HOUSE OF ASSEMBLY

Tuesday 20 October 1992

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

PETITIONS

ADELAIDE AIRPORT

A petition signed by 151 residents of South Australia requesting that the House urge the Government to maintain the curfew at Adelaide Airport was presented by Mr Becker.

Petition received.

GAMING MACHINES

A petition signed by 38 residents of South Australia requesting that the House urge the Government to support the introduction of gaming machines was presented by Mr Hamilton.

Petition received.

BEECHWOOD HERITAGE GARDEN

A petition signed by 53 residents of South Australia requesting that the House urge the Government not to sell Beechwood Heritage Garden at Stirling was presented by the Hon. D.C. Wotton.

Petition received.

QUESTIONS

The SPEAKER: I direct that written answers to the following questions on the Notice Paper, as detailed in the schedule that I now table, be distributed and printed in *Hansard*: Nos 107 and 155.

MULTIFUNCTION POLIS

The Hon. LYNN ARNOLD (Premier): I seek leave to make a ministerial statement.

Leave granted.

The Hon. LYNN ARNOLD: It is with pleasure that I today join the Federal Minister for Industry, Technology and Commerce (Senator Button) in announcing the selection of the first chair and board of the MFP Development Corporation. The corporation was established by legislation which was assented to on 14 May this year. This is an important body—the group responsible for the marketing, planning, management and operation of the MFP. The fact that a distinguished group of Australians has agreed to serve on the board is a recognition of the potential of the MFP and the confidence that the business community has in its future.

The board will be chaired by Mr Alex Morokoff, the Deputy Chairman of Lend Lease Corporation Ltd and AOTC. Mr Morokoff will bring to the position a wealth of experience in urban development, telecommunications and information technology. He will head a board of prominent Australians with wide-ranging experience in industry, research, education, government, environmental management and the community. Other members of the board will be:

Mr Ross Adler, Managing Director of Santos

Mr Will Bailey, Deputy Chair of Coles Myer Ltd

Ms Helen Disney, Director of Education and Community Services, Adelaide Central Mission

Sir Llew Edwards, former Queensland Deputy Premier

Professor Mal Logan, Vice-Chancellor of Monash University

Mr Richard Longes, Director of Lend Lease Corporation Ltd

Mr David Plumridge, President, Local Government Association of South Australia

Ms Kaye Schofield, Chief Executive Officer, South Australian Department of Employment and Technical and Further Education

Dr John Stocker, Chief Executive, CSIRO

Mr Robert Trenberth, Deputy Secretary, Commonwealth Department of Industry, Technology and Commerce.

The membership of the board will be presented to Her Excellency the Governor for appointment on Thursday. The agreement of these people to serve on the board is a coup for the MFP and a landmark in making the project a national and international success. The selection of such a strong board is a major step in demonstrating that the MFP is a viable project which will make a significant contribution to economic development in South Australia, and Australia as a nation.

The first tasks of the new board will include the appointment of a chief executive officer for the corporation and establishing priorities for development of the MFP. The chief executive officer also will be a member of the board. The board will bring an ideal mix of abilities for the MFP's goals of generating investment in twenty-first century industries for Australia and creating a model urban development. The mix of people, backgrounds and talents will ensure that the project can be driven by the private sector with cooperation across Australia between industry, government, the education and research sectors, and the community. The board has a broad national focus, but also a significant South Australian representation. It will work closely with the MFP's International Advisory Board and also with this State's Economic Development Board. I wish the members of the board well for their important tasks.

STAMP DUTIES

The Hon. FRANK BLEVINS (Treasurer): I seek leave to make a ministerial statement.

Leave granted.

The Hon. FRANK BLEVINS: There has been some concern raised regarding the increase in stamp duty on agreements and I would like to set the record straight on several points. First, it was a minor problem and all that was needed was a commonsense solution. It was quickly

and easily solved and I am looking forward to solving other such problems that will make things easier for industry and business groups in this State so they can get on with their work with fewer impediments. The increase in minor stamp duties was announced on 23 June 1992 and the issue received considerable media coverage at the time. The legislation came into force on 1 September 1992 and a circular was distributed by the Stamps Commissioner the same day to taxpayer and industry groups.

I made a statement on 16 October 1992 that any concerns regarding the increases would be investigated and that if major problem areas were identified they would be considered sympathetically. The problems would have been fixed up sooner had the principal complainer cooperated with the Commissioner of Stamps by detailing his additional stamp duty expenses. However, despite his lack of cooperation, the investigation revealed that there has been widespread non payment of the previous 20c duty. This avoidance has placed a greater tax burden on wage and salary earners who do not have the ability to avoid tax. The investigation also highlighted the many areas where the $10 duty will not be payable. Solving the problem simply requires the updating of an existing exemption in the Stamp Duties Act 1923, which removes certain agreements relating to the sale or hire where a value of $1 000 or less is involved.

The expanded agreement exemption will be backdated for a period of five years so the large number of people who entered into agreements in previous years and did not pay the 20c duty are protected from the possibility of the legal effects of non payment of duty (such as non-enforcement by courts of unstamped agreements). Those businesses and individuals liable to pay the $10 duty are on notice that the Commissioner of Stamps will be monitoring the stamping of agreements very closely to ensure duties are paid. Finally, a provision will be inserted into the Stamp Duties Act to provide the ability to exempt by way of regulation any class of agreements should it be necessary to do so in the future.

PAPERS TABLED

The following papers were laid on the table:

By the Minister of Housing, Urban Development and Local Government Relations (Hon. G.J. Crafter)—

South Australian Co-operative Housing Authority—Report, 1991-92.
State Electoral Department—Report, 1991-92.
South Australian Housing Trust—Report, 1991-92.
Racing Act 1976—Rules—Greyhound Racing Board—Blinkers, Suspension and Maiden Status.
Summary Offences Act 1953—Road Block Establishment Authorisations—Nil Returns, 1991-92.
Supreme Court Act 1935—Supreme Court Rules—Costings.

By the Minister of Environment and Land Management (Hon. M.K. Mayes)—

South-East Cultural Trust—Report, 1991-92.
The State Opera of South Australia—Report, 1991-92.
State Theatre Company—Report, 1991-92.

By the Minister of Labour Relations and Occupational Health and Safety (Hon. R.J. Gregory)—

Construction Industry Long Service Leave Board—Report, 1991-92.

By the Minister of Public Infrastructure (Hon. J.H.C. Klunder)—

South Eastern Drainage Board—Report, 1991-92.

By the Minister of Business and Regional Development (Hon. M.D. Rann)—

Department of Road Transport—Report, 1991-92.
Small Business Corporation of South Australia—Report, 1991-92.
Harbors Act 1936—General Regulations.

By the Minister of Tourism (Hon. M.D. Rann)—

Tourism South Australia—Report, 1991-92.

By the Minister of State Services (Hon. M.D. Rann)—

Central Linen Service—Report, 1991-92.
State Clothing Corporation—Report, 1991-92.
State Supply Board—Report, 1991-92.

By the Minister of Health, Family and Community Services (Hon. M.J. Evans)—

Nurses Board of South Australia—Report, 1991-92.
Pharmacy Board of South Australia—Report, 1991-92.
South Australian Health Commission—Report, 1991-92.

By the Minister for the Aged (Hon. M.J. Evans)—

Office of the Commissioner for the Ageing—Report, 1991-92.

By the Minister of Primary Industries (Hon. T.R. Groom)—

Metropolitan Milk Board—Report, 1991-92.
South Australian Meat Hygiene Authority—Report, 1991-92.
South Australian Timber Corporation—Report, 1991-91.

Response to Environment Resources and Development Committee Report on Proposed Public Work of Construction of Facilities for Department of Agriculture on the Waite Campus of the University of Adelaide.

STATE EMERGENCY SERVICE

The Hon. M.K. MAYES (Minister of Emergency Services): I seek leave to make a ministerial statement.

Leave granted.

The Hon. M.K. MAYES: Last Thursday in this place, the member for Bright made a personal explanation to the House in which he claimed that I had misrepresented him and reflected on him personally. The member for Bright's claims were based on my response to a question in this place the previous day. In my response I corrected three errors of fact made by the member for Bright in a media release of 14 October regarding the State Emergency Service budget.

In his personal explanation, the member for Bright demanded an apology from me, apparently on the basis that his media release did not in fact contain any inaccuracies. Unfortunately, the member for Bright has only compounded his inaccuracies through his personal explanation, and once again I provide for the public record the true facts in relation to funding for the SES. I do so not to further embarrass the member for Bright in his inadequacies but to inform the public, hopefully once and for all, that there is no cutback in State Government support to the SES.

I deal first with the member for Bright's first claim—that he is correct in his statement that the SES budget has dropped by $39 000. The honourable member

refers to page 323 of the Program Estimates, turns to the subprogram 'Assistance to State Emergency Service Units' and notices a proposed expenditure in 1991-92 of $1.014 million compared with $991 000 proposed in 1992-93. By my arithmetic, this is a difference of $23 000, not $39 000, but that inaccuracy is to some extent beside the point. It is beside the point partly because the estimates papers show an increase in support to SES units of $16 000 proposed this year over actual expenditure last year. However, of greater significance is the alarming inability of the member for Bright to comprehend the estimates papers. I am happy to take this opportunity to enlighten the honourable member and to provide the correct information to this House.

The Hon. JENNIFER CASHMORE: I rise on a point of order, Mr Speaker.

The SPEAKER: Order! There is a point of order.

The Hon. JENNIFER CASHMORE: In making his statement, the Deputy Leader has twice made gratuitous insults to the member for Bright and is debating the question. Mr Speaker, I ask you to rule accordingly.

Members interjecting:

The SPEAKER: Order! It appears that a new pattern is emerging in relation to ministerial statements. The Chair has no problem at all with the content being exactly word for word and factual. I am sure all members realise that there is always leeway in regard to questions, answers and statements in this place. I will try to keep members as close as possible to a ministerial statement or a personal explanation, but we must all give a little in these matters because we all take leeway at times. I ask the Minister to keep as near as possible to the facts and to avoid debate or comment if possible.

The Hon. M.K. MAYES: Thank you, Mr Speaker; I am happy to conform with your direction. To get the true picture of State Government support in the budget for the SES, we need to add together all subprograms under 'State disaster planning and relief' including support under capital expenditure, and then deduct receipts identified in brackets underneath that total, those receipts being in fact contributions from the Commonwealth. If we do that and compare actual support in 1991-92 with proposed expenditure appropriated this year, we find an increase of $77 000, from $995 000 to $1.072 million, exactly as I reported to the House last Wednesday.

In relation to the member for Bright's second claim that 'money allocated through the police budget for equipment was reduced to $25 000', this is quite plainly wrong, and I simply repeat what I told the House last Wednesday. In fact, $95 000 has been allocated for equipment purchase, and there is commitment to further funds in the next two years to ensure adequate supply of equipment in those years.

Thirdly, the member for Bright claims that he was misrepresented in relation to the provision of sandbags for the Gawler River floods. He said in his personal statement that he made quite clear that these sandbags were funded by the Commonwealth. However, let me quote from the honourable member's media release of 14 October. It stated:

> In addition the SES now has only 10 000 sandbags left out of the 30 000 it was forced to buy to meet the Gawler River threat. Federal funding will not be available for another sandbag purchase.

In actual fact, the Commonwealth supplied all the sandbags required by the SES, and there is absolutely no suggestion that it will not continue to do so when required in the future. It is transparently clear that the member for Bright has cobbled together this collection of distortions and inaccuracies to try to promote a picture of some sort of financial crisis in the SES.

Members interjecting:

The Hon. M.K. MAYES: To embark on such a course of misinformation—

The SPEAKER: Order!

The Hon. M.K. MAYES: —at any time would be irresponsible.

Members interjecting:

The SPEAKER: Order!

The Hon. M.K. MAYES: To do so at a time of—

Members interjecting:

The SPEAKER: Order!

The Hon. M.K. MAYES: —community reliance—

Members interjecting:

The SPEAKER: Order!

The Hon. M.K. MAYES: —on the services of the SES—

The SPEAKER: Order! If the Minister continues to defy the Chair, I am afraid that action will be taken against him.

The Hon. M.K. Mayes: I did not hear you; sorry, Sir.

Members interjecting:

The SPEAKER: I find it hard to believe that the Minister could not hear me. I will give him the benefit of the doubt, but certainly he will be in no doubt next time.

Mr S.J. BAKER: On a point of order, Mr Speaker, the Minister obviously disobeyed your ruling and went into an attack on the member for Bright directly against your ruling. I ask that that statement be presented to you so that you can look at it and at the record. I believe it was in direct contravention of your direction.

The SPEAKER: I have the statement in front of me at the moment. I did rise to bring the Minister's attention to the point of order, and I did correct him, and I correct him again. He was out of order. I told him that. I told him that to speak after the Speaker has called him to order is also out of order. I do not really know what more the member for Mitcham wants from the Chair.

Mr S.J. BAKER: Sir, he directly flouted your ruling.

Members interjecting:

The SPEAKER: Order! The Minister had completed his remarks by the time I drew him to order. If he had resumed his seat, I do not see how he could have been flouting the direction of the Chair.

Mr BRINDAL: On a point of order, Mr Speaker, will the record show any words of the Minister after you called 'Order!' or will the record be cut at that point, as I believe it should?

Members interjecting:

The SPEAKER: Order! If the Chair took over the power to censor *Hansard*, that power could be used quite incorrectly at times. Certainly, I will not undertake to do any cutting of or adjustment to *Hansard* at all. Whatever *Hansard* has recorded will be the record.

WAITE CAMPUS

The Hon. T.R. GROOM (Minister of Primary Industries): I seek leave to make a ministerial statement.

Leave granted.

The Hon. T.R. GROOM: The documents I tabled in relation to the proposed public work of the construction of facilities for the Department of Agriculture for the Waite campus contain the response approved by the Premier that was prepared prior to the creation of the Department of Primary Industries and the new South Australian Research and Development Institute. In general, the recommendations proposed in the report of the Environment, Resources and Development Committee were accepted. In relation to recommendation 5, that 'the committee recommends that the proposal for the construction of the administration building on the Waite campus be reassessed and alternative locations for the administrative function be explored', the Premier's response confirmed the earlier view that the Waite site was appropriate for the administration building.

I concur with the Premier's reasoning in his response to the position of the committee. However, in the light of supervening restructuring of the Department of Primary Industries, I am now reviewing aspects of the relocation project. In particular, the review will reconsider the appropriateness of the Waite campus as the location for the head office of the Department of Primary Industries. I have already determined that much of the proposed works should still continue since they will form the core of the new South Australian Research and Development Institute. Some preliminary work has already begun on preparing the site for the new horticulture complex.

The review I have requested is scheduled for completion at the end of October. Underpinning the review is the need to maintain and further enhance professional and efficient primary industries in South Australia whilst at the same time ensuring a close relationship between research and extension. I will report the outcome of the review in due course.

QUESTION TIME

The SPEAKER: Before calling for questions, I indicate that any questions directed to the Minister of Public Infrastructure will be taken by the Minister of Labour.

COALITION AGREEMENT

The Hon. DEAN BROWN (Leader of the Opposition): Will the Premier reveal the full agreement he has made with the Minister of Health and the Minister of Primary Industries to secure their participation as Ministers in his Cabinet? It is reported that the Government's backdown on using unclaimed lottery prize money to meet its funding obligations to the Festival of Arts was one condition of the coalition agreement; another is said to be reforms to WorkCover. It has been reported that the agreement may include support for more stringent amendments to the WorkCover reforms than those proposed by the Minister of Labour. All South Australians deserve to know all the conditions accepted by the Premier.

The Hon. LYNN ARNOLD: We will not go into the question of what deals were done by the Leader of the Opposition to gain his present position or what deals were attempted by members opposite to become Leader of the Opposition. I will walk the Leader back through the events relating to the formation of the coalition, because they are very pertinent to this matter and will help the Leader understand that he is off on a wrong tangent with this question.

The facts are that the Caucus resolved upon a motion to offer to the member for Hartley and the member for Elizabeth two ministerial vacancies that had been created by the resignation from the ministry of the member for Ross Smith and the member for Baudin. Shortly after the Caucus meeting, I offered those two Ministries to them, and they accepted. There was never any conditional acceptance of those ministries by the member for Hartley or the member for Elizabeth. They indicated immediately that in accepting the offer they accepted the principles of Cabinet solidarity.

The Hon. Dean Brown interjecting:

The Hon. LYNN ARNOLD: If the Leader wants an answer to his question, he would do well to listen to the answer rather than rabbiting away as he is doing at the moment. The question was raised about Cabinet solidarity, and both members clearly gave their free undertaking to abide by Cabinet solidarity. However, quite naturally they both drew attention to the fact that they may have made comments in the Parliament before entering into a coalition that were public statements and that therefore they would have to stand by those comments they had made. One of those comments concerned the issue of unclaimed lotteries moneys going to the arts area. The member for Elizabeth commented that he had already made a public statement about this matter and he could not take that from the public record because that is his view. He argued that case well in this place and he certainly argued it in other places as well. He simply wanted it known that it was a statement he had on the public record and that he could not resile from that position.

Members interjecting:

The Hon. LYNN ARNOLD: If the Deputy Leader could just wait for the answer he can ask a supplementary question later if he wishes. The other matter canvassed was that the member for Hartley acknowledged that he had made some public comments on the issue of privacy and he would have to say that they were the comments he held to on privacy legislation but that, as from the formation of the coalition, they understood that Cabinet solidarity required all their comments to be made within the Cabinet context and they would take a free and fair part in those debates within Cabinet and then stand by the decisions that Cabinet made. I have said all this before. The very concept that the Leader raises about what deals were done is an irrelevant and distasteful question. I would suggest that the Leader look more to his own side and the various deals that have been stitched up and fallen

apart on his side before he starts raising questions about this side of the House.

