring. With modern methods of scientific inquiry, the House can rest assured that, to my certain knowledge as a man of some little education in science, what I am talking about is possible. It is not necessary to have in the legislation these provisions which bear no resemblance whatever to scientific realities and the benefits that we can derive.

In addition, I believe that the legislation is deficient in that it simply says that because someone is Aboriginal they can do a lot of things that no-one else can do. I do not have anything against Aborigines or those people who are descended from Aborigines who were living here prior to European settlement, but I do have a quarrel with the notion that it is legitimate for someone from Cape York to do things that no other human being is allowed to do in a wilderness area that could be established in County Chandos, south of Lameroo. That person from Cape York, or for that matter a person from Willuna in Western Australia, has no more empathy with the land in County Chandos or the Ngarkat Conservation Park than I have. In fact, I probably have more. I have already visited and in some measure attempted to collect and quantify the kinds of insects that are there and make notes of the birds that I have seen.

I believe that we ought to redefine 'Aborigine' as far as this legislation is concerned to mean only those people who are descended from people who before European settlement occupied the land that will comprise whole or part of the wilderness protection area or zone. They have to be indigenous to the locality in question. It is crazy to have it any other way. It does not make sense and it would be racist on any other basis.

The other matter that I believe we need to address is the question of why we lock up these wilderness zones in the way that we do. There are two categories of land: zones and areas. Areas are no go. I believe they ought to be no go to everyone, scientists included. At least some part of them ought not to be for tourist purposes because the impact of humans in recreational terms is not good. The scientists

must make application to be allowed access to certain parts. However, the important thing is that we ensure that the Parliament makes a decision to set aside a zone to prevent it from being made available for exploration purposes—to discover what is there—using the resources of the mining companies to do that.

The Parliament should make a conscious decision, case by case, instead of, as at present, excluding the lot and then allowing a case by case readmission. I believe it should be the other way around: we should make a conscious decision to exclude access case by case instead of making a conscious decision to allow access. It will always be politically too hard. That is crazy, because we will never know what we have alienated; we will never understand how much of the wealth that divine providence has provided for us we have denied ourselves.

All in all, subject to those reservations, I have no difficulty with the legislation. However, I think the Government is playing politics and trying to buy votes from those people who do not understand that the money they need to live on does not come simply from the taxpayers: it has to be obtained by sensible, sustainable exploitation of our natural resources—sunshine, water, rain and rocks. If we do not have a primary industry that includes agriculture and mining, we are nuts.

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

Mr S.J. BAKER (Deputy Leader of the Opposition): I support the Bill. My support would be very enthusiastic if I believed that the Government was fair dinkum. My support would be total if I believed that what we are doing here today would be combined with a total commitment by the Government to ensure that it works. I think it is a bit sad that we have reached a situation where we question the values of the Governments involved, particularly when they relate to very sensitive and important issues like this.

The world is in a hell of a mess at the moment, and we do not have to reflect on that. Every day we have the evidence of the destruction we have caused over a long period of time. For our future, our children's future and their children's future, obviously significant changes have to take place in the way in which we address ourselves to each other and to the environment around us. I would hardly have spoken those words 10 years ago or even five years ago. Perhaps we can all be converted over time. The early pioneers who looked up at the sky and saw an emerging hole and those who believed that the blanket over the earth was extending were not listened to. We certainly listen now and, hopefully, we understand.

As politicians, we have an opportunity and a duty to restore some faith amongst the people. We have depreciated our coinage through various acts over a period of time. We believe that some of those actions were taken in the best interests of the people, but deep down we must question our motives, because a lot of those actions have been to short-change, simply to gain government. Having gained government, we hang onto it without really looking at the long-term. As a person who has spent a fair amount of his working life predicting futures 10, 20 and 30 years in advance, mainly on economic and demographic grounds, I can say that I might have got some of those things reasonably right but, in the process, I missed out on some very important changes that were taking place, changes that probably began during the Industrial Revolution. The damage wrought over the past 100 years at an escalating rate has been understood only in recent times. It is important, in fact it is absolutely vital, that we start to think more seriously about the way in which we operate.

As I said, my support for this Bill is tempered, because I do not believe that the Government is fair dinkum. Members of the Wilderness Society might have believed that the extension of Kakadu was a recognition by the Federal Labor Government of the need to protect the natural environment, but we know that it was a vote collecting exercise—simply to grab the hearts and minds of people through a cheap trick. The Federal Government's action was not because of a commitment to the proposition that the second and third extensions of Kakadu were important but because it believed that the rising tide of anguish about the environment needed to be captured in some way. To buy the electorate, the Federal Government said that Kakadu would be its flag up the pole.

Of course, Coronation Hill was sacrificed. Anyone who knows anything about Coronation Hill knows that it has nothing to do with the issue we are debating tonight. Coronation Hill should be mined; it has enormous potential and it should not be caught up in the political process in order to gain cheap votes. We know that the Government has taken up causes on a number of fronts—whether it be in relation to Aborigines or recycling. However, I ask the Parliament to judge its record and its successes: there have been none, or very few. So, if we are to address the issue of the wilderness or the natural environment—whatever we might wish to call it—let us do it properly and with an understanding of what we are doing. If we are to do it, let us not short-change everyone: let us ensure that what we are doing is right and proper.

I pay credit to the member for Coles and the member for Heysen. But I also pay great credit to the member for Eyre and the member for Murray-Mallee, because they are dealing with the realities of the world around them. They know that in country areas, when we in the Parliament determine that certain areas shall be set aside for national parks—and those areas depreciate daily—the double standards that operate on the other side of politics are affecting their community. They know how many times bushfires start in national parks because the undergrowth has not been properly cleared; they know how hard it is to keep noxious weeds out of their properties because they are not controlled in the national parks; and they know how hard it is to stop feral animals affecting their livelihood because those animals are allowed to exist in national parks.

The Government is very good at presenting images but, when it comes to the practical means of ensuring that we get a better result and that we can actually do something for the benefit of everyone, it is found wanting. It is caught up by many constraints that it has imposed upon itself. At the moment we can reflect on the extent to which money can be made available to protect and upgrade our national parks. I am sure that the Wilderness Society, the Australian Conservation Foundation and all the other groups that have a deep and abiding interest in the world around us and our natural heritage would recognise that there is no reason whatsoever why we should not use the areas outside the national parks for the benefit of everyone.

Whether it be natural gas which reduces the carbon dioxide output from coal-fired stations or whether it be gold which can create a better balance of payments and improve our quality and standard of life, the fact is that we cannot ignore opportunity. However, we have to draw a line somewhere. Nobody in this Parliament would suggest that we should put down one well in the Great Barrier Reef, because of the regard we have for that asset. In the same way, we would draw a very strong line at mining in some of our

most sensitive areas. Everybody in this House recognises that. The extreme can be to restrict a possibility in other areas by the processes that we put in place in the areas that we wish to protect.

I do not know anything about mining, but I do know that, if one is trying to locate minerals or particular carbons, it is important to establish reference points. Those reference points can be 100 miles or only a few feet apart. In the process of establishing reference points, it may be necessary to take aerial photographs or even, with the best survey techniques, to intrude upon space that we would regard as precious. Everyone in this Parliament recognises that there are practical ways of doing that without affecting the natural environment. Some people would argue that we do not affect it in any way and others would argue that we have to take a practical stance. There is a compromise. There is a point at which we can say that we can enhance both areas—our capacity to improve our future and to protect what is there—if we take a sensible approach. That is vital. I have seen a map of the wilderness areas. I do not know many of the areas intimately, but I do know one or two.