GOODS AND SERVICES TAX

The Hon. T.H. HEMMINGS (Napier): Can the Minister of Tourism inform the House of the impact of the proposed goods and services tax on the tourism industry in South Australia? The A.D. Little report highlighted tourism as an industry with potential to earn many dollars and create many more jobs for this State. However, the Leader of the Opposition in this State said on Monday that both a bed tax and a GST applied throughout the world and that from what he sees the GST should apply because it applies in every other country on that basis.

The Hon. M.D. RANN: I am delighted to receive this question. On Friday night I went with a delegation of South Australian tourism operators to Canberra to attend the national tourism awards, a function at which South Australia won four national awards and three distinctions. There was a great deal of confusion at that function because David Jull, Federal Opposition spokesman on tourism, had given a categorical imperative, a commitment, that he would support the fact that tour packages from Australia sold overseas would be zero rated under the proposed GST. In other words, there would be export concessions to tourism in the same way as there are export concessions for all other industries under the GST.

That is what they were told—absolutely and definitely. Indeed, he put his signature to the document until about two hours later, when the Federal Leader of the Opposition found out about it and he was rumbled. We thought it was interesting on behalf of the South Australian tourism industry to ascertain where the Leader of the Opposition in this State stood. We were a bit confused about where he stood on zero tariffs for the car industry and for TCF industries, but we thought perhaps he could show some leadership in this area.

Members interjecting:

The Hon. M.D. RANN: The member for Playford asks what he said, and I can tell him what he said to Keith Conlon, as follows:

> . . . Keith, first, can I say that when I've travelled overseas I've . . . even where the accommodation has been purchased here in Australia, I've always had to pay the full bed tax and GST throughout the world, and so I see no difference there. There are some aspects of it that I want to clarify with Dr Hewson, and seeing the issue has only blown up during the weekend—

that comes as news to the tourism industry—

> I haven't had a chance to do so. But we'll be doing that during this week.

It then goes on:

> Conlon: So David Jull was wrong?
>
> Brown: Well, there are certain aspects, Keith, as I said, I want to clarify. But from what I can see I think there is a fair case, as put by Dr Hewson, as to why the tax should apply.

I accused the Leader of the Opposition the other day of being not a Perot but a Quayle: that read more like Admiral Stockdale. The simple fact is that the GST will cause a $2 billion a year burden on tourism in this State. The tourism industry and I want to know why the Leader of the Opposition has chosen to back a situation of no policy consistency, because what is being applied under the proposed GST for tourism will not apply in other areas. Why is it that the Leader of the Opposition in a convoluted way seems to want to back John Hewson over the industry in this State?

The SPEAKER: Order! The Minister will resume his seat. I refer members to Standing Order 98. The substance of the response is obviously far from the substance of the question and I ask the Minister to come back to the substance of the question.

The Hon. M.D. RANN: Thank you, Mr Speaker. I will return to an analysis of the situation in terms of the impact on the industry, which was the substance of the member for Napier's question. It appears that, despite a Federal Treasury study, which shows that tourism could face an additional tax burden of $2 billion a year under a goods and services tax, the Leader of the Opposition's analysis of what happens overseas is simplistic. In other countries, the introduction of a goods and services tax has had a severe impact on international tourism. My Federal counterpart, Alan Griffiths, tells me:

> In 1990 Sweden introduced a new consumption tax, a new impost on its tourism industry. Bed night numbers fell by a massive 13 per cent. The Economic Intelligence Unit attributed this fall, in the main, to the introduction of this new tax. In the light of this dramatically negative circumstance for its industry, the Swedish Government recognised that its policy was a massive mistake and in January 1992 it overturned the decision.

International air fares, under the Leader of the Opposition's preferred formula, would be zero rated under Fightback, but domestic air fares would not. In other words, families who can afford to fly to Hawaii for a holiday from South Australia would not pay the goods and services tax but families who wanted to travel from Brisbane to Adelaide to join their relatives and friends for Christmas would.

There is currently no tax on many of the goods and services which tourists spend money on. Under GST every single tourism product would be hit, including hotels, motels, and other accommodation; restaurant meals, take-away snacks and food; and admissions to museums, galleries, performing arts, sporting events and other tourist attractions. The Federal Treasury study shows that a GST could lead to a 13 per cent rise in accommodation costs, a 14 per cent hike in restaurant prices and a 12 per cent rise in travel costs.

Mr GUNN: I rise on a point of order, Mr Speaker. Ministers are required to be relevant in answering questions. The Minister has read from a prepared statement referring to matters which have nothing to do with the powers and functions of this State and House. Therefore, he is completely out of order.

The SPEAKER: I uphold the point of order. The Minister has now been far too long. Again, I point out the access of Ministers to ministerial statements. I call on the next question. The Deputy Leader of the Opposition.

WORKCOVER

Mr INGERSON (Deputy Leader of the Opposition): Is it the Premier's intention to support the Speaker in reducing the WorkCover premiums in opposition to those put forward by the Minister of Labour Relations and Occupational Health and Safety?

The SPEAKER: Order! The question is definitely out of order. An honourable member cannot presume debate. There are no amendments before the House to start with and, even if there were, it would be out of order because an honourable member cannot presume debate.

Mr INGERSON: On a point of order, Mr Speaker, a public statement was made. There is no statement before this House in relation to this matter, and I am just asking the Premier whether he supports that public statement.

The SPEAKER: I must point out again to the Deputy Leader that the question anticipates debate.

Members interjecting:

The SPEAKER: That is the ruling of the Chair.

Mr S.J. BAKER: On a point of order, Mr Speaker, there is no indication of how that statement will come before the Parliament, whether via a new Bill or some other debate, so it cannot be assumed. It may never come, so it cannot be assumed that it will be related to debate on the WorkCover Bill.

The SPEAKER: I did not quite pick up that point of order, so I ask the member for Mitcham to repeat it.

Mr S.J. BAKER: Mr Speaker, you indicated that you ruled the question out of order because it pre-empted debate. My point of order on that was that there is no indication of how the statement that has been made by you will find its way into the Parliament, or even whether it will come into the Parliament in any form, whether by resolution or by a change to legislation.

The SPEAKER: I draw the attention of members to the fact that we are now 12 minutes into Question Time and points of order are taking up time unnecessarily. However, I again point out that members cannot anticipate debate. Until the matter is before Parliament as an amendment, as a Bill or as a motion there is no responsibility to tell the House what anybody will do.

MANUFACTURING INDUSTRY

The Hon. J.P. TRAINER (Walsh): Does the Premier believe that manufacturing is a third rate industry in South Australia? If not, how does he rate it in terms of its significance to our State economy? The Opposition Leader, speaking on ABC regional radio last Friday, was questioned by the presenter (Simon Royal) about problems involved in boosting South Australia's economy. Mr Royal asked the Leader to be positive about South Australia and to list our potentials. The Leader replied by listing—in order of priority—the agricultural sector, the mining industry and then the manufacturing sector. The Leader stated that the State's two big export industries were agriculture and mining.

The Hon. LYNN ARNOLD: Yes, I too heard that program. The Leader was going through what he saw as the positives. He said:

> We have a very good agricultural sector.

That is true; we do have a very good agricultural sector. He went on to state:

> We have a substantial mining industry.

That is also true. However, Simon Royal then quite correctly drew attention to the fact that some comments the Leader made in a very half-hearted way about manufacturing might indicate that he had a very poor view of that sector. Indeed, Simon Royal said:

> I am interested that the companies in the manufacturing sector came third on your list. I do not know if that is an indication of how you would see them as priorities or a simple indication of the fact that that is how this State is going to remain economically into the future—agriculture and mining.

At that stage, the Leader of the Opposition said:

> Our two big export industries in South Australia are agriculture and mining.

He went on to talk about the fact that the technology industries would be more likely to replace the more traditional manufacturing industries. He then talked about slowing down the decline of manufacturing. He did not talk about reversing the decline and having manufacturing grow in this economy; he talked about slowing it down. I suggest that what he was actually talking about is what would happen to manufacturing under a Federal Liberal Government and certainly under a Liberal Party Government at the State level if that ever were to happen.

The reality is that the Leader of the Opposition got it wrong, because agriculture and mining are not the first two sectors of export in this State. He knows that full well. We have quoted these figures on previous occasions and, indeed, the Leader asked for them during the Estimates Committees. It indicates that either he is losing the capacity to read figures or he does not understand them. The facts are that in 1990-91, 58.2 per cent of all South Australian exports were from the manufacturing sector. I do not care how one does the mathematics, that leaves only 41.8 per cent out of the 100 per cent cake, unless, of course, the Leader works on an export cake that is made of 150 per cent or some other such illogical figure. It leaves only 41.8 per cent for all the other sectors combined. How can the three other sectors—agriculture, mining and services—with a total figure of 41.8 per cent exceed the one sector that represents 58.2 per cent of our export revenue? The fact is that it cannot. The Leader simply did not know the figures in relation to that situation and it is about time he started to talk positively about manufacturing in this State and not seek constantly to put it down.

The Leader seems to have this obsession with putting down the manufacturing sector. I suggest that he would do well to listen to two very pertinent comments made in recent days by two leading people in the automotive sector of this country. These comments really indicate what might be the future for manufacturing if there were zero tariff policies. It would indicate how decimated the sector would be and under whose policies it would therefore become a third rate part of our economy. First, Bill Hammill, who spoke last week at a Chamber of Commerce and Industry dinner, in an excellent speech stated:

> The Federal Opposition has concluded that the commission's plan for the car industry is excessively protectionist and plans to go further in duty reductions. Moreover, the Opposition has adopted its own form of mathematics but based on double counting the benefits from economic reform. Instead of starting from 25 per cent duty and offsetting economic reforms against further duty reductions, they start from 15 per cent and want to use their reform program to justify even greater reductions.

That reminds me of the Leader's mathematics where he seems to work out that 41.8 per cent is bigger than 58.2 per cent. Mr Hammill went on in his excellent speech to indicate clearly that the Opposition's policy on tariff change is bankrupt. On the *7.30 Report* last night Chas Allen of Mitsubishi was quite clear about the difference

between the Federal Government's and the Federal Opposition's policies in relation to tariffs. His was a simple statement: zero tariff means zero investment; zero investment means zero employment. On the other hand, a sensible reduction in tariffs means there is quite an exciting future for the South Australian car industry, particularly Mitsubishi. He has no doubt where he stands in relation to the options of a Federal Opposition policy and a Federal Government policy on tariffs. He that knows manufacturing will survive under the Federal Government, not under the Federal Opposition. Of course, the Leader of the Opposition in this State really does not care about manufacturing in this State, as his own comments on radio last week and in other places confirm.

STAMP DUTIES

Mr S.J. BAKER (Mitcham): My question is directed to the Treasurer. What are Treasury's estimates of revenue in a full year from increased stamp duty on written agreements before and after the policy reversal he announced yesterday?

The Hon. FRANK BLEVINS: Of course, the estimates were in the budget papers. If that is not clear enough, I will get it for the honourable member.

Mr S.J. Baker interjecting:

The Hon. FRANK BLEVINS: I have a confession to make: I did not commit the budget papers to memory.

Members interjecting:

The SPEAKER: Order!

The Hon. FRANK BLEVINS: The member for Mitcham, if he were interested in this question, would merely turn to the budget papers and have a look. However, if the information is not sufficient for the purposes of the member for Mitcham, I will get it for him. As regards the estimates of future collections, it is very difficult to make a precise estimate; estimates by their nature are just that. It depends very much on how much tax avoidance and outright evasion we have flushed out through these changes.

From Friday on, when I attempted to get some information from the principal complainer, Mr Caudell, about how much additional stamp duty he would be paying as he was complaining, he would not cooperate at all with the State Taxation Office. I do not know whether that gentleman was avoiding or evading tax; I have no idea. I will never know because of the secrecy provisions. However, I read in the newspaper that one of the reporters had the gumption to ask Mr Caudell whether he was stamping his documents. Again, he refused to say.

I suppose he is entitled to refuse to answer the questions—quite legitimate, I would have thought—from the media when this particular individual, the Liberal candidate for Mitchell, has said, 'This will send me bankrupt.' Let us see the evidence. I will do everything I can that is reasonable to see that business in this State does not go bankrupt. But I need the information, and I could not get it from this individual. However, I will examine the question from the member for Mitcham. If necessary, I will give him the reference to the page in the budget papers where he will find the information or, failing that, I will spell it out for him very clearly.

GOODS AND SERVICES TAX

Mr QUIRKE (Playford): Will the Minister of Housing, Urban Development and Local Government Relations inform the House what implications a 15 per cent goods and services tax would have on the building industry in South Australia?

The Hon. G.J. CRAFTER: The short answer is that confusion reigns. It is estimated with respect to housing affordability that the impact of the GST proposal would result in a net 3 per cent increase in the price of private housing. For the average South Australian, this represents an increase in housing costs of approximately $3 450, a good year's savings for the average family. With respect to jobs in the housing industry, fewer funds would be provided under the Commonwealth-State Housing Agreement. That would mean an estimated 450 fewer commencements in South Australia each year if that policy were to come into effect, and 450 fewer commencements means 1 500 jobs lost in the private sector in construction and related industries. For South Australia, this means $90 million lost in output to the local economy—a very substantial impact indeed. Whilst the Coalition claims that it has the support of the industry for its package, it is clear from yesterday's *Australian* newspaper that that simply is not the case. The article stated:

> The Real Estate Institute of Australia announced over the weekend that it supported the position of four building and engineering groups, headed by the Master Builders Association, which have united to press for changes to the package.

What changes do they want? Well, it appears that the Coalition has done a deal to exempt some aspects of housing costs—that is, labour and the builder's margin—from the GST. These other groups have discovered that, in order to pass on the extra costs to consumers, they need to simply pay the GST themselves. So, they actually need the GST or they have to bear the costs themselves. What this means is they want to be exempt from the exemption. The *Australian* also reported that the Coalition's much publicised Cole committee, which was given the task of working this out, is understood to support the changes proposed by the MBA and the other concerned groups. The article states:

> The committee [that the Coalition] appointed to review the GST on buildings is understood to have accepted the argument of the construction sector that the existing Fightback policy is discriminatory because it imposes a tax on business.

It is clear that the Federal Opposition thought that it had the support of the building industry by involving the Housing Industry Association in the development of this package. It is now patently clear, as it is in manufacturing, tourism and other concerned groups in the community, that this simply is not the case. That policy is now brought into disrepute.

The housing industry is pivotal for the future well-being of this State. In excess of 30 000 South Australians are reliant on the health of this sector for their ongoing employment. South Australia has some of the most affordable housing in Australia, the best public and community housing sectors, and one of the most orderly land release programs in Australia. Therefore, the real question should be addressed, I would suggest, to the Opposition, whose policies simply have not been revealed

to the community, particularly for those lower income groups who aspire to home ownership.

HOSPITALS FUND

Dr ARMITAGE (Adelaide): Will the Treasurer confirm that the public hospital system will receive no financial benefit from the Government's backdown over funding on the Festival of Arts? Whilst this decision has been presented as leading to an increase in hospital funding, I have been told that there will be no net increase in funding for the public hospital system. Instead, the budget allocation for hospitals will be reduced by the same amount that the Hospitals Fund is increased by the unclaimed lottery prize money.

The Hon. FRANK BLEVINS: The question of funding for the Festival of Arts and the use of the unclaimed lotteries money was debated in this Chamber last week. If members referred back to that debate, they would see that there were four speakers from the other side, one who supported the proposal in the Bill, namely, that these funds go to the Festival of Arts, and three who suggested that they go into the Hospitals Fund.

One member made the best speech of all, and that was the member for Murray-Mallee. I refer members to that speech where this very topic was dealt with. The member for Murray-Mallee spelt out very clearly indeed that the bottom line of the budget of all these organisations was not altered one iota by the switching of this money from the Festival of Arts to the Hospitals Fund. Everyone in the Parliament would be aware of that; those who are not have not been in Parliament very long or have not taken very much notice.

This change gives more financial space in the next budget: the Hospitals Fund will contain an increased amount that will give the Government of the day increased capacity to fund hospitals. Members will have to wait and see. When the budget is brought down next year with this additional financial space that has been made by a decision of the Parliament, it will be revealed to all.

The Hon. Dean Brown interjecting:

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

The Hon. FRANK BLEVINS: The Leader has a persistent habit of imputing motives to people. I ask that the remark he has just made about telling the truth for once be withdrawn.

The SPEAKER: Because of comments across the Chamber, I did not hear the remark. If it offended the Minister, I will certainly ask the Leader to withdraw, but I am not aware of the statement. The request is that the Leader withdraw the statement.

Mr S.J. BAKER: Mr Speaker, I have never heard of that particular statement being called unparliamentary even if it was made.

The SPEAKER: Order! I have asked the Leader to withdraw the offending remark.

The Hon. DEAN BROWN: There was nothing unparliamentary in what I said, Mr Speaker, so I see no need to withdraw it.

The SPEAKER: I have no idea what the remark was.

The Hon. FRANK BLEVINS: As I have stated, the Leader is very quick to call people liars or to suggest—

Members interjecting:

The SPEAKER: Order! The Treasurer will resume his seat. I am having difficulty hearing today, but no-one seems to have heard the term referred to by the Minister. I am in some quandary as to what was said and what needs to be withdrawn.