The Hon. S.M. Lenehan interjecting:

Mr S.J. BAKER: I understand that. I have been shown a map by members of the Wilderness Society, who, I presume, have visited most electorate offices. Quite candidly, I have no argument with the areas that I saw designated on those maps, because I believe that we must preserve them, and we must preserve them properly. We cannot allow them to go on in the same way as they have been going over the past 10 to 20 years and even before that. We must find practical solutions which will allow the species of plant and animal life not only to survive but to prosper. We have to find practical ways in which we can look after those wilderness areas or national parks or those designated areas for the future benefit of our children and those who come after them. To do it in any other way will lead to the ultimate destruction of everything.

I was impressed when I went to see the establishment that is run by Dr John Walmsley. His cat coat was hanging on the wall. He made the valid point that in the past 20 years, due to feral cats—

Mr S.G. Evans: And foxes.

Mr S.J. BAKER: And foxes, but more so feral cats. He said that they have destroyed more in the past 20 years than we have lost since 1836. In the past 20 years the results of our own endeavours—our pet species—have destroyed so very much.

At the same time as Governments have been waving the flag and saying that we must declare these areas as national parks, we have not done a damn thing about maintaining them. The very reasons for the national parks have been lost because of political expediency. This Government has been in office for 10 years, and the situation has been getting worse: it has not been getting any better. The Wilderness Society, the Australian Conservation Foundation and other organisations have an abiding interest in this matter. I pay credit to them. They have taken the debate to the people and made them understand what we are doing with this earth of ours. But they have to take the issue to the Government and say, 'We do not care about legislation. We want to see something actually happening which will do us some good.' It is no use those organisations castigating or criticising the Liberal Party because it might have some real reservations about putting anything in writing. At the end of the day, unless action is taken on behalf of this Government—hopefully it will not be there much longer—all those words mean nothing: they are just flags up the flagpole. They are just useless words with no relevance.

Let us talk about practical solutions. Let us reconcile the needs of those in our country areas who put up with a hell of a lot. Let us reconcile the needs of those who wish to see a better standard of living for themselves and their families. Let us reconcile the need to address seriously world concerns, whether regarding vegetation, atmosphere, water or sea. Let us have practical solutions for a change. Let us not just have the drivel and the rhetoric simply to entrance a certain section of the population who really do believe that we have to change in quite dramatic ways. I support the Bill on the basis that the Government will do something really quite dramatic and positive to change the way that these areas, which we all regard as precious, have deteriorated over time.

Mr S.G. EVANS (Davenport): This topic is very important. Some groups in society have fought for years to get to this point, or more particularly to the point where such a Bill passes both Houses and is enacted. For them, that is the winning of a great goal. In the final analysis, it achieves very little towards the goal that they would like to achieve if that is possible within the environment in which we live and which we and nature have created.

I am fortunate, or unfortunate, to have lived in the same valley all my life, as did my father, my grandfather and my greatgrandfather since 1853. I suppose in those days to some people it would have been a wilderness area. It is not now, except at the bottom end of the Upper Sturt area, where one can still see marks of the Ice Age on the rocks. It is difficult to get to that area today because of blackberries and other exotic plants that dominate the area, because society has become lazier or because people cannot make a living from such small properties.

Unfortunately, I have never seen or heard a curlew, nor did my father, but my grandfather did. The foxes took them out very early. Some bandicoots, marsupial mice and so on that Dr Walmsley and others talk about still prevail in the wild in the area, regardless of the foxes and the cats. When it comes to what I call the wilderness area—it is perhaps more the arid wilderness area—I do not believe that the feral cat is a problem, because it is too difficult for it to get food in that climate and in those conditions. Likewise, one will not find many foxes. We find the dingo, which is now considered to be a native of the country. It was not originally a native: it came here many centuries ago.

It is true that many of the varieties have gone. The other thing that has happened over the centuries, and it is still happening, is that climatic conditions have changed. They perhaps are changing more today because of some of the fuels that we use and the lifestyle we lead. We are not sure just how much the holes in the ozone layer are affecting the climate. We are not 100 per cent sure but we believe we are right in thinking it is a problem and not just part of an ongoing process.

A main concern that I have was referred to also by the member for Eyre, and this relates to employment. To date, no Government—and my Party has governed for only five of the past 25 or 30 years—has made enough money available to properly look after the land that we have set aside for national, conservation and recreation parks, and now wilderness areas which, in the main, I believe will be 90 per cent contained in national parks or conservation parks in the future. No matter how big the piece of land is—and the Minister states that the areas that have been shown to us are areas to be considered—only a fool would think that such wilderness areas will not be contained in these parks in the end.

I put to members the proposition that if another Roxby Downs type project were proposed in South Australia, with the same potential benefits for the State, and it happened to intrude on wilderness areas, would it not be possible to work that mine out and then reclaim the area through the rehabilitation of mining areas fund that we have? It would be possible to reclaim it and restore it with native vegetation from the adjoining areas that have been preserved, or should I say areas that have been reserved, because I am not sure whether we have the funds yet to preserve an area. Is it possible to do that?

I accept that the young minds of today have been indoctrinated to think that mining is bad, that it is a terrible thing. Members of my own family say to me, 'Grandpa, how is it that you worked the quarries?' I say to them that people comment on how such and such a building in the city is a beautiful building and that I tell them that some of my craftwork is in that building, because I cut the stone by hand. People think the building is lovely but that the hole is ugly. We cannot have one without the other—unless we restore the area where the hole is. These children go to the scouts and guides, where a hall might be built on a nice little sloping area which has been beautified and had trees and shrubs planted. The people there might say to me that they have had a working bee to do all the planting and they indicate how proud they are of the area. In one case I said to them, 'You realise that is the old Torode quarry, from where the stone was quarried to build the abutments on the tunnels and the railway stations when the rail line was built through the period 1870 to 1886.' They are surprised to hear that, but when such areas are reclaimed nobody knows today.

That area where the quarry used to be is a small area but we could be undertaking this work in a State such as ours, where our young people are leaving because there are no opportunities here. They not only leave the State but in many cases they leave Australia altogether. However, coming back to this proposition about a project the size of Roxby Downs, it must be at least worth exploring these opportunities and finding out whether such potential exists. In talking about exploration, I do not mean digging massive holes in the ground.

I now refer to a young man who came from Melbourne and who happened to live with us for a while while he was doing his doctorate of earth sciences in this State. He is one of the strictest conservationists that I know. His love for the Outback in particular is unbelievable. He went to work in South Australia for a mining company to do exploratory work, looking for minerals, and diamonds and gemstones in particular. In Western Australia we have one of the biggest diamond mines in the world, producing a unique type of diamond. They fly out into Aboriginal territory where they must get permission from the Aboriginal people. An Aboriginal goes with them as an adviser. They go out in a helicopter and land in areas where they are not damaging any shrubs or plants. They walk from the helicopter and take samples of the soil—about one inch deep and no more, in, say, a square metre, about every 300 or 400 metres. These samples are taken back for testing. They are exploring for mineralisation or signs that would give an indication that there are gemstones there.