The Hon. FRANK BLEVINS: What the Leader said, and I am happy to have the tape checked, was: 'Tell the truth for once.'

The SPEAKER: Order! The Chair does not uphold that point of order. 'Tell the truth' does not necessarily imply that the Minister was lying in this case. The member for Stuart.

EDUCATION SERVICES

Mrs HUTCHISON (Stuart): Will the Minister of Education inform the House whether the Liberal Party's market approach to education detailed in Fightback would affect the delivery of education in South Australia? In Fightback the Federal Coalition argues that equality of educational opportunity is only possible through the adoption of a market approach to schooling that allows parents to choose schools for their children.

The Hon. S.M. LENEHAN: I thank the honourable member for her interest in this matter, namely, the education of children within her own area as well as throughout South Australia. A market approach assumes two things: first, that all families have equal access to information to make informed choices; and, secondly, that competition somehow helps all schools. It is obvious, however, that schools serving educationally disadvantaged students would suffer without special assistance.

However, the Labor Government and Labor philosophy believe that Government should ensure minimum standards and provide the opportunity for excellence through a dual system of education that supports both government and non-government schools on the basis of need. The across the board 5 per cent cut in general purpose grants to State Governments, which is clearly outlined in the Federal Liberal Party's Fightback proposals, would further erode Government spending on public schools, putting the quality of our public school system at risk.

Of course, a Federal Liberal Government under this proposal would engineer a massive shift of public resources from Government to the wealthiest non-government schools, and I would like to just give an example of what I am saying. Fightback proposes that the richest non-government schools, those in category 1, would receive increases of up to 65 per cent for primary schools and 54 per cent for secondary schools, with the poorer schools, those in category 12—and we are talking here about local parish schools—receiving only 19 per cent for primary and 18 per cent for secondary.

In South Australia it has become apparent that the themes of the Fightback educational approach have been picked up by the Leader of the Opposition in his announcement that he would cut spending on education by between 15 and 25 per cent. Now we know what he is talking about. In fact, he is planning a budget based on

the Fightback concepts of his Federal colleagues. However, despite my challenge—

Members interjecting:

The Hon. S.M. LENEHAN: We will see what the community, including the education community, think of this. I would like to put on the record that the Opposition finds this question boring. We will see whether the education community—

The SPEAKER: Order! Interjections are out of order. The Minister.

The Hon. S.M. LENEHAN: We will see whether the constituencies of the education system find this question boring. I can assure the House that they do not. It is interesting to note, in conclusion, that the Liberal Party would return us to the days when a good education depended on the size of one's bank account, whereas Labor believes that everyone has the right to develop their full potential. This should not be conditional upon individual or family wealth. On education policy, Labor and Liberal are poles apart. Again, I challenge the Leader of the Opposition to tell the South Australian community where he stands on the topic of education and on the Federal Opposition's Fightback proposal to decimate education for all in this country.

The SPEAKER: I think it only fair to warn the Opposition—

Members interjecting:

The SPEAKER: Order! Background comment of 'boring' will not be tolerated. You have all had a go and we know where we stand. The member for Bright.

HIP SURGERY

Mr MATTHEW (Bright): Is the Minister of Health aware that a constituent of mine has now had her hip replacement surgery cancelled for the fourth time at Flinders Medical Centre, despite my approach to the Minister last week and his assurance that he would take up the matter with hospital management? What does the Minister now propose to do about the problem? Last week the Minister was critical of the Opposition for raising individual cases in the House, instead of approaching him direct and allowing him to make the necessary arrangements with hospital management.

Following this suggestion of his, rather than raising the matter in the House, I told him of my 75-year-old constituent who at that stage had had her hip replacement surgery cancelled for the third time. I have now been told by my distraught constituent that the operation that was due to be performed tomorrow has now been cancelled for a fourth time. She has been told by Flinders staff that five cancellations are not uncommon.

The Hon. M.J. EVANS: Over the past few days, as the member for Bright suggests, I have indeed had that matter investigated and he has reported the circumstances to the House today. Clearly, the general question is one which I, as Minister of Health, Family and Community Services, would like to address. At the same time, the Health Commission has been working with Flinders Medical Centre and the Noarlunga Hospital to ensure that a number of innovative steps can be taken to address the kind of problems that the member for Bright has referred to today. For example, in a few weeks some 20 beds at the Noarlunga Hospital will be opened and will provide some significant relief to the situation at Flinders.

Clearly, the overload situation which has faced Flinders on some occasions in August and October and which the annual figures clearly show will occur again next year in March and April, because over the years that is the traditional time at which this overload occurs, means that alternative arrangements must be made to ensure that that overload situation of accident and emergency does not carry through into the cancellation of elective surgical procedures in the rest of the hospital.

The 20 beds which are to be provided at Noarlunga Hospital as a result of discussions with the Health Commission and Flinders Medical Centre management will ensure that some slack can be put into the system at Flinders so that accident and emergency patients can be accommodated in a ward where there are vacant beds during the day. By ensuring that accident and emergency patients do not take up beds which are provided for elective surgery patients, the hospital management—I stress, the hospital management—will be able to manage its available resources to ensure that there are fewer cancellations in elective surgery, because clearly those cancellations cannot continue in this context. Other hospitals in the State are not being forced to do that. Clearly, the management of Flinders must alter its procedures, in cooperation with the Health Commission and with institutions like Noarlunga Hospital, to ensure that that does not happen. I am very pleased to say that those two hospitals are doing that.

The Health Commission is also discussing with Flinders its detailed budget for the year. Those figures in detail became available only last Friday. The commission will go through those with the hospital to see how the situation can be improved. The hospital is also being asked to investigate ways in which its waiting lists can be better managed. I do not believe that these individual cases represent a means of examining the effectiveness of the health care system as a whole. Clearly—

Members interjecting:

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

The Hon. M.J. EVANS: —the situation at Flinders is not unique in this context. I felt that it would be very instructive to go back into history and look back about 10 years, as is often done at hospitals—

Members interjecting:

The SPEAKER: Order! The Opposition is very concerned about the state of our hospitals and the treatment given to the citizens of South Australia. There has been an ongoing flow of questions to the Minister. If the matter is that important, I think that members should at least pay the Minister the courtesy of listening to the response. The Minister.

The Hon. M.J. EVANS: This one individual case from that period, I think, will show the House just what the situation is that we are dealing with here. For example, in this context, on 23 June 1981, 11 years ago, there was the headline, 'Hospital delay "unacceptable".' We are talking about the Minister of Health during that period, the member for Coles, whom I am sure all members respect for her period in office then and her very perceptive understanding of the situation at that

time. I should like to cite an article quoting the then Minister of Health, as follows:

'It should be clearly understood that the SA Health Commission provides hospitals with agreed budgets and the responsibility for allocating those funds within the hospital lies with the administration of the hospital', Mrs Adamson said.

We were then having headlines such as 'Boy's 28-hour hospital wait', following the impact of a surgical procedure delay by the hospital. I do not cite those individual cases as examples of management then and I do not believe they are representative now. Clearly, Flinders has a situation which must be addressed by the management of Flinders.

ECONOMIC DEVELOPMENT BOARD

Mr FERGUSON (Henley Beach): Will the Premier consult with the Leader of the Opposition on appointments to the proposed Economic Development Board, and did he inform the Leader of members to be appointed to the MFP board?

Members interjecting:

The SPEAKER: Order!

The Hon. Dean Brown interjecting:

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

The Hon. LYNN ARNOLD: The honourable member asks whether I will consult with the Leader of the Opposition with respect to appointments to the Economic Development Board. I draw attention to my comments in the Estimates Committee on this matter, where I indicated that I would be very happy to receive ideas from the Leader of the Opposition as to the type of people who go to make up the board and even to receive individual nominations that the Opposition might want the Government to consider. We will give them fair and honest consideration. I stand by that comment. Indeed, as we go through the process of building up a list of the names I will, in due course, approach the Leader for names in that regard. As to the matter of the MFP Board, the honourable member asked whether I informed the Leader of the Opposition. Indeed, yes—

Members interjecting:

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

The Hon. LYNN ARNOLD: In fact, the question from the member for Henley Beach was: did I inform the Leader of the Opposition? Indeed, I did inform the Leader. The list of names was made available to him I think on Thursday of last week by a member of my staff.

The Hon. J.C. Bannon interjecting:

The Hon. LYNN ARNOLD: The member for Ross Smith says that it is funny that they appear in this morning's newspaper. I do not know what was the cause of that particular appearance, although I found it very interesting that the list that appeared in the morning's newspaper—

The Hon. Dean Brown: Are you implying that I leaked them?

The Hon. LYNN ARNOLD: I am not implying anything—

Mr Ingerson interjecting:

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

Members interjecting:

The Hon. LYNN ARNOLD: —but it does seem to me that there is some tenderness over there. It is sort of summed up in the phrase about protesting too much. I did not imply anything. The only thing I noted with some interest was that the list in this morning's paper was not complete—it left out some names. So, it obviously was perhaps someone who did not actually have a printed copy of the list but who was told the names of those who will be on the board, or whatever the case may be. Members of the Opposition can look to themselves if there is something to look to. However, I am not actually implying that. They are the ones who can stand by their own statements on that matter.

I think it was appropriate to inform the Opposition of the names last week. Indeed, I undertook to John Button when he and I were consulting about these names that I would do so. Of course, this list of names has been built up over a long time—as indeed the Leader himself acknowledged in his own Estimates Committee questions when he realised that the board was being developed over some time. He knew that already lists of names were being developed. Therefore, his letter to me last week where he made reference to the lists already being concluded does not tie in with his own comments where he acknowledged that that must have been the case. I did him the courtesy of informing him. He has informed me of his reactions to that, and I appreciate his comments on that matter. As to the Economic Development Board, I believe that there may be names that usefully could be proffered by the Leader of the Opposition. I stand by my comments before to receive such names and give them fair consideration.

CASINO

Mr BECKER (Hanson): Will the Treasurer investigate whether the Casino Supervisory Authority in November 1991 advised the operator of the Adelaide Casino that it no longer required Genting to have a South Australian based adviser and, if the authority did give this advice, why was it not acted upon at that time? I have been reliably informed that the authority gave this advice to the Casino operator, AITCO—which is one-third owned by SASFIT—because it was believed Mr Bakewell was not fulfilling the requirements or the spirit of the advisory role. I understand that no action was taken on this matter until the member for Mitcham raised it in a question in May this year.

The Hon. FRANK BLEVINS: I will refer the honourable member's question to the Casino Supervisory Authority for its comments. I point out that the Casino Supervisory Authority has very wide powers indeed. I was very pleased with the outcome of this issue, where Genting, the operators of the Casino and the Casino Supervisory Authority sat down and worked out a more appropriate procedure and quite voluntarily all parties implemented the arrangements that were suggested by the Casino Supervisory Authority. I like that kind of outcome, where all parties cooperate rather than the Casino Supervisory Authority's having to mandate certain things. It just seems to me a more civilised and appropriate way of doing business. I congratulate all the

parties concerned on that latest change to the terms of agreement. However, if the Casino Supervisory Authority did make the request that was outlined by the member for Hanson, I am sure it will have some comment as to why it made the request and what follow-up was taken.

WINE INDUSTRY

Mr McKEE (Gilles): Will the Premier report to the House the details of the grant of $1.5 million announced last Friday to assist in the export of South Australian wines?

The Hon. LYNN ARNOLD: I thank the honourable member for his question and acknowledge his interest in this industry and his work with sections of the—

Members interjecting:

The Hon. LYNN ARNOLD: Well, the member for Gilles has been quite active in working with industry to promote their exports and their trade in wine. One could wish that other members would take an active role in helping industries increase their exports. I do thank the honourable member for his role in this regard. The facts are that the Government has been approached by the Australian Wine Export Council with its five-year plan which, as members know, aims to quintuple (and I seek the member for Spence's concurrence with that word) the level of exports of wine from this country by the year 2000. Indeed, between 1984 and 1992 we have had an 800 per cent increase in the level of wine exports.

When members of the Wine Export Council put this to me, they believed they could do that if there was a proper targeted approach to increasing overseas sales. They had a plan that envisaged financial contributions from industry and the Federal Government's international trade enhancement scheme, as well as an injection of specific funding from the State Government. They aimed to directly increase sales in the United Kingdom, the United States, Japan, Sweden and Germany, and they are looking at having extra support for promoting the image of Australian wines overseas as well as the posting of people overseas to do that work.

I had that matter looked at by the Government, and it was quite clear—certainly following Arthur D. Little's own report—that this was an area to which we should be giving more attention. Therefore, the commitment I have made of $1.5 million to their overall export strategy is based upon the very principles that come through in the economic development plan announced by my predecessor on 24 June. I am pleased to note that members of the industry have been very pleased in their responses to that, indicating how appreciative they are of the support of the State Government in this area, and I can certainly assure them that this State Government stands committed to continuing to work with them to achieve the bold but nevertheless very realistic goals that the wine industry has set for itself.

COMMUNITY SERVICE ORGANISATIONS

The Hon. D.C. WOTTON (Heysen): What specific action is the Minister of Health, Family and Community Services taking to ensure that non-government community service organisations are able to continue to provide assistance to the disadvantaged at a time when that assistance is most needed? One such organisation, the Society of St Vincent de Paul, has informed me that last Friday 120 calls for assistance were received, the largest number ever received by that agency in this State. It has experienced increases of more than 10 per cent each month since July, and this month up to and including last Friday 802 calls for help have been received. Other organisations have told me that they are facing extreme financial difficulties because of the huge demands being placed on them. St Vincent de Paul, without any financial help from this Government, is now having to purchase 80 mattresses a month just to satisfy urgent basic needs.

The Hon. M.J. EVANS: The member for Heysen quite correctly refers to the efforts of the voluntary sector in this context, and I know that all members appreciate the way in which our voluntary sector in the community comes to the fore at times such as this—economic hardship—and is able to provide individuals and families in the community who may be in desperate need with considerable assistance. I know that all members on both sides of politics will strongly support the efforts those organisations make.

However, as the honourable member says, quite correctly, Governments are not in a position to do everything in this respect. They require substantial assistance from the voluntary sector, and we do, in fact, receive it, as the honourable member said. The way in which the Government is able to help those organisations, whether in terms of family and community services or health, is through assistance with direct cash contributions. It is much better that those organisations should spend the money and do so in a way which is directly accountable to the local community and which directly meets local needs.

Obviously, the Government will do whatever it is able to do in the context of its budget, and the details of that were discussed during the Estimates Committees, but the Government is not able to offer the voluntary agencies enough funding to provide for every need that they will address. I realise that; that is obviously something that both they and the Government face every day. The funding that is provided goes a long way in that voluntary sector. I know from my own experience that the grant organisations at Elizabeth and Salisbury community are able to assist. Obviously, I will take on board what the honourable member has put to the House today and examine those services, but I believe he will find that the funding is already at the limit and that there is little that can be done additionally to provide those voluntary agencies.

SPEED CAMERAS

Mr ATKINSON (Spence): Will the Minister of Emergency Services advise the House whether it is the policy of the traffic infringement notices section of the Police Department to issue two separate expiation notices for exceeding the town speed limit in respect of offences occurring in the same minute on the same stretch of

road? A West Croydon motorist has approached me about two expiation notices he has received for exceeding the speed limit. Both alleged offences were detected by speed cameras and each expiation notice alleges that the offence occurred at 4.18 p.m. on 11 August 1992. The motorist was first detected by a speed camera on Hackney Road whilst driving north and then by a speed camera on Robe Terrace, which is an extension of Hackney Road on the north-west ring route.

The Hon. M.K. MAYES: I thank the member for Spence for his question. I have sought and received a response from the Commissioner in relation to this incident, and I am more than happy to convey it to the honourable member and to the House.

Mr LEWIS: On a point of order, Mr Speaker, given that the Minister has just stated that he had foreknowledge of this question, it is out of order. This is for questions without notice.

Members interjecting:

The SPEAKER: Order! I draw attention to the custom and practice in this House whereby members from both sides give pre-warning to Ministers to make sure they get a full and practical answer to a question they ask. I do not believe it is out of order.

The Hon. M.K. MAYES: Again I thank the member for Spence, because this is of interest to the general community. The circumstances surrounding the issuing of these notices revealed that cameras were approximately 1.5 kilometres apart on the north-west ring route. Given the closeness of the units and the fact that the time on each clock within each unit is set manually, it is feasible that both expiation notices show the same time. For those reasons, the question of policy raised by the honourable member is not at issue in accordance with the assessment made by the Commissioner. There can be no doubt that this vehicle was detected at separate locations as indicated by each notice.

As far as policy is concerned, the Commissioner is clearly of the view that there is no question that there is an overlap in relation to these two detection cameras involved. I guess from the point of view of the Commissioner and certainly of the member for Spence, the issue has not caused any conflict in police policy.

Mr BRINDAL (Hayward): Will the Minister of Emergency Services inform this House how many motorists were wrongly reported for speeding offences as a result of a speed camera located on Diagonal Road, Somerton Park, on 16 September this year, and what assurance can he give motorists that similar errors have not been made on other occasions? At the weekend, the member for Goyder raised the case of a car owned by a woman aged 70 that was detected travelling at 118 kilometres per hour on Diagonal Road, Somerton Park at 4.26 p.m. on 16 September. Police and road transport advice is that Diagonal Road at that hour is congested with traffic and that, unless the whole traffic flow was at that speed, it would be difficult to achieve it.

I have now received correspondence from another motorist who was also reported on the same day, at the same location, travelling at the same speed of 118 kilometres per hour. The offence was clocked at 4.41 p.m., 15 minutes after the case referred to by the member for Goyder. The vehicle in question was a Telecom van and, after Telecom received an expiation notice for $210, the driver of the van was called before his superiors to explain. He was highly embarrassed and feared that he would lose his job or be demoted. However, the Police Department has now admitted that it made an error in issuing this fine, making it two serious faults in this camera in the space of 15 minutes. I am prepared to provide the Minister with documentation about this case if he wishes it.

The Hon. M.K. MAYES: I anticipated that the honourable member might ask this question of me. Of course, it is of interest to the community. Accordingly, I sought a report from the Commissioner in relation to the incident. I will undertake to obtain for the honourable member and the House a comprehensive—

Members interjecting:

The Hon. M.K. MAYES: I do not know whether you can hear this, Mr Speaker, but I cannot hear myself speak.

The SPEAKER: Order! I ask the House to come to order.

The Hon. M.K. MAYES: The response indicates that the operator of that particular speed camera equipment noticed no abnormality at the time. As a consequence, however, the prosecution services decided, in the interests of absolute fairness and due in part to the circumstances peculiar to the matter at that time in relation to Diagonal Road, to withdraw the infringement notice.

In relation to the operation of the cameras, AWA Defence Industries, the manufacturers of the speed camera equipment used by the South Australian Police Department, has advised that its radar units are designed in conjunction with its recommended set-up procedures to exclude readings that result from any accumulation of readings from one or more vehicles. Furthermore, all operators of speed camera equipment have been trained in the correct set-up and operational procedures, and the units are tested both before and after traffic monitoring is undertaken at a location.

I will obtain the information for the House, but obviously the police are satisfied with the process they followed. Where these situations occur, obviously it is in the interests of the person concerned to raise the matter with the Police Prosecutions Branch.

GRIEVANCE DEBATE

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

The Hon. J.P. TRAINER (Walsh): In the time I have been in this House, I have usually tried to avoid making speeches that are drab, colourless and boring, and as a result I attracted some controversy last weekend in the *Sunday Mail* where one person suggested that I misused parliamentary privilege. However, a check of my remarks would indicate that, in contrast to some of the rather unfair and harsh words that have been directed at me personally, I said nothing harsh whatsoever about any individual. As a result of that article, I directed the following correspondence to Mrs Joy Baluch, Mayor of the City of Port Augusta:

Dear Mrs Baluch,

Judging by your comments as quoted in yesterday's *Sunday Mail*, I believe you may not have been made fully aware of my brief remarks in Parliament which:

(i) indicated that I did not appreciate the threats of Mr Drogemuller against MPs who might try to oppose the demeaning topless waitress trade;

(ii) expressed the view that the practice was rather distasteful and, by inference, that it was demeaning to women and to men;

(iii) acknowledged that there was nevertheless a civil liberties viewpoint that women who insisted on working topless might have a right to do so; but

(iv) qualified that viewpoint with an insistence that entertainers should be paid as entertainers, and that it was economic exploitation to pay barmaid rates to barmaids (or waitresses or waiters) acting as topless entertainers.

A copy of the preliminary *Hansard* report is enclosed so that you can verify that the above four points constituted the bulk of my remarks, and are not demeaning to women. Indeed, it should be quite clear that I was opposing a practice that is demeaning to women and exploitative.

I would be surprised if you did not basically agree with me on most (if not all) of those four key points, and I suspect that you may have responded in innocent indignation to what was related to you over the telephone by a *Sunday Mail* reporter seeking to add extra colour to his report. In those circumstances, you might consider retracting your description of me. It would be appreciated if you could see your way clear to do so.

I will not make any comment about the public record of remarks made by the person to whom that correspondence is directed—it speaks for itself.

I entered the debate on this particular subject after having been provoked by the threats of Mr Drogemuller, and my viewpoint is now roughly equivalent to that which was expressed in the *Advertiser* editorial of 8 October; a viewpoint which seems to be slightly different from that of some other media outlets which have a viewpoint more akin to that on page 3 of a British tabloid. In an editorial entitled 'Bar workers should not be sex objects', the *Advertiser* states:

. . . it is quite appropriate for the Liquor, Hospitality and Miscellaneous Workers Union to have struck a deal with industry representatives to ban bar workers being employed on the basis of their willingness to work with no clothes on. The Industrial Commission has ratified the agreement and hotel owners who want to flout it do so at their peril.

That is not to say that women who want to work topless or naked in some job specifically dependent on their willingness to do that, as a stripper, for example, or a nude dancer, should not be allowed to accept such employment. There will still be those who oppose such an obviously exploitative working environment, and will lament the fact that to a certain extent such women degrade not only themselves but all women. But if that is what they choose to do there should be no law to stop them.

The article continues:

It is appropriate, however, to impose standards of employment for bar workers which ensure that opportunity is based on ability and merit, not on the willingness to pander to others' sexual needs.

The editorial concludes:

It is entirely inappropriate for employers to expect bar workers to double as sexual fantasies in the flesh.

The current rate for a competent casual food and beverage attendant is $13.83 an hour. I understand that entertainers can receive as much as $25 an hour, a rate roughly double that which is paid to a waitress. Entertaining in that form is a specialist role that requires specialist pay. Waitresses should not be expected to enter that field of employment with those specifications laid down.

I conclude by saying that Mrs Baluch ought to reconsider her remarks. I will continue (most of the time) to avoid making drab, colourless and boring speeches and, now that I have been stirred by Mr Drogemuller, I will continue to oppose this trade which is so demeaning to women and which can lead to harassment of the female work force in the hospitality industry.

The Hon. D.C. WOTTON (Heysen): Earlier today I asked the Minister of Health, Family and Community Services what specific action the Government intended to take to ensure that non-government community service organisations are able to continue to provide assistance to the disadvantaged in this State. I was particularly keen to ask that question because at present there is obviously a greater need for that assistance than has been the case. I was disappointed with the Minister's response. I had hoped that the new Minister may have been able to provide this House with some suggestions for action that the Government and he, as Minister, might take. Unfortunately, that was not the case. It is not good enough for the Minister to stand in this place and say, 'Yes, we realise that things are bad, that the economy is not good.' We all know why this is so, Mr Deputy Speaker—

Mr Lewis interjecting:

The Hon. D.C. WOTTON: It is because of the financial mismanagement of this Government, which, as my colleague the member for Murray-Mallee states, has been in office for some 10 years, and we are reaping the consequences. As I pointed out in a question to the Minister, I have received a considerable amount of representation from a number of community service organisations that are facing extreme financial difficulties in continuing to provide assistance to the community.

I refer today, and I intend on other occasions to refer, to other non-government agencies facing difficulties similar to those of the Society of St Vincent De Paul. That organisation has informed me that it has experienced an increase of more than 10 per cent of people seeking assistance in each month since July this year. The number of calls for assistance for this month, up to and including last Friday, was 802, with Friday recording 120 calls, the largest number of calls for assistance ever received by St Vincent De Paul in this State.

Further, I am further informed that unlike other States this organisation receives no financial support from the Government and, because of the fall in donations as the times have become tougher, it has now become necessary for the society to buy items to provide for people's basic needs. For example, I refer to the purchase of about 80 mattresses a month just to supply the urgent needs of people in the community. The situation is serious. It is extremely serious in this State and the Government and, in particular, the Minister of Health, Family and Community Services must take some action to alleviate some of these problems.

The increase in calls for that organisation from last September to this September was 41 per cent. For the year ended 31 December 1991 the total number of calls for assistance received in Franklin Street was 13 185. However, the total number of men, women and children visited by the society as a result of these calls was 72 773, with over $250 000 being spent in assistance.

Because of the fall-off in donations as times have got tougher it has been necessary to purchase items to provide for people's basic needs. Purchases of these items have increased from $140 000 in 1989-90 to $163 000 in 1990-91.

While expenditure is going up at a considerable rate, donations and other revenue are not keeping pace; for example, for the years 1991-92 there was only a 10 per cent increase in receipts of the St Vincent De Paul centres or shops. The matter is urgent and, again, I would call on the Minister who has the responsibility for this portfolio, the Minister of Health, Family and Community Services, to advise the people of this State what action he and the Government intend taking to assist these organisations in the valuable work they carry out.

The DEPUTY SPEAKER: The member for Albert Park.

Mr HAMILTON (Albert Park): Going back prior to the last State election many people approached me and members of the Government, and I suspect members of the Opposition, about concessions for superannuants and people on part pensions. Since that time I have received many requests and in recent months some additional requests from pensioners in my electorate requesting fringe benefits for all pensioners. This month I have received correspondence from a constituent in Corcoran Drive, West Lakes. This is another such example, and the letter states:

> Following announcements in the recent Federal budget it is understood a new pensioner concession card will replace the existing pensioner health benefit card and the pharmaceutical benefits concession card. The plastic card to be introduced on 1 April 1993 will enable holders to have access to Commonwealth-linked concessions such as telephone allowance, concessional hearing aids and discount on national rail travel. In effect, this constitutes an extension of such benefits to those part pensioners who presently have no such entitlement.
>
> It is also understood discussions are continuing between Federal and State authorities regarding the granting to all pensioners of State-based concessions such as rebates on council and water rates as well as discounts on electricity and gas charges, motor car registration and drivers' licences, etc., in order to achieve uniformity in all States. As a matter of interest it is believed some other States already conform to this arrangement. The attached copies of newspaper articles refer in part to those matters.

I refer to the *News* of Wednesday 6 May 1987 in the column 'On the political front' and headed 'Discount card could boost our pensioners'. The report states:

> The Hawke Government is examining the introduction of a senior citizens card to allow part pensioners access to discounts and concessions on a range of State and Federal services. The Labor Caucus has appointed a cross-factional committee to investigate the merits of the card which would give those not entitled to full pension benefits telephone rental, public transport and entertainment concessions. . .One of those Caucus committee members and member for Makin, Mr Peter Duncan, said he was enthusiastic about the proposal. . .

I also received a cutting from the *Australian Senior Citizen* headed 'WA seniors in fight for concessions', dated November 1989, and I continue to quote as follows:

> I have spoken to a representative of our Federal member, Mr Rod Sawford, who is more than hopeful that agreement will be reached in time to coincide with the introduction of the new pensioner concession card on 1 April 1993. My wife and I are part pensioners and are vitally interested in the outcome of the above negotiations, as no doubt are many other residents—

The writer then names the retirement village and the letter continues:

> Accordingly, we urge you to support the extension of the above-mentioned concessions and indicate so to your State Government colleagues. I would appreciate your comment on the submission.

The letter is then signed by my constituent. I have no problem in supporting that proposition. Although I indicated to the Minister of Health, Family and Community Services that I intended to ask a question, unfortunately Question Time ran out today but I hope that the Minister's staff will read my contribution because, given the issue of uniformity between the States, South Australian pensioners should be treated no differently from their counterparts in other States, be it Western Australia or wherever they may be.

I hope that the Government will see its way clear to proceed on this proposition, which has been a bone of contention for many years. Those people who have saved up for their superannuation ask why they should miss out when other people do not. One can understand the arguments both for and against this proposition and the reason why I have raised this matter in the House as I have done today.

Mr BRINDAL (Hayward): I rise today on a matter that I believe to be the most serious that I have discussed since I have been in this Chamber. It is the matter of freedom of religious practice. It is to allege that the Education Department of South Australia is currently or at least is in danger of discriminating against a group of people on account of their religious belief. I, for one, do not take any part in this, but solely the part that I believe should be taken by all members of Parliament, that is, to continue to stress the point of view that freedom of religious practice in this State is sacrosanct and that no Government instrumentality or agency should be allowed to interfere with the freedom of any person to practise their own religious belief.

Mr Atkinson interjecting:

Mr BRINDAL: In that context I refer to a group of people who have written to me called The Brethren. The Brethren recently gave evidence before the education select committee, and I think it was obvious to all members of the committee that their beliefs are such that it would be difficult to educate those children within our school system. The Brethren have a set of beliefs to which I am not a subscriber and which I myself would have difficulty accepting. But, nevertheless, I accept their right to practise their religion in their way.

Mr Atkinson interjecting:

Mr BRINDAL: I am appalled at the interjections of the member for Spence. He is very strong in defence of and discussing religious matters. I should have thought that when I am trying to make serious points about freedom of religion he would at least listen, as I have only five minutes to try to make my point. If he does not think that is fair, he had better learn that this Chamber is not a place for fools or people who want to carry on as he is now carrying on. It is the first time that I can say that I am disappointed in the member for Spence.

The Brethren, as I have said, would be a difficult group to educate in our schools and I in no way take their part against the Education Department in this matter. However, they have sought in years 11 and 12 to educate

their children through open access education, which is a viable alternative where the State cannot provide a system of education or the system of attendance at school is not appropriate. In that context I will give the Minister a report which the Brethren have submitted to me on systematic harassment of some of their children within our schools. Again, I do not blame the system for that. In all societies where people are markedly different, for centuries they have been taunted—

Mr Atkinson interjecting:

The DEPUTY SPEAKER: Order!

Mr BRINDAL: —and set apart and sometimes set upon by people who are not tolerant of people who look different, and in that context the Brethren sought to get exemption from attendance at school and to attend the Correspondence School. I believe they had a number of their students accepted this year and a number of others were put on hold pending investigations. Finally, the Brethren write:

> After nine months of interviews with departmental officers and interminable phone calls we were advised—

and it is important to note that the current charges for the Correspondence School are $185 per annum with $100 refundable and 15 children were put on hold and five were accepted this year—

> . . . including other non-refundable fees will amount to $3 300 per annum for SACE 1 . . .

Instead of being charged $185 plus $100 with $100 refundable the Education Department, under the signature of Mr Glen Edwards, Director-General of Education, on 20 August advised these people that next year they would be required to pay $3 300 for the privilege of not having their children in a local school. I think that is discrimination on the ground of religious practice. I rise to speak against it. I will certainly pass all documentation on this matter to the Minister and I seek the support of every member of this Parliament to have this matter addressed, because it is important not only to people like the Brethren but to people who are non Christians in our society who also seek a relevant education for their children.

Mr ATKINSON (Spence): In almost three years as a member of Parliament I have not encountered a local government decision of such naked selfishness and venality as Adelaide City Council's decision to close Barton Road, North Adelaide.

Mr Lewis: What about Unley?

The DEPUTY SPEAKER: Order!

Mr ATKINSON: The Adelaide City Council's decision is against the evidence, is retrospective, was made without natural justice or courtesy for the anti-closure case, endangers the lives of newborn infants at Calvary Hospital who, together with their obstetricians, need to be shifted to the Queen Elizabeth Hospital in an emergency, improves the residential amenity of Councillor Jaquie Gillen, who lives in Childers Street and who voted for the closure, boosts the value of real estate owned by the State member for Adelaide, who lobbied for permanent closure, forces all western suburbs traffic into the Jeffcott Street-Wellington Square bottleneck, ignores sensible compromises and an alternative solution, inconveniences thousands of people for the benefit of a dozen pushy snobs and obliterates from the map one of the main streets in Colonel William Light's street plan for Adelaide. I shall comment on each of these points in turn, but I think that I shall be able to deal with only the first today.

I do not dispute that before the 1987 closure some Ovingham motorists used Barton Road and Hill Street as a route to the central business district. This was because the quickest route to the city—Port Road—was not accessible to them owing to the northern section of Park Terrace not being connected to the southern section and Port Road. Worse still for residents of Barton Terrace West, they had to accommodate a busy traffic flow between the northern suburbs and the west. Vehicles would leave the Main North Road at the Caledonian Hotel and head west along Barton Terrace, then slip through Barton Road to Mildred Road, then cross over the northern railway line at North Adelaide station bound for the southern section of Park Terrace and Hindmarsh.

These two uses of Barton Road vexed those who dwell nearby. These were the two mischiefs that the closure was designed to stop. Two years and 10 months after the unlawful closure, the north-west ring route was completed with the bridge over the northern railway line at Bowden. This meant that there was no longer any advantage to Ovingham motorists in using Barton Road, had it been open. It also meant that no traffic between the north and the west would or could use North Adelaide. With the closure of the crossing at North Adelaide station within minutes of the opening of the ring route, no traffic of this kind could get into North Adelaide from the west or out of North Adelaide to the west.

In summary, the two objectionable uses of Barton Road that had prompted the city council to close it unlawfully in November 1987 have no longer been valid reasons since September 1990. Adelaide City Council ignored the evidence. It pretended that nothing had changed since 1987. The councillors reached a pre-arranged, selfish decision that took no account of the public interest. By embarking on the road closure procedure under the Roads (Opening and Closing) Act 1991, the council sought retrospective justification for a closure that the Supreme Court had declared unlawful in July 1990. All the maps and documents that the council produced were a fiction because each falsely assumed that Barton Road was still there. The council sought to evade the judicial power of the Supreme Court by a retrospective procedure.

The council pretended to be objective in its consideration of the closure. However, a council spokesman, Mr Tony Hitchin, gave the game away when, on 22 June, before the time for lodging objections had expired, he was quoted by the *Advertiser* as follows:

> Council spokesman Mr Tony Hitchin said the closure would go ahead.

I do not accept Mr Hitchin's explanation of this report because it is part of a pattern of biased and misleading conduct by councillors and staff. I shall continue my remarks on another occasion.

Mr BECKER (Hanson): I wish to express my concern about the management of the Adelaide Entertainment Centre. Whilst I was fortunate enough to attend the opening of 'Jesus Christ Superstar' on Friday evening, I was surprised that the concert started at about 8.20 p.m., about 20 minutes later than the advertised

starting time. I understand that the cast were still rehearsing up to about an hour before the commencement of the concert. A very tight schedule was undertaken in moving out the previous band, Red Hot Chilli Peppers, I think, which played on Thursday night to about 7 000 people, and there was a bit of loutish behaviour as well. One of the staff, unfortunately, was taken to the Royal Adelaide Hospital.