This Parliament should be able to legislate to say that we will allow exploration from the air and we will allow people to land, if need be with an officer from the wildlife department, and we might want to call him or her a wilderness area inspector or something. Such an officer could go with them and supervise the taking of samples, in areas where a helicopter would land. There would be no driving through the areas. I think that could be done. We might find that there are no minerals worth taking or that it is only inlay or of poor quality, in which case we would forget about those areas, but, in any event, any such mining area would be unlikely to cover many square miles.

Mr D.S. Baker: At least it could be documented.

Mr S.G. EVANS: Yes, at least what is there could be documented. Then the Parliament of the day—not just this Parliament but whichever Parliament it might be in the future—could consider any such findings with people who have an interst in conservation and the wilderness areas, as well as taking into account economic considerations and employment opportunities. All wisdom does not reside with this particular Parliament for all time and nor will it with any other Parliament. Personally I would be delighted if any mineral deposits that we might find were not in wilderness areas or in conservation parks. I will exclude national parks from that because it is unlikely that we would find any significant mineralisation in national parks. However, I would be delighted if that were the case because we would not have to touch the wilderness areas. However, the reality is that at least we should be trying to assess what is there while at the same time talking about the wilderness areas that we want to keep.

When I was shadow Minister for Environment in the 1970s, when the Dunstan Government was in power, I tried to convince both Federal and State people, that unless we made an attack on the rabbits, donkeys and goats in some areas of our State those areas would end up of being denuded of all plant matter. If I was a rabbit, a donkey or a goat—and at times some people might think that I am two or three of those things—I would feed on the nice young succulent plants, and thus with hungry animals there can soon be none of those plants left. It does not matter how much it rains or how good the season is, no young plants survive. That has been happening in parts of South Australia for over 20 years. However, no-one is prepared to take up the challenge. There is natural selection, the same as occurs in any other form of life. In bad times the young do not survive and the old die, and we end up with a desert, completely denuded of vegetation.

We can set aside all the areas we like but, unless we find a method of attacking those problems, as the member for Eyre suggests, it will eventually cost millions of dollars to remedy them. The other point I made, which did not cheer up too many of my pastoral friends—but I still believe this—is that we will be able to achieve that goal only if we are prepared to fence (and the pastoralists will not have to foot the bill for this) properties in our reserved areas into tenths, so that every 100 years an area of land is left without stock for 10 years.

This would give young native vegetation a chance to regenerate. However, we can do that only if we attack the vermin that is in that area. We have never been prepared to tackle that problem, and it is now 16 years since I first brought that proposition before this Parliament. It is not cheap: in fact the expense would be massive in some areas. It would also be hard to maintain the areas to a vermin-proof status. However, it would be possible in some areas which, although they might not be part of the proposed wilderness, would nevertheless come within the conservation argument.

It is rather difficult to accept that the Government is fair dinkum. In the last election, both political Parties felt they had to give some indication that they were concerned about these areas. If we wanted to employ our mines, and if the people who believe in the wilderness areas were prepared to trust the Government of the day, the Opposition of today

and the Governments of the future, they would have been prepared to put these areas under the control of the National Parks and Wildlife Service as a special category. We have conservation, national and recreation parks, and we could have wilderness areas under this legislation. However, because of promises made and because of a fear of issues of the day, people found they were not able to support that proposition. People were not able to sit down and say, 'Let's think about it seriously: do we need another set of administration or not? Do we need another Act of Parliament?' We did not, really, but we were not prepared to do that.

I understand the feelings of young people who want to preserve our vegetation, because of what they have seen on television and in great films depicting animals and vegetation of our outback and the world. They think that it is bad news for any human being—other than an Aborigine—to move into that area. There were people like me who came to the area straight from the war, when the attitude was that you had to produce food to feed the starving millions in the world, and the notion 'populate or perish' was being promoted. We had to pull vegetation out of the ground to build houses or create wealth (there were very few controls operating at that time, and the work was pretty tough yacka), and these people are regarded as being like some form of criminal. That attitude has been indoctrinated in young people's minds, and they do not realise that the money that is paying their way had to be created somehow.

It is no good printing money: it does not work. It was tried in New South Wales in the 1930s, in particular when funding trouble occurred in connection with the east-west railway line project. We can produce wealth only through growing or making things—having technology to sell overseas, having people who are prepared to put money into industries here or, in some cases, mining. I am saddened that our young people are so embittered. They are not educated: they are embittered. When I go to the funeral of someone who has committed suicide, I understand why they can do this.

The Bill pleases me to a degree, but at the same time I know that we do not have the money to implement it. Nor do we have the money to create the jobs required, and we are not encouraging our people to understand either that we must produce something that will create wealth so that people will have a job or that we will have many disappointed people in future. I do not know the answer. We have developed a society that is not prepared in the main to help one another in achieving these goals. We have sectionalised ourselves, with one section fighting another section, and we do not seem to be able to find common ground. In tough times, this usually occurs. In war, recession, plague and so on, the best in man usually comes out, but this time it has not.

In supporting the Bill, I believe there should be some way for the Parliament to make the decision whether or not exploration for mining should take place, so long as it does not damage the area in which it is being carried out.

Mr BRINDAL (Hayward): I congratulate the Minister on introducing this legislation. She is to be commended for the efforts that she has made for the protection of the environment. We might hark back to the Marine Environment Protection Act and other legislation which the Minister has quite conscientiously tried to steer through the House as part of her portfolio responsibilities. It is a pity that all Ministers of the Government do not work quite as hard as the Minister at the table, whose initiative I also commend.

Like my colleague who has just spoken, I will support the Bill. However, I have a few worries, which I would like to put on record, and they are not criticisms of the Minister. The first is whether in South Australia we have anything that can truly be called wilderness. Rightly or wrongly, most of the areas of South Australia have been degraded either by human intervention or by some of the pests which advertently have been introduced into our land mass.

I refer specifically to rabbits, foxes, even dingoes, and feral cats. It is difficult, and I know well one of the areas that the Minister intends to declare a wilderness area, which is north of Cook. I was privileged to live in that area for three years and to travel through it extensively. It constantly amazed me how many remnants of human habitation one could find in the most remote corners of our State and, indeed, of our country. No matter how far one tried to get away—and Cook is far from what one would call civilisation—travelling in the desert one still finds lots of futile attempts at habitation in the years past and, more importantly, the same feral animals that plague the rest of the land.

So, I would question how much true wilderness there is in this State that does not really negate the Bill but gives rise to the fact that if we are going to do what is not pure, namely, restore a wilderness and get it back to what it was, there will be some management necessary, as well as some form of intervention in the control of those feral animals and pests or, indeed, exotic plants that are corrupting that wilderness area and limiting people, as the member for Fisher just said.

The other matter is the protection of areas abutting those areas that we call wilderness because it is not sustainable to have an area on one side of the fence called wilderness and an area on the other side of the fence called urban development. Unless what we wish to preserve as wilderness is in some way isolated from what we wish to have as urban areas and areas of human habitation, we are in danger of one area impinging on the other. In all cases I think it would be the pollution and practices of the urban areas impinging on the wilderness.