That type of behaviour by certain sections of our youth unfortunately is experienced at some of these rock-type concerts that we have from time to time, be it at the Entertainment Centre or anywhere else. It meant that many of the staff at the Entertainment Centre, because of the lateness of the departure of that band and all their equipment—sometimes four or five pantechnicons are required for all the equipment—were extremely busy. The staging and lighting of 'Jesus Christ Superstar' was outstanding, and it is no wonder it took several hours to unpack, erect and stage that concert.

I was disappointed that the patrons on that occasion were not advised of the reason for the late start. I was disappointed that at the beginning of the concert the sound was so loud that for the first time in my life I had to put my hands over my ears for at least half an hour before the sound got down to a level that I could tolerate. It is time we started to insist on very strict control of the noise level at some of these concerts. It was so loud that it distorted the words of the singers and it was very difficult to understand exactly what they were singing about. Of course, I knew what it was all about, but it did make it difficult.

It is also disappointing because we have spent some $55 million building and establishing the Entertainment Centre. It is disappointing that the Grand Prix Board has to take over and control its management, because I think it is a classic example of a Government enterprise that could be privatised; we could let the city's promoters operate it and manage it. It is disappointing that in the first year of operation the Entertainment Centre showed a loss of $201 000 and the establishment cost of some $5.3 million is not taken into consideration.

We either have these facilities and run them properly or we do not. This also highlights that we have the Grand Prix Board which, as I said previously, could probably operate for eight months of the year, and for four months we do not need the 28 staff employed there. If those staff were dismissed from their contracts we would need only a couple of junior staff to look after the office. I do not see why such expensive staff should be retained to look after the Adelaide Entertainment Centre. I think that when we are looking at the expenditure of Government funds we should look very closely at the talent we have in the city to operate and manage these organisations rather than to promote sideways public servants who have no idea or experience of what is going on. I think it is time that the Government took a serious look at its various enterprises and started discharging the responsibility of those organisations into the hands of people who are quite capable of looking after them, thereby saving taxpayers thousands of dollars a year.

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

SITTINGS AND BUSINESS

The Hon. T.R. GROOM (Minister of Primary Industries): I move:

That the time allotted for completion of the following Bills:
Animal and Plant Control (Agricultural Protection and other purposes) (Immunity from Liability) Amendment,
Fruit and Plant Protection,
Botanic Gardens (Miscellaneous) Amendment,
Local Government (City of Adelaide Wards) Amendment,
Ambulance Services,
Supported Residential Facilities,
Police (Police Aides) Amendment,
Statutes Amendment (Commercial Licences),
Summary Offences (Road Blocks) Amendment and
Equal Opportunity (Employment of Juniors) Amendment
be until 6 p.m. on Thursday.

Motion carried.

FLINDERS UNIVERSITY COUNCIL

The SPEAKER: I have received a letter from Mr Such resigning as a member of the Council of the Flinders University of South Australia.

The Hon. T.R. GROOM (Minister of Primary Industries): I move:

That Mr S.G. Evans be appointed to the Council of the Flinders University of South Australia in place of Mr Such.

Motion carried.

ANIMAL AND PLANT CONTROL (AGRICULTURAL PROTECTION AND OTHER PURPOSES) (IMMUNITY FROM LIABILITY) AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 13 August. Page 129.)

Mr D.S. BAKER (Victoria): The Opposition has looked at this Bill very carefully and it appears only to pick up an anomaly where those people who were carrying out spraying activities or staff of the commission could have been liable for prosecution or any indemnity that was incurred because of that spraying and most decidedly if legal action were taken by anyone. Of course, that is a situation we cannot allow to occur. In operations of this type we have always believed that liability should rest with the Crown. It is a minor amendment to the Bill. I believe that it should occcur forthwith and it has the Opposition's support.

Mr VENNING (Custance): I rise in support of the Bill. I want to preface my remarks by declaring my interest in this subject area. I was a member of the Lower Flinders Animal Plant Control Board for 10 years in the early 1980s and for five years I was Chairman of the board. I support the Bill. It is a very sensible move and probably very belated because the boards have always traded with this legal problem hanging over their head. It has been a problem since the legislation was first enacted. In fact, the commission has a very serious action before the courts at the moment against LePoidevin Industries. It has been going on for quite some time; it is very expensive and it is very much a locked in case. I hope

that in the future we will be able to give the boards and the commission further power to avoid these situations.

The Bill frees up anyone working with or for the board, whether that be the board officers, the contractors, council staff and so on, from any threat of legal action in the course of their duties; and in this case that means the spraying of leaves and the control of feral animals. Over the years we have seen resistance from uncooperative landowners, and the situation can get very nasty. Officers can now act with the protection of this legislation because previously, without this protection, in a very difficult situation sometimes individuals could have been sued and been held to be legally responsible. I take this opportunity to acknowledge and praise the work of Animal Plant Control boards both today and in the past.

I first started my involvement with the Weed Board. We have a big problem in this area in South Australia. The layperson in South Australia would have noticed how our roadsides not far from Adelaide were getting very much overgrown with weeds, particularly horehound, artichoke and onion weed. As one drives around now one can see obvious signs of control; the weeds are not there. It makes our countryside generally a much more pleasant place. When these boards were first established there was a fair bit of opposition. However, if one drives around now one can see that an Act of Parliament has worked and our board situation has been very good.

There are still some very bad areas out there, particularly in the pastoral areas. I do not think the boards' work will ever be completely done. The Willochra Plain is an area that comes to mind where there are hectares and hectares of boxthorn. It was difficult to police that immediately. I believe that the board, with the cooperation of landowners, will gradually get rid of this very bad feral tree which pollutes that lovely area. We have many onion weed exemption areas that were so badly infested with the weed that it was very difficult initially to expect landowners to undertake broad acre control. The eradication and control measures began on the roadsides, but in many council areas it has now been extended to include property inside a landowner's fences. At the time that was very controversial but it is now very much accepted. Officers who observe weeds through the fences can now inform landowners and expect them to control them. The precedents to this legislation were introduced in 1975, and this Act was proclaimed in 1986. As you may be aware, Sir, there were two boards prior to this board—

The SPEAKER: Order! I draw the attention of the member for Custance to the fact that the Bill is directed at liability in respect of employees and not amendments to the Act or the overgrowth of weeds anywhere. I ask the member to bring his comments back to the Bill.

Mr VENNING: I thought it was very relevant, because we are talking about amending the Act, and I was just telling members that we are now amending the Act again.

The SPEAKER: We are about to amend the Act in a specific way and these amendments are very specific.

Mr VENNING: I will obey your ruling, Mr Speaker. As I said, we have amended the Act several times. In 1976 the present board was formed by the amalgamation of two boards: the Vertebrate Pest Control Board and the Plant Control Board. Initially, animal and plant control boards met with a great deal of resistance, thus we need Acts such as this to give boards more teeth and to ensure safety for their employees. In many cases, they have gone in very softly because they have feared litigation. That is why we need Acts such as this. I have often wondered why it has taken so long; various people have been trying to solve this problem for about four or five years. But it is great that it has eventually happened. As I said, a lot of politics has always been involved. I do not know why, because there is agreement on this matter in this House. Persistence has paid off.

The benefit of the foresight of those involved in the 1970s is evident, particularly when we look at the problems encountered when officers have used poison, particularly for rabbit control. There is a strong legal connotation, and all sorts of people, particularly environmentalists, can say that damage might have been done by a person, negligently or otherwise, using such chemicals as 10-80. The rabbit problem has been very serious, but the control undertaken by the commission has been effective. The same could be said of dingoes. It says a lot for past planning that the resource is in place when it is most needed.

Board members, who are legally responsible, come from local government. In this regard, local government authorities do not have the resources to go to court for the various people involved. Once again, the umbrella protection of this Bill will free up the situation a lot. I want to put in a quick plug for further amalgamations of animal and plant control boards with soil boards. I note that the new Minister is present in the Chamber. Such action is relevant and big savings can be made. I welcome this Bill.

The Hon. T.R. GROOM (Minister of Primary Industries): I thank the Opposition for its support of this legislation. It tidies up an anomaly, and I know that the boards and the officers—the people carrying out the instructions of the board—will feel more confident about their powers and more comfortable with the amendment.

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

FRUIT AND PLANT PROTECTION BILL

Adjourned debate on second reading.

(Continued from 9 September. Page 562.)

Mr D.S. BAKER (Victoria): This Bill has been widely talked about in those areas where people have some concerns with it; in fact, it goes back to the original Fruit and Plant Act 1968 which, I note from the second reading explanation, had its origins in the 1880s. It is interesting that in the 1990s we are upgrading an Act that has origins going back that far. It is also pertinent to note that in 1990 we amended the Stock Act, which was subject to considerable debate in this House, and this Bill aligns the meanings and terminology under the Fruit and Plant Protection Act with those under the Stock Act. As speed is the essence of quarantine nowadays, it really just updates those Acts. I note that it also does some other

things as well: it repeals not only the Fruit and Plant Protection Act 1968 but the Fruit Fly Act, the Fruit and Vegetables (Prevention of Injury) Act 1927 and the Sale of Fruit Act 1915. These Acts do not apply in terms of packaging and handling these days, and this is a sensible way to go.

Although it is quite a large Bill, consultation with industry indicates there are few concerns, and I will take up those concerns in Committee. Clause 9 is modelled on the Stock Act, and subclause (1) paragraph *(a)* provides that one of the general powers of an inspector is to enter and search any land, premises, vehicle or place. The wording under the Stock Act is similar, except that it includes a vessel or aircraft. I will raise the matter in Committee, because in this day and age, if we are trying to quarantine fruit and plants, those two provisions should mirror those under the Stock Act.

The farmers' organisation is concerned that if the Minister—and I believe that it should be the Minister's right—does okay the introduction into this State of questionable plant or fruit material for scientific purposes, the Crown should be liable for any ramifications after that introduction, that is, for any compensation that might have to be paid if something goes wrong. It is very reminiscent—and I do not know whether it was debated in this House—of the debate that we had many years ago when the animal health laboratory was being set up at Geelong; foot and mouth material was to be introduced into Australia for experimental purposes in a very strict environment, but the Government had to guarantee that, if anything did go wrong, in the interests of Australia, the clean-up would be carried out swiftly, promptly and, of course, at Government expense. I think that is a reasonable course of action, although I do agree that the Minister should have the right to okay the introduction of any such material for scientific purposes. There has been a long period of consultation with the industry. In Committee we will raise questions about those clauses to which I have referred and several others, but we support the Bill.

Mr LEWIS (Murray-Mallee): I have no difficulty with the legislation, but I wish to note a few things it does. Members will note from schedule 1 that four Acts are to be repealed. The two to which I will refer in the first instance are the Fruit and Vegetables (Prevention of Injury) Act and the Sale of Fruit Act 1915. From the outset, as members would know, but as I might be required to declare, I still have an interest in these matters. I was formerly engaged as a market gardener and, before that, I was engaged as a fruit inspector. I spent most of my early life involved with the production of high vitamin concentrate fruit and vegetables. Indeed, it was the major of my preoccupation academically in my first discipline—horticulture.

The importance of this legislation in repealing those two Acts is that, by omission, not commission, it is inadequate. The present practice, since the repeal of those parts of the legislation that covered grade standards, has left the public in a quandary as to what it can or cannot do and may or may not expect from people who are selling to them their daily or weekly household requirements. Terminology that had explicit meaning in law for many years since early this century was simply left to the use of the vendors or retailers at whim, and could mean anything. So, in the first instance, my remarks are about truth in labelling and advertising.

It ought to be possible for members of the general public to know that certain words used to describe grades and standards of quality do have an explicit meaning in law. Then, if growers and retailers—indeed, anyone involved in the industry—wish to use those terms, the consumer public will know what they mean and can rely on their being able to obtain that standard of quality or grade in terms of size as well as freedom from disease and other faults. Why we ever wrote that out of the statute is beyond me.

I now know that the Government is yielding to pressure from a specific interest group involved in what we would all generally describe as organic farming practices to have grade standards and trade descriptions introduced in law for its produce. If the Government is yielding to that, it ought to recognise at the same time that the public are generally concerned about the standard, the grade and the quality they are buying when it is described by vendors, whether at wholesale or retail level, as 'choice', 'first quality' or a given size; they should not find to their dismay, when they get the produce back to their shop to sell or when the customer gets it home from the shop to consume, that it does not have what they expected of it when they saw that description.

We do not need a great bureaucracy or a huge number of inspectors running around the State examining displays to see that they comply with the law. We should simply provide in law, as we do elsewhere, that consumers' interests are protected to the extent that, if there is a complaint that the grade fails to comply with the standard set down in the law, the consumer who complains to the authority can have that complaint addressed by the vendor, the wholesaler, the retailer or whatever other interest is involved. When a consumer has complained, an inspector knows immediately that something must need investigation and checks it out. We make such requirements in relation to children's clothing, foodstuffs in cans, frozen goods and so on. We require certain grade standards in pre-packed meat. For God's sake, why can we not have it in terms of the fruit and vegetables that we buy from our shops? That is the nub of my contribution to these measures which repeal those four Acts, two of which are related and which ensure that the public in some way or another can rely upon the quality being as per the description.

The other two Acts involved are the Fruit and Plant Protection Act and the Fruit Fly Act 1947. In earlier times, South Australia was isolated from other places by virtue of its distance from them. We have a desert on our western boundary; the cool temperate species of birds do not fare well in deserts and find difficulty crossing it, as do plant diseases of those commercial species we use for fruit and vegetables. To our east, there was a large area of uncleared native vegetation which was very hostile—an alien habitat for the diseases of the exotic species that we farmed, and that insulated us against the risk of infestation.

For instance, as members will recall, it protected us from the ravages of phylloxera, and it established South Australia as the premier vine and wine producing State,

or province as it was then, in the entire country before it was a nation. We did not get phylloxera in South Australia. However, it did devastate the vineyards in the Ovens Valley, Rutherglen and around the Great Western area of Ararat in Victoria, as well as those in other places in New South Wales, where a fledgling industry had become established. We were very fortunate indeed, because it left us with our industry intact and markets which otherwise would have been denied us became available. It enabled us to expand our industry. Our forebears wisely concluded that we should protect our freedom from disease following that outstanding illustration of the benefit of doing so. That is where these ideas came from in law.

Over the years we have enjoyed the ability to sell fruit with photo-sanitary certificates upon which the rest of the world could rely and which stated that we were free of disease. Other States in the Federation were unable to do that, and still are. Without such protection as is now embodied in this legislation and was previously embodied in the legislation it repeals, we would lose what we have. We need to protect it. The general public needs to understand how vital it is to the survival of our horticultural enterprises that they do not have to suffer the disadvantage of controlling a disease which would otherwise make them unprofitable. There is no additional cost to disadvantage our producers, so therefore we do not need to use any treatment or chemicals for those diseases.

It not only keeps costs down but in the new international marketplace enables us to specify that it be free of the chemicals that would otherwise have been needed to control or eliminate that disease from the product. That provides an additional market edge for us: it gives us the opportunity to get a premium on that product wherever we sell it. So, I am pleased that we have retained that in legislation and also that other members in the Chamber indicate their support for doing so, but I trust that they understand the very substantial significance of that industry to the people involved and to our prosperity as a State.

Let me conclude by saying that from less than one-fortieth of the area under cultivation in South Australia comes more than one-third of the value of rural production—that is its significance. Some members who represent electorates on the northern Adelaide Plains would understand what I am talking about if they, like the member for Chaffey and the member for Victoria, had taken the trouble to listen to what their producers are telling them. In this day and age of rapid travel and greater ease of transmission of disease, there is less security. The public needs to be constantly reminded of the benefits that legislation of this type brings to our society as well as to the industries it protects.

The Hon. P.B. ARNOLD (Chaffey): I would like to support the remarks of the member for MacKillop and the member for Murray-Mallee that the value of horticulture to not only South Australia but all of Australia is greatly underestimated by the public at large. That is partly due to the fact that horticultural industries are so diverse, unlike wheat and wool, which are separate industries. The comment of the member for Murray-Mallee that the value of horticulture in South Australia amounts to about one-third of the total agricultural value in this State is correct. As I have said, it is unfortunate that this fact has never been recognised.

If we look at the whole of the production of the Murray-Darling Basin in relation to agriculture and horticulture, it makes up an enormous part of the income of this nation. I was a little concerned when I saw that the new Bill would also repeal the Fruit Fly Act, which was an extremely important piece of legislation. I believe it is adequately covered in the new legislation; however, that Act identified fruit fly as a very significant problem in this State, sufficient to have its own Act. Not long ago we had arguments in this House over the retention of the Yamba fruit fly road block to the east of Renmark, which intercepts fruit coming from the Eastern States. Of course, there was outcry from the fruit growing industry when the Minister suggested closing down the road block at Yamba, indicating that it was no longer necessary. The Government had little alternative but to act appropriately, which it did, and the Yamba road block is still there carrying out a very important function.

The fact that I have been involved in the horticulture industry all my life is probably part of the reason for my having a very real interest in this piece of legislation, together with the fact that a very large percentage of the Riverland's income is derived from horticulture. I had the privilege for a number of years of being involved with the provisions of the Phylloxera Act, to which the member for Murray-Mallee has referred. Of course, one can never say with absolute certainty that this legislation kept South Australia free of phylloxera for all these years, but one could not run the risk of not having that legislation or of doing away with it in case phylloxera established itself in South Australia. It may be that, as in some other parts of the world, because of our soil and climatic conditions phylloxera has not established itself in this State, but it was a risk we could not take and it was necessary to maintain strict regulations on imports of new vines into South Australia. I think that legislation has served us well. I note that under the new Bill the Phylloxera Act remains—the new Bill merely makes appropriate amendments to it. However, my main concern is that the provisions of the Fruit Fly Act are adequately covered to ensure that we do everything conceivable to make sure that we keep fruit fly outbreaks in this State to an absolute minimum.

A great deal of attention has been given to clause 9 of the Bill, which provides the general powers of inspectors. The only way in which the legislation can work effectively is if it is adhered to, and I believe it can be controlled only through inspectors. Over the years, regarding other pieces of legislation there have been instances of over-zealous inspectors. I am pleased to see that the drafting of this legislation incorporates what we on this side of the House refer to as the Gunn amendment, which provides some control over inspectors who become a little over-zealous, arrogant and in some instances abusive, by setting down a penalty where inspectors overstep the mark by using abusive language or threatening people, particularly on their own private property. In such instances, an inspector can be convicted of an offence under clause 9. By and large, I believe the new Act will meet the needs of South Australia and fall

more into line with the rest of Australia. I have much pleasure in supporting the Bill.

The Hon. T.R. GROOM (Minister of Primary Industries): I thank the Opposition for its support of this legislation. South Australians have been well catered for in respect of various measures, particularly fruit fly campaigns, which have been well refined since their introduction more than 40 years ago. Members opposite have been very vigilant in their support and policing of the Bills to be repealed and have accumulated a considerable amount of knowledge on this legislation which repeals a number of previous Bills, and I thank them for their support. The member for Victoria adverted to clause 9. If the honourable member looks at the definition of 'vehicle' under clause 3, he will find that the point he raised is covered.

Bill read a second time.

In Committee.

Clauses 1 and 2 passed.

Clause 3—'Interpretation.'

Mr D.S. BAKER: Regarding clause 9, I agree with the Minister that 'vehicle' is described as an aircraft or vessel. However, when Bills are being prepared, I wish there could be consistency between legislation. The Minister's second reading explanation indicates that these provisions are similar to provisions in the Stock Act and I believe there should be consistency in drafting these provisions.

The Hon. T.R. Groom interjecting:

Mr D.S. BAKER: I thank the Minister for pointing out the inclusions in the definitions, but I wish we could have consistency through Bills, starting in their preparation.

Clause passed.

Clauses 4 to 12 passed.

Clause 13—'Prohibition on introducing or importing fruit, plants, etc. affected by disease.'

Mr D.S. BAKER: Subclause (4) provides:

> The Minister may, for the purposes of furthering agricultural interests, scientific research or the biological control of a disease, by notice in writing, exempt a person from complying with this section subject to the conditions set out in the notice.

If something does go wrong, do ultimate liability and compensation rest with the Crown when the Minister has given his blessing to the introduction? We need clarification from the Minister.

The Hon. T.R. Groom interjecting:

Mr D.S. BAKER: After the Bill becomes an Act, will the Crown be responsible if something goes wrong when the Minister has given notice in writing under subclause (4) for an exemption to import plant material for scientific or other purposes? If something goes wrong it could be detrimental to the whole industry in South Australia.

The Hon. T.R. GROOM: If the honourable member is talking about sterile fruit fly, the Crown would be liable.

Mr D.S. BAKER: It is not only that: I refer to the introduction of any disease, fruit, plant, soil, packaging or material into this State. The Minister gives an exemption to bring that material into South Australia for scientific purposes and there could be a problem.

The Hon. T.R. GROOM: If something went wrong and the exemption was improperly given, liability would rest with the Crown.

Mr D.S. BAKER: That is exactly what I wanted to get from the Minister.

Clause passed.

Clause 14—'Quarantine areas.'

Mr S.G. EVANS: Although there might be a more appropriate clause on which to raise this matter, I will try here. We are talking of declaring certain areas quarantine areas. Is that a private or a Government operation? I believe under certain conditions people can grow or propagate plants that have been brought from overseas in a specified construction on their land. In the floricultural area I know of a person growing or propagating tulips, after having brought them in, in a certain type of insect-proof container. That is in a small area and probably this clause deals with larger areas but, as the Minister has an adviser with him, I raise my concern about a type of blight in chestnuts that occurs mainly in Oregon and Japan. People have been importing plants from another American State to South Australia and there is a risk of the blight coming here. In Japan that blight has been killing all the eucalypts.

Although this matter may not relate directly to this clause, it provides an opportunity to refer to such areas. People may import plants from California, but the original area of propagation may have been Oregon, where they have this blight, and it could lead to a disaster for our eucalypts if the blight were introduced here. There is a great risk involved. Therefore, are the quarantine areas a departmental matter? Is it a Federal department or is it just a State operation with someone in the backyard having small areas such as the one I knew of three years ago in respect of tulip bulbs?

The Hon. T.R. GROOM: Federal legislation would control importation from overseas. Once it gets here it is a State controlled operation. The declaration by the Minister of quarantine areas under this clause and the imposition of disease controls are provisions taken from the current Act, but the delineation of responsibility is obviously importation from overseas and is controlled by the Commonwealth under its legislation. Once it is here within the confines of the State, it is purely covered by State legislation and I, as Minister, can declare quarantine areas within the State.

Mr S.G. EVANS: I thank the Minister for that, because it allows me to express my concerns about the blight that may end up in our eucalypts, and I wish to express my concern about that.

Clause passed.

Remaining clauses (15 to 30), schedules and title passed.

Bill read a third time and passed.

BOTANIC GARDENS (MISCELLANEOUS) AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 13 August. Page 130.)

Mr OSWALD (Morphett): The Opposition supports the Bill but will be moving several amendments in

Committee. I refer members to the amendments that have been circulated. In some respects the Bill provides minor changes to the Act and it is proposed, among other things, that a reference to the State Herbarium will be included in this measure. It is interesting to see what the gardens have done with the State Herbarium. It is something of which we can all be proud. The board and the staff have done an extraordinary job in bringing the herbarium to the world standard that it is. In one of the annual reports from the Botanic Gardens, there is a reference to the objectives of the herbarium. As these will be incorporated in the Bill, I thought that I should briefly refer to the objectives, as follows:

The objectives are the scientific and applied study of plants, both native and exotic. It requires that species be correctly named. It is necessary to know the distribution of native plants in the State for conservation, agricultural and industrial uses. The study of taxonomy and distribution of plants is undertaken by means of field collections, research and curation of dried reference specimens in the herbarium. Each State carries out this work on a regional basis and cooperates with the others to pool the information on a national basis. The need for tertiary botanic training and taxonomy also exists, and this is serviced by the herbarium. The collection and curation of species of freshwater and land plants and fungi of South Australia assists in providing a public identification service for native plants, the establishment and maintenance of correct identification of native plants in South Australia, the publication of identified manuals of State flora and in related research matters.

I think we can be proud of the herbarium and the Director and staff of the Botanic Gardens for what they have created. I applaud them for attempting to bring it in as part of the Bill and of the Botanic Gardens Act.

There are many references in the Bill, some of which I shall refer to but others do not need reference. There is a reference to 'accumulate and care for specimens, objects and things of interest in the fields of botany, horticulture, biology, conservation of the natural environment or history.' We shall be moving a small amendment to that clause. I think that the member for Murray-Mallee would like to make a contribution on this because, to be fair to him, it was his proposal to insert the words 'whether living or preserved.' Inserting those words into the Bill allows the Botanic Gardens to become involved in what could be established as a bush tucker collection in South Australia.

I understand that it is a discussion or debate between botanists over the form of the words, but in the Bill, which refers to the accumulation and care of specimens, it is believed that inserting the words 'whether living or preserved' will enable the gardens to establish a bush tucker collection which could be innovative for South Australia. We have seen on national television the bush tucker collections from the Northern Territory. If it were possible for it to happen in South Australia, I believe that members should and would be happy to support it.

The next part of the Bill which deserves some discussion is participation of the board in commercial activities, including consultancy services, and 'to propagate and sell hybrids or cultivated varieties of plants . . . including by way of joint venture or partnership with the owner or operator of a nursery business' and also to undertake the sale of knowledge. Initially, this clause caused some concern to the Opposition. I have had assurances from individual members of the board that the gardens are involved in the production of certain species and varieties of plants which are basically not available elsewhere. As they are not available elsewhere, the gardens undertake the sale of those products. If it is only under those conditions that the gardens operate, we do not have any great difficulty with that at all. There was a time at the Black Hill Conservation Park when the Department of Woods and Forests got heavily involved in the production of various plants and species and set up in direct opposition to the private sector.

Once again, we have had assurances from the gardens that it is not its intention to compete with the private sector. So that the House can rest assured that there is no technicality there, I think we can easily accommodate the concerns expressed by inserting a clause which will not cause offence to the gardens about their present operation and which will tie it up once and for all. Therefore, I would propose that we amend this clause by restricting the gardens to the sale of products provided that they are not commercially available in the State. That means that, if the gardens are producing a species that is readily commercially available from some other source in the State, it would be inappropriate for the gardens to start competing with the private sector. However, if the product is not commercially available elsewhere in the State, we would have no difficulty with the gardens being involved in the sale. I will explain that more when we get into the—

Members interjecting:

Mr OSWALD: I will come to that very shortly. The Bill clarifies the manner by which the board may charge entrance fees into the various parts of the gardens and to waive or reduce fees where appropriate. There was some concern about the charging of fees to enter the gardens. We have it on the record that the board does not intend to charge entrance fees into the gardens, although some fees will be charged for entrance into the conservatory.

The most contentious clause that we shall have to debate relates to parking regulations. One of the clauses allows a code of parking to be included in the regulations similar to the local government parking scheme whereby machines will be placed around the Botanic Park which will enable visitors to park but, by doing so, they will have to pay, whereas in the past they have not had to pay. I think there will be a considerable amount of debate over whether people should be required to pay to park in the parklands.

There are some precedents for that. If one visits the Adelaide Show, one has to pay to park in the parklands; and if one visits the Victoria Park Racecourse, one again has to pay to park in the parklands. I do not think it is unreasonable to ask visitors to the Botanic Gardens or the zoo to pay some form of charge to allow the gardens to recoup some revenue for the conduct of the gardens and also to curb those who persist in parking there and then walking up to the university, the Royal Adelaide Hospital or the eastern central business district of Adelaide. We have to accept that it does happen. I know there is a philosophical problem with charging to park in the parklands, but in the circumstances that have been put forward we could probably live with it.

It is interesting to note that the numbers of car parks since 1986 have been reduced. There were 557 car parks available then; there are now 453 car parks proposed. By realigning the cars on a 90 degree angle to the kerbside where they line up side by side instead of end to end, the

amount of kerbside which is devoted to car parking space has been reduced.

There will be some discussion about the design of the car parking spaces. I know there is some concern about damage to tree roots. However, I trust that, being the Botanic Gardens, they have experts on trees and that there will not be any damage to the trees. We are talking about an interesting part of the parklands. It is an area with a history going back to the days of early settlement.

The first Salvation Army service in Australasia was held in the Adelaide parklands over 100 years ago. I recall that in the mid 1950s when I was a young fellow I was taken to a corner of the parklands and saw politicians speaking from tree stumps. Those who are a bit grey around the temples will recall the early days of D.A. Dunstan when he was in full flight down there; I well recall those days. I also recall other prominent politicians who went before D.A. Dunstan. I was taken down there by an aunt who was absolutely rapt in this young Dunstan and saw a great future for the man. Of course, she was perceptive enough to know that he had a great future in Labor politics.

It was interesting to see people cut their teeth in politics standing on those stumps in the Botanic Park. I guess it would have gone on for many years but for the advent of black and white television, which was introduced in the late 1950s and early 1960s, when members found they could go down there on a Sunday and talk to 20 people or go on television and talk to several thousand. It was an entertaining Sunday afternoon to go down there with a deckchair and listen to your peers heckle the speakers. We lost that bit of flare and colour when black and white television came along. I digress, but it is an interesting part of the parkland's history.

Another interesting issue will come up, not in the debate tonight by means of amendment, but I flag it for the benefit of the Minister and the Botanic Gardens Board. They will have to consider the question of the traffic regulations that we propose to give the board the power to implement. In fact, a couple of anomalies already exist. It is quite clear from the plans already put forward that we are not talking about just the traffic along Plane Tree Drive and Botanic Gardens Drive itself—we are also talking about additional parking on Hackney Road and in front of the Goodman Building. With respect to the strip of land adjacent to Hackney Road where angle parking is allowed, it has been pointed out to us that the fronts of the cars are parked on Adelaide City Council land and the rears of the cars are parked on St Peters council land.

An honourable member interjecting:

Mr OSWALD: Yes, I have indeed; he has written to us. I guess that matter has to be resolved by the gardens in the alignment of these car parks. I am pleased that Government members are aware of this, and I trust that the board by now, through Mr Howie, is also aware of it. He has also raised the issue of parking controls under the Minister of Transport. Parking provisions will have to be taken out of the Local Government Act. Members opposite are already interjecting, so I will not go into Mr Howie's comments any further because I have no doubt that by now they would be well and truly recorded by the Government.

In summary, the Opposition supports the Bill but it will be proposing three amendments. The first seeks to insert the words 'whether living or preserved' in respect of specimens to enable us to establish a bush tucker collection here in Adelaide. There is also the matter of tidying up the ability of the board to sell its products so it cannot compete with the commercial market. In other words, if a source is commercially available and being sold in South Australia, the board should be precluded from entering that market. At the moment I do not believe that is the case, but I will seek to amend the Bill to tidy up that provision.

The last amendment relates to parking meters. I intend moving an amendment that will allow the hours on meters to coincide with the hours on the Adelaide City Council meters; in other words, the board will not be allowed to operate the parking meters on Sundays or public holidays. I think it is important that we respect the fact that basically it is still the parklands. There are concerns amongst the public in respect of charging a fee for parking in the parklands. If we recognise in the legislation that the restrictions should not apply to Sundays and public holidays, we will have picked up the board's problem where people park in the parklands and walk into town, the university, the hospital or elsewhere, and it will mean that those people have restrictions placed upon them. I do not think it is unreasonable to ask all members to support the amendments in the Committee stage.

The Hon. T.H. HEMMINGS (Napier): I rise to support the Bill, not for the simple reason that it has not been amended since 1978 but primarily because the changes that will result from these amendments will be for the benefit of not only the people of South Australia but also the board itself in the way that it administers this particular jewel in the crown of our State. I was brought up with Kew Gardens, a great botanic garden in the United Kingdom. In fact, it was a regular Sunday treat to go to Kew and to enjoy the pleasant idyllic surroundings of all examples of—

Mr Ferguson interjecting:

The Hon. T.H. HEMMINGS: Well, the member for Henley Beach asks whether I visited the Australian hothouse. I did and, in fact, my wife and I have often talked about what single event prompted us to make this great journey of over 12 000 miles in the old scale—I have never worked it out in kilometres—and I put it down to the yearnings I used to have when I visited the Australian hothouse at Kew.

Mr Ferguson: Did you propose to your wife there?

The Hon. T.H. HEMMINGS: Where I proposed to my wife is a secret between my wife and me. If you come to me later I might tell you, Sir, but I will not tell the gentle readers of *Hansard.* I digress. Having been brought up visiting Kew Gardens, it was a pleasant surprise when I visited the Adelaide Botanic Gardens in Adelaide in my very early days here. In fact, it was 1964 and I was staying at Elder Park Hostel waiting for the allocation of the house which I was to purchase at Elizabeth. I was struck by not only the beauty of the place but the obvious pride of those people whom I saw there. The gardens have gone from strength to strength. Even in my busiest moments, when the pressure of work

has been almost too much, I have always found time to visit the Botanic Gardens to get back to what it is really all about.

Having placed on record my obvious support for the Botanic Gardens, I would now like to talk about particular aspects of the Bill we have before us. I do not wish to incur the wrath of the member for Morphett, but it is this fixation that he has with car parking that I find rather puzzling. If I were a member of the Botanic Gardens Board reading the second reading contributions of members of this Chamber and I looked at what the member for Morphett said in relation to car parking, frankly I would be amazed, because the member for Morphett has the temerity to tell the board that, if it allowed angle parking in a certain way or changed it in another direction, it could get so many more cars in.

This Bill is a little bit more than that: it is a recognition of the importance of the board. It brings the board's reporting obligations into line with those of other agencies under the Government Management and Employment Act 1985. It also brings into line the employment provisions relating to the Director and other staff with the requirements of that Act.

I would have thought that the member for Morphett, bearing in mind that members of his Party are always carrying on about the areas of responsibility and accountability of statutory authorities or Government agencies, would perhaps dwell on that rather than thinking, 'If we provided for angle parking, more people could park there' or, 'Should we have the right to charge car parking fees?' That is Mickey Mouse stuff: it is a sign that the member for Morphett has not ever risen above primary school level. I do not know where I would put the member for Morphett. In effect, he fits the phrase, 'There are more mad people outside than inside'; he is a living example of that. If his contribution had emphasised other important parts of this Bill rather than the car parking aspect, I would have listened with a little more diligence.

In relation to the private sector, there is this grudging acceptance that the member for Morphett and the Opposition have received some form of commitment from the board or the Minister—I am not quite sure which, but I think it was from the board—that it would not compete with the private sector. To whom do people go when they want to know whether or not they can remove a tree or when they want to identify a species of plant—in fact, regarding anything in the area of botany? They go to the Botanic Gardens.