In Committee we will ask the Minister whether it is her intention that all wilderness areas be surrounded by some sort of buffer zone to ensure their protection and integrity. With those qualifications, I support the Bill but add a couple of points which will be covered by the Opposition amendments and which perhaps carry the concept a bit far. I refer to the overflight of areas. I concede and believe that, if we were to have helicopters and planes buzzing incessantly overhead at 300 feet, it may indeed disturb a wilderness, but the passage of planes and helicopters overhead at a reasonable distance I do not believe could be intrusive. I do not believe that that measure to stop such things is necessary.

The other comment I make in line with many of my colleagues' comments is that, while it is essential to preserve wilderness, we should not create arks of the covenant—things so sacred that they can never be opened up. I therefore argue that it is not against the spirit of what the Minister wants to do to have non-intrusive investigation and exploration of wilderness areas. I concede that the Minister is probably rightly worried that if we allow everybody to go into those places to carve them up and dig holes all over the place we may as well not have wilderness. If that was to happen, the Minister would be quite right.

However, with modern techniques such as overflight, investigation as a result of aerial survey and the sort of laser technology that is now used, exploration could take place on a limited and non-intrusive basis. I would hope that the Minister would carefully consider this option because in the final analysis if we are to survive as a species on this

planet we must as best we can husband the resources of this planet. If that means at some stage having to explore a wilderness area in a non-intrusive fashion and get some of the resources of that area, again hopefully in a non-intrusive fashion, that is what in future we may well have to do. That is what Parliaments in the past in this State have done and what Parliaments in future will do.

If we are honest with ourselves we can pass this legislation tonight or next Tuesday, we can believe that it will be treated with integrity; but, if in the future some other Government of this State is faced with a vast mineral deposit in a wilderness, another generation will be in here arguing passionately for the unlocking of the wilderness area and the repeal of the very law that we are considering here.

The Hon. S.M. Lenehan interjecting:

Mr BRINDAL: The Minister says that of course they can, and they may. If we can make provision for that in the Bill, it loses nothing and faces the reality of the needs of this State in the future.

I do not wish to unduly detain the House. However, I wish to record a viewpoint outside the Minister's control concerning a matter which I know the Minister along with other members of this House will acknowledge, namely, the larger effects that may well destroy this legislation in any case. It is fine in any State or Territory of this country to describe wilderness areas and protect such areas whilst keeping our best efforts and integrity in those areas but, if we as a nation and world community do not address the larger issues, the efforts of this Parliament and the well-meaning of the Minister and her department will largely remain futile. I refer to such things as global warming, greenhouse emissions and other forms of pollution affecting the world on a vast and unprecedented scale. If the world does warm up even by a few degrees, certain wilderness areas will disappear forever because even in not intervening we are inadvertently intervening.

If we change the climatology and the world warms by even a few degrees, various areas of this earth will change forever—forests will disappear, deserts and vegetation forms will change—and there is nothing we can do about it. If we lock up the wilderness and do everything we can to protect it but do not address on a national or global scale the larger issues, everything we do tonight will be futile. I commend the Minister for her initiative. I know that she will seriously listen to the amendments put forward in good faith. I wish this Bill a speedy passage.

Mr INGERSON (Bragg): I rise to put forward an argument of compromise. The Minister would be aware of my responsibility to represent resource development from the Opposition's viewpoint. We have a situation in which both the mining industry and the preservation of wilderness can occur together. That can best be explained by saying that it is pie in the sky to say that modern exploration methods in wilderness areas cannot be satisfied, when this measure will enable, say, 100 four-wheel drive vehicles to go through for private or tourist purposes on the one weekend and that one four-wheel drive vehicle with an exploration unit cannot. That is pie in the sky nonsense and there should be a Bill that meets both requirements on a reasonable basis under this Act.

The resource development industry in this State is the second most important industry that we have. In all exploration ventures there are almost no examples of the first opportunity of exploration showing up the mining potential of the site. To tie up any tracts of land, whether small or large, to prevent exploration occurring on a number of opportunities is quite ludicrous. It is interesting to look at two booklets put out for the guidance of field personnel in mineral exploration. The guidelines state:

> Only minimum disturbance necessary to gain access to an area need be undertaken and disturbed areas should be left in such a condition that natural regeneration can occur.

It is fascinating to see that this document was compiled by the Department of Mines and Energy, the National Parks and Wildlife Service, the Aboriginal Heritage Branch and the Department of Environment and Planning. So it is already recognised and accepted by Government that the Department of Mines and Energy needs and desires to make sure that all mineral opportunities in this State are known, and if they are commercially available for development that that opportunity be given. The Department of Environment and Planning also recognises the need for reasonable and sensible guidelines which allow that department and the Department of Mines and Energy to get together to recognise the needs of both departments. In other words, there is already a fundamental basis on which both environmental groups with their obvious desires and guidelines can recognise that the mining industry is the second most important industry in our State.

If Roxby Downs happened to be in a wilderness area as defined by this legislation—and it is highly probable that it would have been—it would not have been found today. We would not have been able to explore an area that now has a township of 3 500 people with 600 jobs and $100 million worth of exports. This is an opportunity for everyone in this State to demand that environmental issues be carried through to the end but, without the opportunities of Roxby Downs, the Santos development at Moomba and the natural gas finding in the South-East, no-one would have the opportunity to carry out all the environmental desires that we in this Parliament, and more importantly the community and our children, want for future development.

There needs to be a marriage between the concept of absolutely no development, no touching and no opportunity for mining and that of *carte blanche* mining of any metal. I believe that this Parliament should and could accept a situation of exploration only and, if any significant mineral deposits are found, further exploration should require the passage of legislation through both Houses. That clearly says to the people of South Australia that, if the Department of Mines and Energy or a private prospector found significant mineral opportunities in this State, both Houses of this Parliament would be required to approve it before mining of any type took place. The Parliament would then be required to look at whether it is a genuine mining operation and whether it could be of significant benefit to the State or whether it should be left in its pristine state. The Parliament then, knowing what is under the ground, would have the opportunity to decide.

I have been advised as shadow Minister of Resource Development that there are no more outcrops in this State that any geologist is likely to fall over, that all significant development in future in the mining industry could be anywhere from two inches under the ground to two or three miles. The only way in which South Australia can know whether it is there is by having proper exploration controls and rights over any land in this State. It seems to me that the Government of this State has abrogated its responsibility the minute it says that any land in South Australia cannot be explored. I have no problem at all if the Government says that the land should not be mined, that it wants the Parliament to make that decision, but it is abrogating its responsibility to the community, our children, this generation and all future generations if we do not know that there may be a Roxby Downs under another patch of dirt some-

where in this State. We need to know this, and that is our responsibility.

I am sure that the mining industry has put to the Minister all the arguments that I have put tonight, and the Minister has chosen on behalf of the Government to recognise that any existing tenements in what might be classed as a wilderness area should remain for a certain period according to the lease. That is absolute arrant nonsense. Because, as I said earlier, the Roxby Downs area was explored by eight to 10 different companies before it was found. Are we going to say in this Parliament that, just because an existing tenement might run out in five years, on the very next day someone will find a new area using new techniques and technology when what happens in most mining exploration areas is that someone gets lucky? They go through the existing records and say, 'I think there might be something there'. They try and try again and suddenly they find it. If you talk to all the geologists involved in the discovery of Roxby Downs they will tell you that that is exactly how it happened. Some of them will say that they are experts and were able to find it, but those who are really being honest will tell you that it was an absolute fluke.

Are we as a Parliament going to say that we should tie up any tract of land and allow no exploration, or are we going to say that we will tie up only those tracts of land that have existing tenements? In the past four or five weeks we have seen in this Parliament something called enabling legislation. Do you know what that is, Mr Speaker? It gives the Government the *carte blanche* right to do what it likes in what it says is the best interests of the people of this State. We had it with the multifunction polis legislation and the real property legislation that was passed recently in this Parliament, and we now have it with this legislation. It is a dream. Where is a document or a schedule attached to this Bill that stipulates the sorts of areas that the Government is interested in looking at? If the Government were really concerned about the wilderness, it would stipulate the areas in which it is interested and put it on the line today. Enabling legislation is dreamland legislation. It enables governments to dream up where they will put lines. The Government should be fair dinkum and serious, because it is nearly 2½ years since the last election when it promised this legislation. It ought to know right now where the potential wilderness areas are, put them on a map and let us have a look.

The Hon. S.M. Lenehan interjecting:

Mr INGERSON: That is fascinating. The Minister said that some people have already seen it. Why is it not attached to the Bill? What is the problem with going through the whole process and putting it before this Parliament? Why do we have to have dreamland legislation? I think we should ask Governments to put it as they want the people of South Australia to see it. I think that, if we were straight and fair dinkum with the people of South Australia, we might get a lot of support for the things that this Parliament does. However, when the Government introduces enabling legislation and says that sometime in the future it will bring out some maps, either by proclamation or regulation, and it might let the public look at it in about six or eight months, that is absolute nonsense. We want everyone in the community to support legislation of this type, and I do not think this is the way to do it.

The mining industry, which has been involved in this legislation, agrees with several parts of it. However, there are parts about which it is concerned. I will briefly outline those concerns. First, as I said earlier, very wide ranging discretionary powers are given to those who want to enjoy the wilderness versus those who can go in as a mining group. That area of the legislation should be tidied up so that it is fair and reasonable for all, recognising that, if we set down guidelines for exploration, it can be carried out and that those same guidelines should be set down for tourists who wish to enjoy the area. There should be recognition in this legislation that the granting of third party rights to enforce prosecution of breaches is a unique and forbidding way of encouraging disputes. If we want to guarantee that we will have hassles, we should give rights to individuals to spy on or jump on others. Third party rights to enforce prosecutions of breaches is a quick and easy way to do that.

As I said, there is a lack of definition in relation to the scope of the areas, and the industry is concerned about that. The industry believes that the proposal put forward is unnecessary, because most of the areas—as reported by the Minister—are most likely to be within national parks. I would have thought that the legislation currently covering regional reserves was adequate and could be used to ensure that we have proper exploration for the minerals that may be in the ground. Finally, it is absolute nonsense to say that mineral values of any area could be established with a once only flyover, once over exploration deal. That is arrant nonsense in the real world, and we must move to recognise that position.

I think it is important that we recognise that the two parties—those who wish the wilderness areas to be open for them and their mates but not open to exploration, and the mining industry—should get together, because I believe there is an opportunity to ensure that both parties are adequately satisfied. As I said earlier, we need to recognise that the mining industry is the second most important industry in our State. It was put to me last week by a mining executive that the biggest opportunity for South Australia in the future is to upgrade exploration and to spend more dollars exploring the natural opportunities in this State. As a State, the percentage of exploration dollars expended is significantly lower than that in any other State. We need a Government that is prepared to recognise that low level of exploration and do something about it.

Mr VENNING (Custance): I rise to express briefly some concern about the direction of this Bill. It is Thursday night and rather late, but I want my views on the record. It is rather obvious that we on this side are all individuals, and this debate is proving that point. That is why I want to voice my opinon. I am not a rabid miner: not at all. However, I am a realist. Everything we need to survive is either grown or mined. That does not mean that we should mine everywhere and everything. However, we have to be realistic.

Like most of my colleagues, I appreciate the wilderness. I love to go to beautiful, natural places, and I have done that regularly in Tasmania, the Queensland rain forests, Torres Strait, Alice Springs, Yulara, the Nullabor Plain, the Flinders Ranges and even the mangrove swamps here in South Australia. Even at Crystal Brook there are areas that could be classed as small patches of wilderness. We appreciate all those areas. I am sure that, like me, most of my colleagues use wilderness areas as therapy—especially after a week or two in this place—to recharge the batteries, to get back to the basics and to wonder at the marvels of nature.

Humans need more than spiritual sustenance to survive. If legislation such as this had been passed 40 years ago, where would we be today? We would not even have half the few mines that we have today. We need a balance, both in our argument here and in our environment. But we need jobs, food and resources. Minerals such as iron ore have

built this country, and coal and natural gas have given us energy through our power stations. First, we need to find minerals before we can mine them. As all members know, Broken Hill's life is limited, and so, therefore, would be the life of Port Pirie, which is vital to that mine. The brown coal from Leigh Creek, which fires our power stations, providing the lights we are reading under tonight, is running out. Iron Knob has the same relationship to Whyalla. The gas we use is of benefit to all of us. We know that we must let our explorers find the minerals to retain the lifestyle to which we have become accustomed.

I have been a farmer all my life—at least until I came to this place 19 months ago. I do not have two jobs: I am here full-time. I know that some farmers have been called miners; that is, they take from the earth. That is true, but most modern farmers also put something back. Most of today's farmers will leave their farms better than they were when they took them over. The word 'miner' is a dirty word to so many people today, especially young people. If one mentions the word 'miner' or 'mine', young people automatically think of unpleasant things. I believe we should always be aware of what and where our mineral resources are. I believe exploration should be allowed throughout our lands. Decisions can then be made to mine or not to mine, taking everything into consideration. I think it is quite wrong to forbid exploration in some areas, even from the air, as some of my colleagues have said.

I plead for balance. I appreciate the work and the point of view of many our conservation groups. I hope that they can see the alternative point of view. We are blessed with much open space in this country—large unpopulated areas. So, we can have wonderful wilderness areas, and I fully support their preservation. We also need to ask ourselves whether we can afford large tracts of wilderness if we cannot afford to look after them. Land locked up as a national park can be worse off than if it were left open and managed. As a past member of an animal plant control board—indeed, as chairman—I am fully aware of the horrific damage that our many feral animals and noxious plants can do to our greatest asset. The rabbits, foxes, cats, goats and even feral birds do so much damage to this country that we are trying to preserve. Many of our animals and plants are extinct because we have not been able to control these introduced vermin.

I have fought many fires in national parks. Two that I remember vividly were at Mount Remarkable and the Ngarkat National Park. If we do not manage these areas, we will have a real problem in our communities. We need the resources to manage our wilderness: I do not think that anybody would argue about that. I am very pleased that we have wilderness areas, but we cannot go from one extreme to the other. I would be the first to admit that much land has been cleared that should not have been cleared, but many bad decisions are being reversed. Luckily, it is not too late to go back.

Our land care groups are very effective if they are properly financed. I made a speech yesterday in this place about that. However, I have to remind members of the balance. This Bill is tending to go overboard. There are no jobs in it, as the member for Eyre said. There is no industry in it. There is nothing tangible. There is no export potential, especially if we forbid tourists in wilderness areas. Given the state of our economy today, this legislation will do nothing to assist us out of the malaise that this Government finds itself in.