Recently, the Environment, Resources and Development Committee which I have the honour to chair—the all powerful Environment, Resources and Development Committee, I might add—when faced with the question whether the proposed buildings in the Waite Institute could go ahead, experienced some fuss. Legitimate concern was expressed by local residents about whether the erection of these buildings would damage some beautiful red river gums. We did not go to the private sector, because no-one in the private sector was able to give us information and provide evidence so that we could, with a clear conscience, make a recommendation to this Parliament with regard to the Waite Institute: we went to the Botanic Gardens. That is all right for the member for Morphett. However, in relation to competition, the honourable member cited the Black Hill reserve. I well remember that day in and day out the member for Coles would attack the Woods and Forests Department because it had the temerity to take on the private sector in the area of native plants and give a better service to the public. But that did not satisfy the mates of the member for Coles in the private sector and they carried on some scandalous attacks against that Woods and Forests outlet. The Minister, in his second reading explanation, said:

> Thirdly, the participation of the board in commercial activities is recognised. The board acquires extensive knowledge and expertise in the course of its conduct of research. Hybrids of plants are cultivated or occur naturally in botanic gardens. The Bill promotes the use by the board of that knowledge and expertise in a commercial sense. It enables the board to provide consultancy services and to propagate and sell hybrids or cultivated varieties of plants including by way of joint venture or partnership with a nursery business.

If I were in the private sector in this line of business and I saw through this Bill an ability to improve my product for the benefit not only of my own business but of the people of South Australia, I would embrace it openly, with both hands. But, no, the member for Morphett, in line with that archaic Liberal Party policy, has to say that only with the blessing of the Liberal Party will one be allowed to compete with the private sector.

I know that the Minister does not need any advice from me; he is one of the most famous environmentalists that has ever walked this earth, and I give him due credit for that. But if I were the Minister, I would say to members opposite, 'Nick off!' If the Botanic Gardens wants to use its expertise to promote native varieties of plants, so be it. If it means that the South Australian community will benefit from that, what right has the Liberal Party to deny that right to the people of South Australia?

As I said, this measure is a refreshing upgrading of the legislation, and it gives me real pleasure to see that it includes reference to the State herbarium. That is one area where recognition of the research and work of the Botanic Gardens in this line of business has been long overdue. I am glad to see that the Minister in his wisdom has included that reference in the Bill. I would advise all members to support the legislation fully and to ignore the rubbish from the member for Morphett. Hopefully we can proceed and get home with an early minute.

Dr ARMITAGE (Adelaide): I enter this debate as a frequent user of the Botanic Gardens and a believer that it is one of Adelaide's greatest facilities. In 1837, the plan of the City of Adelaide, which had been prepared by Colonel Light and which was exhibited at the very first selection and sale of the town acres in March 1837, showed that Colonel Light had designed a city surrounded on all sides by vacant land which, following the instructions of the colonisation commissioners and with the sanction of the Resident Commissioner, he dedicated as parklands to be reserved from sale for the use and recreation of the citizens. From the very first days of South Australia, these parklands were reserved for the citizens.

In 1839 it became known that speculators wanted to purchase tracts of the Adelaide parklands. A man called Arthur Hardy, the then Clerk of the Peace—which is an office equivalent to today's Crown Solicitor's

position—on hearing this, advised South Australia's second Governor, Governor Gawler, on the night of 15 April, that there was a plan whereby the parklands would be purchased for private speculation. Governor Gawler, believing that this was not in line with Colonel Light's plans and instructions, purchased for the people, on his own promissory note of £2 300, the tracts of lands known today as the parklands—at £1 per acre for the 2 300 acres. There has been some dispute as to whether this payment was ever called up.

Mr Ferguson: He did not pay it.

Dr ARMITAGE: The member for Henley Beach says that he did not pay it. Further research undertaken by a Mr Thomas Worsnop, the Town Clerk of the City of Adelaide, following the directions of the By-laws and Salaries Commission of the Adelaide City Council, found a bill accepted and paid at maturity by the colonisation commissioners which included the £2 300 for the parklands. There was a second promissory note for £2 300 issued by Robert Gouger who, at that stage, was the Colonial Secretary, but that bill was never paid.

In 1849 the Municipal Corporations Act enacted, in Old Parliament House, that 'the parklands and all other reserves for public purposes in the city shall be under the care, control and management of the city council'. In view of the plan to charge people to park in our parklands, it is perhaps apposite to mention that the Municipal Corporations Act further provided that 'it shall not be lawful for the city council to sell, alienate or lease the said reserves'. I put to you, Mr Speaker, that the installation of parking meters does just that.

However, the Municipal Corporations Act further provided, that 'nevertheless, nothing shall be construed to prevent the city council from deriving a fee'—so it is able to derive a fee from the parklands—'on licences to depasture a limited number of cattle on the parklands'. Whilst there have been other revenue raisers in relation to the parklands, such as slaughterhouse fees, the sale of dead trees—which led to the first tree-planting program in 1856—the quarrying of limestone, the making of bricks, lime burning and so on, the Municipal Corporations Act was quite clear that, from that day forward in 1849, 'it shall not be lawful for the city council to sell, alienate or lease the said reserves'.

Further, a letter dated 16 March 1855 from the Acting Colonial Secretary to Mr Younghusband (after whom, I guess, Younghusband Peninsula is named), who at that stage was Chairman of the Botanic Garden Committee, stated:

> His Excellency the Officer administering the Government has approved of the site selected by the Botanic Garden Committee (as per plan forwarded) for dedication as a public garden.

Indeed, the Government put £100 of its money to the credit of the committee to meet the preliminary expenses. Further, in 1878, a paper known as the *Comet*—which indicated on page 4, amongst other things, that in those days one could buy a red or white wine for 1/6 per gallon, and those prices were subject to trade discount—listed 25 reasons why the parklands should be used by the public, and I will cite three of them. First:

> Because they are reserved for the public health and recreation of the citizens generally.

Given that Governor Gawler, according to Mr Worsnop, quite conclusively did pay for the parklands and was repaid by public money, a second reason was:

> Having been paid for from the general revenue the public have a right to use them.

And a third reason was:

> Because the parks are intended for the use of the people and should be preserved for such use as free and uninterruptedly as possible.

Further, in a magnificent book entitled *Decisions and Disasters* which was put out recently by Jim Daly and which deals with alienation of the parklands, the author points out (page 46) that the Secretary of the Board of the Botanic Gardens wrote a letter to the Minister of Community Development on 9 November 1978 and, amongst other things, indicated that:

> Proclamation of the Botanic Gardens Act and regulations in 1978 'require the board to provide parking facilities for only users of the Botanic Park and Botanic Gardens'.

The board was clearly using this defence, if one wishes to call it that—the requirement to provide parking facilities for the users of the Botanic Park—against the proposal of the then Minister of Transport and the then Minister for Environment and Planning that engineering employee parking should be allowed in the Botanic Park. I put to the Parliament, on behalf of the people of South Australia, that, if the Act required the board to provide parking facilities, surely it ought to continue to do so.

The member for Morphett has already mentioned the inaugural meeting of the Salvation Army on 5 September 1880. Those people who drive down Botanic Drive and into Plane Tree Drive, on passing Botanic Gate, will notice a plaque which was mounted in 1980 to commemorate the centenary of that first meeting of the Salvation Army in South Australia. It is an extremely important organisation and has a wonderful history. It clearly believed that that park was for the people to use, free and uninhibitedly, according to Colonel Light's original instructions. In 1980, 100 plane trees were planted, as I understand it, to afford an increasingly beautiful memory of the celebration of the centenary. I understand that, under this plan, those trees are to be moved. That will denigrate the feelings behind the Salvation Army's attempt to mark its centenary, perhaps even for base profit, and I believe that that ought to be stopped. I have given a brief history which indicates why the parklands ought to be for the people and that we have already paid for them.

Regarding the Bill, in August 1991 many members of Parliament received a communication from Maunsell Pty Ltd regarding a plan to set up this car parking exercise. The proposal stated:

> All car parking within the Botanic Park is often occupied by commuters to the city.

I believe that this is the most important point of the Bill. If the proposal is to stop commuters to the city from occupying these car parks, I have to inform members that this Bill will not do that: it provides that people must pay to park there, but there are already parking restrictions in place. If one looks at the brochure sent to us by Maunsell Pty Ltd, one sees a photograph of a car and the comment, 'Current parking practices are detrimental to the health of trees.' The photograph shows a car parked quite close to a tree. In the supposed new proposal, cars will still be parked close to the trees, so it will not help that situation at all.

More importantly, this brochure, which was sent to us to enlist our help with this idea, shows two car parking

signs which, although not very well illuminated, appear to state, 'No standing anytime' and '2 hour parking limit'. People still park there and ignore them. All that is required is not the installation of parking meters but the policing of the existing restrictions. This proposal will have absolutely no hope of stopping what it is supposed to stop: it is a revenue raiser only. The people who use the facility to park their car while they commute to the city clearly are willing to risk a fine, and they would be just as willing to risk a fine from a parking meter. So, putting parking meters in our beloved parklands gains nought and sacrifices much.

The plan indicates a net reduction in area used for parking as a result of exchange between areas currently used by cars and others that are grassed. I ask how this can be, because the map with which we have been provided shows car parks in more areas than I recall from my many visits to this area. I will ask the Minister to define which areas are to be resumed for further parklands and which areas are to be further alienated, because I believe that is vitally important to our consideration of this Bill.

Whilst discussing the plan, I draw attention to the fact that we are discussing phase 1. In phase 2 one sees a dramatically increased number of car parks to the north and south of the botanic gates and, perhaps more importantly and more interestingly, a large area is proposed for additional car parking which appears to me from the map to be directly in front of the tropical conservatory. Given that one of the board's proposals was to have a vista looking up to the conservatory, to put further car parking in that position is at odds with that aim.

The parklands are for the people. As a regular user of Botanic Park and the Botanic Gardens, I can say that getting a car park in that area is far less trouble than in almost any other area of Adelaide. There are minor restrictions—anyone who has been there knows that—but we all take account of them. Whilst I know there are some minor restrictions in that area, I believe there is cooperation between the Botanic Gardens staff and people with special needs.

On at least three occasions I have taken aged relatives to lunch in the restaurant, and there has been complete cooperation. I have been able to drive my car in through a gate, deposit the aged relative at the door of the restaurant and drive out again. I believe that deserves to be mentioned, because it means that aged people with memories over many years of happy times in Botanic Park and the Botanic Gardens are able to continue to utilise the facilities, and if that cooperation were not available their enjoyment would be curtailed.

I repeat: there is a minor restriction on car parking, but I think everyone is able to take account of that. I am sympathetic to the aim of preventing cars from parking immediately close to roots of trees. However, on looking at the plan, if the proposed number of car parking spaces are to be provided many trees will not be advantaged one iota. The parklands are for the free and uninhibited use of the people, and to make parking meters part of our parklands would be offensive. In the true sense of the word, we are nothing more than temporary custodians of a marvellous State treasure, and to put parking meters in our parklands would be nothing more than the thin end of a very large wedge.

I accept that there is parking at Adelaide Oval, the royal show and the Victoria Park Racecourse, but clearly they are different because they are sporadic events and they do not have these excrescences of parking meters there on a regular basis. I definitely oppose the clause that provides for the installation of parking meters there. In his report to the Adelaide City Council of 18 July 1879, the Town Clerk, Thomas Worsnop, said:

> It is to be regretted that more active interest is not taken by the citizens themselves in determinedly opposing the frequent attempts at alienation of portions of the parklands.

What greater and clearer edification of the saying 'the more things change, the more they stay the same' is there than that? I oppose the provision of parking meters in Adelaide's justifiably world famous parklands, which are set aside for the free and uninhibited recreation of the citizens of South Australia.

Mr FERGUSON (Henley Beach): It is a pity that the member for Adelaide referred to a quote from 1879, because the Adelaide of 1879 was dominated by the South Australian Company. The privilege afforded to certain people who lived in that part of our history was quite incredible. I am sure, Mr Speaker, that from time to time you have visited historic homes and that you would have seen the wealth and opulence that was available to a privileged few in Adelaide during that era and not to the general masses.

The Adelaide Botanic Gardens is one of the gems of Australia. I fully support the board's propositions, which form part of this Bill. I am very surprised at the opposition to this proposition from those people whom I believe should support rather than oppose the board. Last year, about 66 000 people visited the Botanic Gardens. The figure is slightly down this year, probably because of the current difficult times. I am a frequent visitor to the Botanic Gardens, and when I retire I intend to join the Friends of the Botanic Gardens, because I have an interest in botanical matters.

The Hon. M.K. Mayes interjecting:

Mr FERGUSON: No, that is when I retire. I want no wisecracks about references to the other place—that would be quite out of order.

The SPEAKER: Order! Interjections are out of order even from Ministers.

Mr FERGUSON: Many a time my family and I have intended to visit the Botanic Gardens but we have not been able to park our car because the car parks have been full. All the car parking in the surrounding areas has also been taken up because of the Zoological Gardens, which is one of the most visited places in South Australia. More people visit the zoo than any other attraction in South Australia. It is quite wrong that visitors going to central Adelaide should park their cars in that area to the exclusion of people who want to visit the gardens. This is an attempt by the board to try to rectify the situation by rationing the parking time that is available to everyone in Adelaide. It is quite unfair that the member for Adelaide should defend those people who want to fill up the car parks in the area of the Botanic Gardens to the exclusion of those people who actually want to visit the gardens.

There ought to be, and I support the proposition, a car parking facility for people who want to visit the gardens.

We have seen the success in Belair National Park when an entrance fee was imposed. The money gathered by way of an entrance fee went back to improving facilities in the area. I see nothing wrong with the board's gathering revenue from motorists who wish to park within the parklands and utilising that money to improve facilities for all the people of Adelaide.

When I visited London I took the opportunity to visit Kew Gardens. The fact that conservative Governments have not been backward in imposing entrance fees for such facilities as Kew Gardens is somewhat surprising when we hear Opposition members protesting about what might or might not happen. So far as I know there is no attempt to introduce an entrance fee for the gardens. Clause 7 inserts various board functions, including:

(k) to propagate and sell hybrids or cultivated varieties of plants developed in the course of conducting research or occurring spontaneously in its gardens, including by way of joint venture or partnership with the owner or operator of a nursery business;

The Opposition intends to change that provision. I cannot think of a better way to produce revenue for the gardens than by the Friends of the Botanic Gardens from time to time having a plant sale in the gardens in order to obtain revenue. I can see absolutely nothing wrong with that and I can see nothing wrong with such activity being subcontracted to a nursery operator.

To impose a restriction on sales of these plants, when the plants can be picked up elsewhere commercially, is an unwise restriction on the board, especially when I cannot think of a better opportunity of providing badly needed funds for the garden than by allowing it to sell plants on a Sunday afternoon. I have no objection to commercial operators doing the same in the gardens, provided they can come to some arrangement with the board. By and large, I support the proposition.

As to parking facilities, the member for Adelaide said the board should be obliged to provide parking facilities. The board does provide parking facilities now. All this proposition does is make sure that the parking facilities are shared as well as they can be with the people of Adelaide. It is not true to say that there will be parking meters in the parklands. I do not believe that there will be parking meters but there will be a facility available to charge for parking, which is quite different from the member for Adelaide's suggestion that there would be parking meters.

People will visualise rows of parking meters when I believe that is far from the mind of the board in introducing this proposition. That suggestion might look good in a pamphlet sent out in the honourable member's district taking an exaggerated position, but that is all I believe it is. I do not want to hold up the House, because I support the Bill as it is. Although you will not allow me to talk about the amendments that are coming, Sir, because it is against Standing Orders, I hope that the House takes great care with any amendments that are proposed.

Mr LEWIS (Murray-Mallee): What an incredible lot of drivel from the member for Henley Beach and the member for Napier. The member for Henley Beach just now was advocating that the Botanic Gardens be converted to a paddy's market using scab labour.

The Hon. T.H. Hemmings: He was not.

Mr LEWIS: I am astonished that the member for Napier can deny that, because that is what his colleague was proposing. In addition, for him to suggest, as did the member for Napier, that the responsibility for this measure does not rest with the Government—it otherwise rests with the board itself—is ridiculous. The member for Napier clearly said that—

The Hon. T.H. Hemmings interjecting:

Mr LEWIS: There is no question about that.

The Hon. T.H. HEMMINGS: Mr Speaker, I rise on a point of order. The member for Murray-Mallee is reflecting on me by saying that in my carefully researched second reading contribution to the Bill I said that the Government had no control and that the matter was in the hands of the board. A perusal of *Hansard* will show that that is not the case, and I believe that the honourable member is reflecting on me.

The SPEAKER: What exactly is the point of order? What term offended the honourable member?

The Hon. T.H. HEMMINGS: The member for Murray-Mallee claimed that in my contribution I said that this Bill had nothing to do with the Government—just the board. That is a reflection on me.

The SPEAKER: I really am having trouble picking up the thread of the member for Napier's objection. I do not uphold the point of order. The member for Murray-Mallee.

The Hon. T.H. HEMMINGS: Perhaps I will take recourse through a personal explanation.

The SPEAKER: The member for Murray-Mallee will resume his seat. I point out that the member for Napier certainly has access to a personal explanation to clarify the point if he feels offended. The member for Murray-Mallee.