We have to eat. I am a practical man, and I work with my hands. I belong to the oldest profession—growing food. Many of the supporters of legislation such as this are not of the real world.

An honourable member interjecting:

Mr VENNING: The second oldest profession. I wrote 'second' but I thought that I would not bring that part in. My colleague reminded me, so I will say the second oldest profession. I am of the real world.

I am wondering what we are indoctrinating in our children. As I said earlier, the word 'mine' instils bad thoughts in our children's minds. They just do not realise that in a community such as ours in order to survive we have to eat. Most of our children think that food comes off supermarket shelves; milk comes out of packets. They do not realise that it has to come from the earth. Cows eat the grass which comes from the earth. Everything we think of is either mined or grown. Nobody can argue about that. When people get hungry or cold, or suffer a loss in their standard of living, they will soon change their minds, if it is not too late. When the lights go out or we have a steel shortage, people will see the folly of our ways.

Even the material for this lovely, magnificent building that we appreciate so much was mined or quarried in the town of Kapunda—a lovely town in my electorate. I have not seen the hole where it came from, but I appreciate this building. I have not been upset about the hole, because I have not found it or been told about it.

Governments, as the member for Bragg said, must have enabling legislation, not prohibition or dreamland legislation. I make a plea for balance. I am confident that modern miners have learnt a lot. They go in, do their work and, more often than not, leave the area better than when they went there. I give credit for much of this to our conservation groups who have made sure over many years that this should happen. No doubt they keep the miners honest.

I also give credit to the National Parks and Wildlife Service for much of the work that it does. But I stress 'much'. I am not fully supportive of the service, because I have some conflict with it, particularly in terms of the fighting of fires in some of the parks. It already has the power to enable it to do much of what this legislation is trying to do. Therefore, I do not know why we need so many laws. We seem to make laws for everything today. We seem to make laws *ad nauseam*, willy-nilly, about everything.

I cannot support the absolute prohibition of mining of any of our lands, especially exploration. I support the imposition of strict guidelines. I remind members that everything that we need to survive is either grown or mined. There is no argument about that. I hear no interjections. Members must agree. What is the good of the wilderness if there is no-one to appreciate it?

Mr MATTHEW (Bright): I support this Bill. In doing so, I remark that it is a sad reflection on our society today that it has become necessary, after just a little over 150 years of settlement in this State, to legislate to protect the wilderness. I think that we need only look around at some examples. I can reflect on my electorate, in which there are three conservation parks: Marino, Hallett Cove and O'Halloran Hill. Those parks, during their time, have been almost totally denuded of vegetation. The natural fauna has long gone. While valiant attempts are being made to restore those parks, through the National Parks and Wildlife Service and the hardworking endeavours of the friends groups which have been established to support those parks, they can never be fully restored to what they were. The parks are almost indicative of the fact that we have scraped, scoured, blasted and effectively plundered our surrounding environment to the extent that it can never be restored to what it was.

However, it is possible to reverse some of what has happened to some extent, and we can also preserve what remains.

I am the youngest member on the Liberal Party side in this Parliament, with perhaps one of the youngest families. I have two young children, and I want to see them grow up and have the privilege of seeing at least some remnant of the natural environment, and I would like their children to have that opportunity, too. That is one of the many reasons why this type of Bill has regrettably become necessary today. It is fair to say that the Liberal Party has long recognised that this sort of Bill was necessary. Indeed, it was part of our policy since 1988 that such protective legislation should be put in place.

I should like to remind members of exactly what this Bill does. A lot has been said tonight that perhaps does not accurately reflect the true content of the Bill. I should like members when they cast their votes to remember what the Bill provides. The Bill proposes a process of identifying potential wilderness areas based on established criteria, and those criteria are quite clear. First, the land and its ecosystems must not have been affected, or must have been affected to only a minor extent, by modern technology; secondly, the land and its ecosystems must not have been seriously affected by exotic animals or plants or other exotic organisms. These areas will either be preserved in proclaimed wilderness protection areas or earmarked for future area proclamation as wilderness protection zones as other land use issues, such as mining potential, are worked through.

The Bill also stipulates the areas to be constituted as wilderness protection areas or zones: first, a reserve or part of a reserve or any other Crown land; or, secondly, any other land if the proclamation is made with the consent of the owner of the land and all other persons who have an interest in the land registered under the Real Property Act. The Bill prescribes the management of wilderness areas to be based on a strict code of management, and the code of adoption process also involves public input and consultation.

This Bill proposes a high degree of protection for wilderness, and proclamation will be reversed only by resolutions of both Houses of Parliament, obviously. Damaging practices in wilderness areas will be prohibited, except for approved work, for example, track relocation in an approved and adopted plan of management.

The Bill also envisages a high degree of public involvement and accountability, and that is important. I think all members have experienced part of the vocal public lobbying process as this Bill has been formulated and considered by the community, and ultimately its working will also involve the community. That is vital if members of Parliament are to remain fully informed as to the community's concerns and wishes for their surroundings.

The process involves an annual report to Parliament, the establishment of a citizens' advisory bureau to investigate potential wilderness areas and wilderness management issues, public input into the code of management preparation, public comment on wilderness area proposals before they are considered by the Government, public comment on plans of management before they are prepared and, again, before they are finalised for adoption, and access to the courts to ensure the wilderness protection obligations under the Act are enforced. So, in essence, many of the concerns that have been expressed in this Parliament tonight can actually be addressed through the processes provided within the legislation and, indeed, all those interests who believe they may be thwarted or in some way discriminated against by the legislation have an opportunity to express their concerns.

Much was made about mining in the debate here tonight. It is important to note that in regard to the issue of mining access to areas of mineral potential, or to unassessed regions of the State, the Bill proposes that suitable wilderness areas, unencumbered by mining tenements be proclaimed wilderness protection areas. Some areas of wilderness potential will be in the process of being explored for mining potential at present or will already have mining activity within them.

Those who support this Bill have also expressed concerns about the strength of protection offered against mining. That in itself shows the delicate balance that is needed. It is fair to say that no-one on the committee would be delighted with the Bill either in its full strength or weakness. It is very much a balancing act, and it is important to recognise the need to preserve areas of our State and our heritage. It is equally important to recognise the needs of our society, its dependence on mining activity and on the wealth and jobs that it creates, as well as on the materials that are used in our everyday lives. I believe that the Bill goes a long way towards that.

It is fair to say that no legislation that comes before our Parliament is ever perfect. It is never perfect when it passes, but that is the very reason for the parliamentary system that we have, to be able to provide the best we are able to at the time, to provide for constructive debate and input from all viewpoints and all sides of Parliament and, ultimately, to come up with the most workable Bill, including compromises that the Parliament of the day is able to offer. If it turns out that there are aspects of the Bill as it finally passes that prove to be unworkable, then the Parliament is the place in which to modify those aspects, if that is indeed the wish of the people and therefore the Parliament. The Bill I believe correctly addresses that balance between mining activity and wilderness.

I now turn briefly to some of the correspondence I have received as a member for Parliament which, I think, reflects the majority community opinion that has been expressed to me, either verbally or through correspondence. I shall quote from two letters that were sent to me. The first states, in part:

> I am writing to you in the hope that you will support the Wilderness Protection Bill. Our environment is threatened by four-wheel drive vehicles, mismanagement, pastoral activities, feral animals, etc. Please make Parliament aware that I and many others are concerned about this issue now and in the future.

So that is one of the many views in support of the legislation. Another letter that I received reads as follows:

> I am writing to express my concern over the strength and effectiveness of the proposed Wilderness Protection Act. The fact that the Act is being placed before Parliament is encouraging, but I am worried that those areas in need of protection will only be assessed for their economic value. Surely in this case we cannot allow the economic argument to prevail. I am sick and tired of seeing mining companies destroying our wilderness, and it seems that now that a committee has been included in the Act to assess commercial areas of wilderness areas, even in the face of a protection Act this will continue.
>
> I am not completely against mining and development, but it must not be given priority over our rapidly diminishing wilderness. The continued clearing of what is left of our natural and temporate bushland must stop. The threat of rapidly expanding mineral and petroleum operations and increased tourist activity must also not be allowed to threaten our wilderness environments.

Those two letters give a good indication of the broad cross-section of supportive opinion for the Bill. As I said, there will be those who are concerned about the strength of the Bill, people who would like to see more stringent controls over mining, but being realistic, being practical, that is not possible. I believe that what we have before us is a delicate balancing act and a compromise that will withstand the test of time. I also remind those members who are concerned about the activities of mining companies that it is perhaps

unfair to compare the mining methodologies of 50 years ago with those of today.

Exploration methods today do not necessitate the clearing of vast tracts of land. We have already heard in this Parliament about the increasing use of surveillance methods through helicopter use. We have heard of the increasing use of meandering path exploration rather than wide tract clearance. We have also heard of restoration work undertaken by mining companies, to try to reverse the mistakes that were made in the past and to also clear up after having undertaken exploration work. It is important for us as a society to learn how to benefit from mining activity, while at the same time reducing its impact on the environment. It is important that we learn to draw that line somewhere. This Bill makes a mark. It is up to the Parliament to debate it and to decide if this mark is in fact in the right place. I contend that it is.

In so doing, I sincerely pass on my commendations to both the Minister and the member for Heysen in his shadow role, for the work that they have done in putting this Bill together. This Bill will not please everyone. It will not please everyone in our society. Indeed, it will not please everyone in this Parliament. I think it is fitting that we have had a range of views expressed tonight, because such a range of views is indicative of the range of feeling within our community—and that is what Parliament is about. Some people will be horrified, perhaps, at some of the comments made in some of the speeches, while others will be gratified by comments made in others. However, all the speeches made here tonight do reflect the true feeling of the community. At the end of the day, though, I believe that the commonsense of Parliament will prevail. This legislation in some form will be passed by Parliament, and I believe that the community finally has a mechanism whereby essential areas can be preserved in order for the use and appreciation of future generations. We can see that land preserved for our children and their children and those after them. I am pleased to support this Bill.

The Hon. S.M. LENEHAN (Minister for Environment and Planning): I think this has been a very productive evening. I appreciate the contributions made by honourable members. It is important for me to answer some of the questions that have been raised, and I shall do so as succinctly as possible. The first speaker for the Opposition was the member for Coles, who I think gave a very succinct and supportive speech in respect of the legislation. She posed the question, quite rightly, that this Bill is about compromise, in the sense that, regrettably, it may well be that very few areas will qualify under the absolutely purist definition of wilderness, which she quoted, but that if we did not do something about preserving and protecting what is left then, indeed, what really is the point of having the legislation at all? It is also important to acknowledge the member for Napier's contribution. He has been a great supporter of the environment, and particularly of this legislation. To sum up what he had to say, he talked about the fact that our national parks and wilderness areas will be for the people. He put it this way: 'Our parks are for the people.' Indeed, that is what this legislation is about.

The member for Heysen's contribution was a very meaningful one, in that he drew on his own personal experiences through having visited some of the areas that we as a community will be looking at in terms of proclaiming wilderness areas, and he talked about his trip to the Unnamed Conservation Park and to areas like the Gammon Ranges. I have had the opportunity of visiting some of these remote outback areas and I share with him the fact that it is a very deep and moving experience that one never forgets, even though we might be trapped in this Parliament for hours and days on end!

I want to refer to a couple of points that were raised by the member for Heysen, because they were reiterated by other members. He canvassed the concept of exploration by 'non-intrusive means'. It was further explained by other members to take in exploration or investigation through the means of overflights, aerial surveys and laser technology. The point seems to have been made continually that we must not in any way inhibit the total and future investigation and exploration of all wilderness areas.

I want to take off the agenda this concept of non-intrusive aerial photography or geological investigation. The Bill certainly does not prevent this or suggest prevention, because it is not in the capacity of the State to actually regulate this aspect: it is indeed the prerogative and the responsibility of the Commonwealth Government. The whole control of aircraft is the responsibility of the Federal Government.

Having said that, it is important that I put clearly on the record—because I believe this quite passionately—that the reason why we have wilderness legislation separate from the National Parks and Wildlife Act is that we believe at this point in our history that some areas in South Australia should be set aside for future generations so that they can make their own decisions about those areas. As members have said—and the member for Bright quite succinctly summed this up—there is the provision in this legislation (as indeed there is in any legislation) for both Houses of the Parliament to reverse the decisions that we will make.

What is important, fundamental and crucial about this legislation is that it will give future generations the right to make those decisions for themselves. However, we will hand to them areas that are as pristine or as near pristine as possible. I have some problem with saying, 'Let us make sure that we know everything that's in all these areas.' I put to members opposite that we are not creating a bottom line, not creating a clear set of guidelines for mining and exploration companies by saying to them, 'These areas have undergone the fullest and the most extensive public consultation of anything I have ever been associated with in my almost 10 years in this House.' We are not saying to them, 'At the end of this, there are certain areas and they will be, by definition, relatively small areas, comparatively speaking, which will not be available for future mining, unless there is a resolution of both Houses.' If we say, 'You still have the rights to explore', are we not setting up an enormous dilemma for future legislators and Governments by creating the potential for ongoing Coronation Hill scenarios, where we are saying on the one hand, 'You can go and explore' and then saying on the other hand, 'But you can't mine, you can't develop and you can't go any further'?

The strength of this legislation is that for the first time, after every bit of public consultation has been gone through, after all the rigorous assessment—which is independent, which is objective and which has been acknowledged worldwide in terms of the criteria—we as a State are saying, 'These areas will not be available for mining.' I do not pretend that that is an easy decision; I do not pretend that it is a decision that will be accepted by everyone; but it is an absolutely honest decision. It is saying to the mining and exploration community, 'These are the parameters; this is the bottom line.' To do anything else, to try to have two bob each way and say, 'Well, look, we believe in all this, and we want special areas set aside for wilderness; we support legislation, but we still think you can have a bit of a go, and we will try to keep you on-side', is being less than honest, because it might well be that some of those younger

members may in the future be caught on the horns of a dilemma. They will live to rue the day that they did not stand up and say clearly to the community, 'These are areas of wilderness; these are areas that we are not prepared to sacrifice.' And there are not very many of them left. The other point that members made is that very few areas are pristine—and how well I, as Minister for Environment and Planning, know that.

Having said that, I would like to move on to the contribution of the member for Fisher. That contribution was probably one of the best tonight, because what the member for Fisher did was not to try to take both sides of the argument and somehow walk a tightrope: what he did was to talk about the diversity of species and the importance of creating gene pools. He also talked about the fact that the environment must be defined much more broadly than just encompassing trees and shrubs. Indeed, he finished by saying, 'We cannot afford not to have wilderness.' I thank him for his contribution.

The Hon. D.C. Wotton interjecting:

The Hon. S.M. LENEHAN: I've already talked about you: I've given you great credit.

The Hon. D.C. Wotton interjecting:

The Hon. S.M. LENEHAN: Well, I do things my way, and perhaps that's allowable. The member for Eyre, in his own inimitable style, opposed the Bill to the last breath in him. I must take him to task on a couple of matters. He asked the question, 'Why don't we face the real world?' Some of us are very much of the real world, and we are in it continuously. He asked, 'What is in this legislation for the people?' An enormous amount is in this legislation for the people of this State. Indeed, it is much more than a warm, inner glow: it is certainly not about creating jobs for public servants. I am sure that the Acting Director of the Department of Environment and Planning would be the first to concur that we are not about creating huge numbers of jobs. And may I say, 'Oh that we were.'

The question that must be asked of both the members for Eyre and Murray-Mallee is, 'Why is it that they have to pit one of these propositions against another? Why is it that we must have an either/or situation?'—the protection of wilderness against the economic situation and the creation of jobs. It is not that. This legislation is not about pitting any of these aspects against each other. Surely, we all support economic development and the creation of jobs in the new and developing areas. We should concentrate our efforts in looking at waste minimisation, recycling and using what was rubbish as a resource. Surely we should also concentrate our efforts on some other areas, such as tourism—and I am talking about ecologically sustainable tourism, not about huge numbers of buses tearing around the State. I am talking about the kind of tourism that my colleague the Minister of Tourism has consistently been developing in her successful period in her job.

The member for Murray-Mallee has not even read the Bill. He says that we do not require ecosystems to be identified. I refer him to subclause (2) of the definitions clause, under which the criteria for determining wilderness are the land and its ecosystems. Obviously, as is his wont, he has not bothered to read the Bill. People will be able to visit wilderness areas to study the geology and the geomorphology in the same way that people can study birds, animals and plants. That is covered very sensitively and effectively. Again, the member for Murray-Mallee is quite off the beam, so to speak.

I am not quite sure what the member for Mitcham was saying. I think he was trying to support the Bill, but he was talking in fairly obscure terms about improving our future and also the natural environment. He said there is no problem in preserving the proposed wilderness areas, but they must be well managed. No-one would have any argument with that. Of course we have to manage them effectively. The member of Davenport picked up the issue. It seems again that the argument is that, if we find minerals in areas of pristine or near pristine condition, do we say that they can move in and start digging them up? I hark back to my initial point.

The member for Hayward supports the Bill. He asked three questions, the first being whether we have any truly wilderness areas. The member for Coles answered that question. Under a very strict purist definition, we probably do not—there are probably no such areas in this State. I cannot claim that there are areas that have never been intruded upon by human beings, either the indigenous Aborigines or white people, but I do not know that that is the relevant point. Some areas of Kangaroo Island, some offshore islands and some very remote areas in which the member for Hayward has lived would certainly qualify.

In his third question he stated that it was one thing to preserve the wilderness, but how do we deal with global warming, greenhouse emissions and ozone depletion? I put to the honourable member that we are currently addressing all of those issues on a State, national and indeed an international level. It is important that we pick up those issues. I know that the honourable member supports me in some of the proposals that I have released in terms of a response strategy.

The member for Bragg, would you believe it, wants no compromise. I hope that members on both sides of the argument have listened to this because we have almost outconsulted and outcompromised ourselves in all of this. I do not think that that is the realistic position to take.

Members interjecting:

The Hon. S.M. LENEHAN: I do not want to get into the leadership problems of the Liberal Party in response to wilderness legislation. The honourable member asks whether I have a schedule of areas. How ridiculous! We come into this Parliament to pass legislation that will ensure ongoing community consultation in the identification and determination of wilderness areas. The member for Bragg wants me to come in here with a predetermined set of wilderness areas and then pay the community the insult of saying that we will not consult with it as we have already determined as a Parliament, without reference to any kind of proper assessment, what the areas will be. Even the member for Bragg finds it a nonsense.

Members interjecting:

The SPEAKER: Order! The member for Bragg is out of order and out of his seat, as are the members for Fisher and Hayward.

The Hon. S.M. LENEHAN: The member for Bragg asked why we have dreamland legislation. I do not know where he has been for the past 2½ years, but it has overwhelming public support. I will share one small statistic with the honourable member. I have had probably in excess of 1 200 letters—individually written and not *pro forma* letters—contained within a docket which I would be delighted to show the honourable member, because it sustains me through the long periods of consultation. It is not a fad. Unlike the member for Eyre, I totally disagree that this is some middle-class warm inner glow: it is about providing a preservation mechanism for these very special areas of our environment. I am delighted that many members opposite share my passion and view on this legislation.

The other speakers were the members for Victoria and Bright. The contribution of the member for Bright was

extremely positive. He was the only member who referred to some of the provisions in the Bill, from which he actually read. As he said, if members had read the Bill perhaps a lot the questions that had been raised would not have been raised.

In conclusion, I will touch on a very important issue. I have been asked how we will fund this legislation. I want to put to the House two points: first, notwithstanding the very severe fiscal climate in which this Government has found itself, as indeed Governments all around the country and the world have found themselves, we have managed in the past five years to increase our staffing resources by some 10 per cent through the general reserves trust. As he is in the House at the moment, I pay tribute to and compliment the Deputy Premier whose idea this was and who brought this whole scheme to fruition. It is important and a tribute to him that that money is going back into our parks system. I would like to see an increase in this, and I will do everything I can to pick up this wonderful concept and indeed extend it.

Who would not want to have extra resources? My ministerial colleagues would support me when I say that I have continually strived for extra resources. However, if we do not make the hard conservation decisions now, there will not be areas of land into which future generations and future Ministers can put extra resources for the preservation of such areas. We must build on the hard conservation decisions that we are taking now. It is important to ensure that some of these areas are brought into and under the control and management of the National Parks and Wildlife Service. Of course I would like more resources, and I will continue to strive for those resources.

In conclusion, I pay tribute to my staff, particularly to Ashley Fuller and Bruce Lever who have worked tirelessly in terms of not only consultation with the community but also in getting the legislation to this point. I pay tribute to the Wilderness Society and its unfailing support, given in a very reasonable and rational way. Those people behaved as I believe conservationists are behaving and should behave—with dignity and treating people with respect whilst listening to other people's viewpoints but at all times not losing sight of the goal.

I also pay tribute to the mining industry with which I have had an enormous amount of consultation. Representatives from the mining industry have been here throughout the debate. It has been a lesson in that it is not an anti-mining or anti-pastoral Bill. It is not a Bill about confrontation but about meeting common ground, finding common solutions and moving forward as a mature sophisticated community to recognise the importance of wilderness both in our time and for future generations. I ask all members to support the second reading.

Bill read a second time.

In Committee.

Clause 1 passed.

Progress reported; Committee to sit again.

ADJOURNMENT

At 11 p.m. the House adjourned until Tuesday 14 April at 2 p.m.