Mr LEWIS: It is important that we understand the context in which the amendments come before us. It is the Government's decision that puts them here: no-one else is responsible. The Opposition supports the tenor and thrust of those amendments and there is no question about that. There are, however, aspects of them about which we have reservations. Let me address those matters, although they have already been well addressed by the member for Morphett. I just want to underline a couple of things to which he drew attention where we express concern. We are expressing concern not only on our own examination but on behalf of a number of people and groups who have put argument to us underlying that concern. It is not in any way capricious or precocious. In particular, my concern arises out of my long involvement with and interest in things ecological. These days the buzzword is and has been for many years 'environment'.

As a student of botany it came to my knowledge that the Botanic Gardens had provided South Australia with something that was quite unique and was the example on which other botanic gardens were established elsewhere along similar lines. South Australia provided this nation, when it was a province prior to federation, with a number of fine examples which could be followed, and the botanic gardens were and still are amongst them. I found when I was a student that we needed to retain the diversity of the gardens' offerings. They cater not only for scholars and people involved in research as a source of information and reference but for thousands of people

in general who wish to enjoy the very pleasant surroundings. They are on a well chosen location on undulating land and on a variety of sites in a natural climate which is not too difficult to modify. We do not have freezing winters. To that extent we are fortunate to have been able to put together the collection we have today and make it possible for the public to enjoy it as well as provide for the explicit and specific function of scholarly reference and research.

As has been pointed out by other members, it is clause 7 where the rubber hits the road. It amends section 13 of the principal Act by, in effect, redefining the functions of the board. In my judgment, it is important that the board should not become too involved in commercial exploitation of its knowledge. By that I do not mean in the number of instances in which it seeks to exploit its knowledge commercially, but rather the fashion in which it would do that. I hold the view that commercial exploitation of large bodies of knowledge developed by the Botanic Gardens staff, either in association with another institution of research and learning or alone, ought to be made commercially productive for the gardens and the board by farming in someone with commercial expertise and risk capital so that the board does not put its assets and the taxpayers' cash at risk in any of these commercial ventures.

I said that sort of thing in 1983 about the State Bank and everybody told me off for being so proscriptive of what the bank should or should not do. I draw the attention of the House to that again only to illustrate the point that if we had taken note of it then we would not now be confronted with this huge debt that we have arising from the bank. That is why I draw the attention of the House to the way in which that ought to be read.

Subclause (1) relates to the way in which the board can engage in commercial activity. Such commercial activity ought to be undertaken in a way that minimises, if not eliminates, all risk to the taxpayers' and the board's assets. I think it is a good idea that such innovations as the staff of the gardens develop should be commercially exploited for the benefit of the gardens, their collection, and the people of South Australia who can enjoy them. We certainly do not need a paddy's market and we should not allow too much retail commercial activity.

There is another aspect of the functions defined for the board in clause 7 (section 13 of the principal Act) that I wish to speak about. The fact is that there is no other suitable place in the whole of our physical and legal structures in South Australia in which it is appropriate to retain a repository of genetic materials—that is the 'in' expression these days—or seeds. I believe that the gardens should have a collection at least of all the native vegetation in our State. We should have a collection of viable seed, 'viable' meaning that which will germinate. That term was borrowed from botany by economists and accountants.

It is not appropriate to ascribe that responsibility to the National Parks and Wildlife Service or to any other Government department that I can think of. The reason is that other Government departments want to own what they have and to sell it only to other client departments or organisations at what they consider to be cost recovery and then some. It is already happening. Where Government departments have possession of some knowledge, material or service capacity, they charge for it, quite properly. Indeed, it enables them to keep good account. However, we need at public expense to retain a collection to which scholars and research personnel have access without fee.

It needs to be kept there for that very purpose and it needs to be financed from general revenue. There is no better umbrella under which to keep such a collection for those purposes than the Botanic Gardens. It has been there in the past in some form and it ought to be there explicitly in the future. Another reason I say that is that from time to time any number of studies need to be undertaken by scholars in any of the universities, and it is not appropriate to have the collection kept in one university because that restricts access to it by scholars from other universities at times when it is convenient to the university holding it.

When I was a botany student I enjoyed the benefit of being able to go to the Botanic Gardens to see many of the plants that I was studying growing there and, in many instances, see their diseases, pathogens, predators or whatever. In not all instances was that possible, but it gave me ready access from the campus of the University of Adelaide. In this day and age it would be equally accessible to students from other campuses, whether of the University of Adelaide or any other university. I put a plea to the House that we make it a provision that the board should keep a collection at least of all the species to be found in South Australia and to make that available for research purposes and for study for better understanding. If we do not, we will be judged harshly by posterity as having failed in our duty to do it when there was still the opportunity to do it. Now is the opportunity for us as legislators to do it. This legislation probably will not come back before this Chamber for many years, and in some instances it might then be too late. To put it there will provide us with the ability to argue in history, as it would stand the study of scholars who might look at the legislation, that we discharged our responsibility to the interests of future generations in appropriate fashion.

I conclude with those remarks and a plea that clause 7 (1a) not be taken too literally, wherein at whim the board would be able to throw away a whole lot of material it may have in its possession or refuse to take a collection of any new material that could be discovered. It provides:

> The board is not required to accept, accumulate or retain material that does not, in the opinion of board, justify collection and classification or retention under this Act.

So, it is left to the board to decide. I want that power to be exercised fairly judiciously. The board should not, nor should the gardens, become a repository for all the quirks of nature that might emerge in the whole range of botanical curios that could be drawn to the attention of the staff of the gardens or officers of the board by any member of the public. That is not what I am saying; I am just saying that we should bear in mind that there is an obligation to posterity and we should be careful how such things are treated.

The Hon. M.K. MAYES (Minister of Environment and Land Management): I thank members for their contributions. The sentiments expressed by the member for Morphett in particular are a quite clear indication of support for the Bill, but also for the Botanic Gardens and

the continuation of the marvellous service and facilities that they have offered the community of South Australia. I will be brief because I think it is important that we get into the Committee stage. I note that the Opposition has flagged some amendments, and I think that the sooner we deal with those the better.

Bill read a second time.

In Committee.

Clauses 1 to 6 passed.

Clause 7—'Functions of the board.'

Mr OSWALD: I move:

Page 2—

Line 17—After 'specimens' insert '(whether living or preserved)'.

Lines 35 to 38—Leave out paragraph *(k)* and substitute the following paragraph:

(k) to sell or propagate and sell (whether alone or in partnership or joint venture with a nursery business) hybrids or cultivated varieties of plants that—

(i) have occurred spontaneously in the board's gardens or been developed in the course of its research activities;

and

(ii) are not widely commercially available in the State;.

We have had adequate discussion of the amendments.

The Hon. M.K. MAYES: The Government is prepared to accept the amendments.

Amendments carried; clause as amended passed.

Clause 8—'Director and other staff.'

Mr OSWALD: New section 20 provides:

(2) The Director will be a person employed in the Public Service of the State.

(3) The other staff may comprise the following persons:

(a) persons employed in the Public Service of the State . . .

(b) persons appointed by the Minister . . .

(c) persons appointed by the board . . .

Who are the persons appointed by the Minister to assist in the administration of the Act and what are their duties?

The Hon. M.K. MAYES: I have had that clarified. It is a standard clause which I am told is added by advice. My experience goes back to the old Public Service Act and the coverage of casual employees; it was a particular way of appointing non-Public Service personnel or, in this case, non-GME Act employees. It covers an option as against new subsection (3) *(c)*, which refers to persons appointed by the board with the approval of the Minister. If for some reason there is an urgent need to appoint someone on a temporary basis, that provision is open and able to be used by the board.

Clause passed.

Clauses 9 to 11 passed.

Clause 12—'Regulations.'

Mr OSWALD: I move:

Page 5, line 6—After 'subsections (3) and (4)' insert 'and substitute the following subsection:

(3) No regulation under this Act may impose, or authorise the imposition of, a fee (other than an expiation fee) in respect of the parking or standing of a vehicle on a Sunday or other public holiday.

The amendment refers to the regulations and provides that parking meters shall not be operational on Sundays or any other public holiday. I ask members to support the amendment.

The Hon. M.K. MAYES: I indicate at the outset that I am prepared to accept the amendment. The proposals that were adopted by the Government would have introduced a regulation which would have done exactly that. The Government was proposing to accommodate that very problem by regulation. In response to the member for Adelaide's remarks about the purpose of the introduction of these controls, it was quite obviously to allow regulation on weekdays. Having once made a weekday visit there with my family I would have to say that it is very difficult to get a parking spot there, although I should point out that that was before the regulations existed. It was quite an obstacle. The intention is to provide some opportunity for visitors to the Botanic Gardens to be able to park their car. Consequently, the arrangements as proposed under this amendment would have been put forward by me as a regulation. So, we would intend that on Sundays or other public holidays there are opportunities to eliminate the use of that area by the city commuter who might park all day. Of course, that would be a problem but this allows the opportunity for the visitor to the botanic gardens the option of parking.

Mr OSWALD: I thank the Minister for accepting the amendment. Of course, the problem is that the Bill will not come back to the House for some time. Various personnel come and go. The ability to change this by regulation was of some concern. Its inclusion in the Bill will please many people in South Australia; they will be very happy that on Sundays and public holidays parking in that area will remain cost free.

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

Mr OSWALD: I appreciate the Government supporting the amendment. In supporting it, the Minister did mention that the Government through regulation was going to exclude Sundays and public holidays, and I acknowledge that. My concern to have it enshrined in the legislation is because the Botanic Gardens Act is unlikely to come back to this House for some time—in fact, I doubt whether any members presently in this House will ever see it come back before the Chamber. Personnel come and go, and at some time or other we could have a swing over to all day trading on a Sunday. All sorts of things could happen around this town. People might say, 'Let's relax it,' and suddenly we would have open slather down there. Enshrining it in the Act will mean that, if change is required in the future—and I have never been one to say that change should never take place—it would be a simple matter for the Government of the day to bring in an amending Bill and we could in fact make that change. I thank the Government for its support for this amendment.

Dr ARMITAGE: In relation to clause 12, the Adelaide Parklands Preservation Association has sent around some material which indicates that these plans will destroy approximately 3 084 square metres of green grass, and it identifies where that is. I do not expect the Minister to know this at this stage, but I would be pleased if he would forward to me information on exactly what areas are to be alienated with new parks, on what areas are to be returned to parklands and on how many car parks are envisaged in stage two? What we are dealing with at the moment is stage one of the Maunsell plan. There are quite clearly identified areas for stage two

of the plan, if it is regarded as being there, but it is my view that that will soon be regarded as being necessary by the board of the gardens. So could the Minister provide me with details of the number of car parks for phase two as well?

The Hon. M.K. MAYES: I am fairly sure that I could have provided that information, but I told the officers that they could knock off, assuming that things would be wound up pretty quickly. However, I undertake to provide that information for the the member for Adelaide.

Amendment carried.

The Committee divided on the clause as amended:

Ayes (35)—P.B. Arnold, M.J. Atkinson, D.S. Baker, S.J. Baker, J.C. Bannon, H. Becker, P.D. Blacker, F.T. Blevins, D.C. Brown, J.L. Cashmore, G.J. Crafter, M.R. De Laine, B.C. Eastick, M.J. Evans, S.G. Evans, R.J. Gregory, T.R. Groom, K.C. Hamilton, T.H. Hemmings, V.S. Heron, P. Holloway, C.F. Hutchison, G.A. Ingerson, S.M. Lenehan, C.D.T. McKee, M.K. Mayes (teller), E.J. Meier, J.W. Olsen, J.K.G. Oswald, N.T. Peterson, J.A. Quirke, M.D. Rann, J.P. Trainer, I.H. Venning and D.C. Wotton.

Noes (5)—H. Allison, M.H. Armitage, M.K. Brindal, G.M. Gunn and W.A. Matthew.

Majority of 30 for the Ayes.

Clause as amended passed.

Clause 13 passed.

Schedule and title passed.

The Hon. M.K. MAYES (Minister of Environment and Land Management): I move:

That this Bill be now read a third time.

The Hon. T.H. HEMMINGS (Napier): I place on record my gratitude to the member for Morphett for moving those extremely worthwhile amendments, which were accepted by the Government. Not only do they give the legislation more credibility but they will be greeted by the South Australian community with pride because they show that this House can eventually produce the right thing.

Dr ARMITAGE (Adelaide): I can count as well as anyone else and I do not intend to divide further on the Bill. However, I am distressed that, in accepting the measure, which the House is about to do, it will mean enacting legislation providing for parking meters in the parklands, and that will not achieve its laudable aim. Given that the present parking restrictions in Botanic Park are ignored, the only thing to do to make this Bill effective is to police restrictions adequately, and that could be done just as well with the signs that are already up without adding the excrescences of parking meters in our glorious parklands.

Bill read a third time and passed.

PAY-ROLL TAX (EXEMPTIONS) AMENDMENT BILL

Returned from the Legislative Council without amendment.

SOUTH AUSTRALIAN COUNTRY ARTS TRUST BILL

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

LOCAL GOVERNMENT (CITY OF ADELAIDE WARDS) AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 27 August. Page 461.)

Dr ARMITAGE (Adelaide): I acknowledge that this Bill has been debated in another place and, in addressing its substance, I indicate that the boundaries of the wards of the city of Adelaide have been unchanged since 1874. The six wards are named after the first six Governors of South Australia: Hindmarsh, Grey, Young, Robe, MacDonnell and Gawler. As members would be aware from the most recent debate in this place, Governor Gawler paid the £2 300 for the parklands to be kept for the people of South Australia.

Under the Local Government Act, the Adelaide City Council, like other councils, is required to complete a periodic review of its representation and its ward boundaries. I think that is important, because it is quite clear that, if long periods between reviews are allowed, representation within ward boundaries can become out of kilter. Therefore, periodic review is appropriate, particularly given legislation recently enacted in the State Parliament to provide for regular reviews of State electoral boundaries to ensure that great discrepancies in elector numbers do not occur.

Sadly, a report of the Local Government Advisory Commission recommends that ward names be altered. However, that is progress. What is important is the actual representation of the wards. It is quite clear that South Australian voters in general believe in the principle of one vote, one value, particularly following the results that caused the change to our State electoral laws. I point out that Gawler ward—and again I stress that Governor Gawler paid the £2 300 to give the parklands to the people—

The Hon. T.H. Hemmings interjecting:

Dr ARMITAGE: The member for Napier says that Governor Gawler did not pay. Clearly, he could not have listened to my contribution to the most recent debate, because Governor Gawler did pay. It is quite clear that the Colonial Commissioner repaid him that money, and that it was Gouger who was not paid for his promissory note. However, I digress slightly from the substance of this Bill.

An honourable member interjecting:

Dr ARMITAGE: A very important part. As I was saying, one vote, one value is, for historical reasons, not a fact of life in the City of Adelaide. For example, there are 916 electors in Gawler ward and in Robe ward, in which I live, there are 3 414 electors. Anyone would agree that that does not represent one vote, one value. As a resident of Robe ward, I think it is appropriate that there be a change in the system. An amendment was moved and passed in another place following legal advice to the Adelaide City Council. I believe that was

appropriate, although there was some toing and froing about whether the amendment should be framed in a certain way. The Liberal Party agrees with the Bill as presented and is very happy to support it.

Mr ATKINSON (Spence): Adelaide City Council is not just any council: it has a special place in the metropolitan area. For the member for Adelaide to say that because there are 3 000 voters in Robe ward and 900 in Gawler ward there has to be a redistribution in accordance with the principle of one vote, one value is nonsense. This Bill is the prelude to a rort, the rort being that the faction that now controls the Adelaide City Council—namely, the heritage or yuppie faction, of which the member for Adelaide is an enthusiastic supporter—plans to use this Bill to entrench its control of the Adelaide City Council in perpetuity. There might be only 900 voters in Gawler ward but, together with the electors of Hindmarsh ward, they pay the vast majority of rates in the Adelaide City Council area.

I would agree with the member for Adelaide if the Adelaide City Council were just an ordinary suburban council or district council in the bush, but it is not: it controls the central business district, which is important to hundreds of thousands of South Australians who work there. The member for Adelaide wants to entrench the residents of North Adelaide in control of the City of Adelaide so that they can have access to and batten on the wealth of the central business district, and use their power and influence to exclude people who live outside the city walls from using the City of Adelaide. The member for Adelaide is supporting—

Dr Armitage: Don't you support one vote one value?

Mr ATKINSON: Not in the City of Adelaide, I'm not. What I am in favour of is the amalgamation of the City of Adelaide with the neighbouring councils, including the Town of Hindmarsh. Then let us have one vote, one value. The fact is that the member for Adelaide, in supporting this Bill, is trying to entrench his faction in control of the Adelaide City Council in perpetuity. What the member for Adelaide is against is representation for taxation. People who do not live in the City of Adelaide but who own property within the City of Adelaide pay rates, and the member for Adelaide wants to disfranchise them. This Bill is the prelude to a massive rort by the yuppie faction of the Adelaide City Council, and what it will lead to is dozens of Barton Roads whereby the people of South Australia are excluded from the central business district.

Members interjecting:

The SPEAKER: Does the member for Adelaide wish to be in the House to cast a vote on this Bill? If he does, I suggest that he listen in silence. The member for Spence.

Dr ARMITAGE: On a point of order, Mr Speaker, the member for Spence is making totally unsubstantiated allegations about my purpose in voting, and I ask you to rule him out of order.

The SPEAKER: The member for Adelaide will resume his seat. If the member for Adelaide can quote a Standing Order that provides that irrelevant statements are out of order—

Dr ARMITAGE: I refer to Standing Order 127, relating to personal reflection on a member. For the member for Spence—

The SPEAKER: Order! The member for Adelaide will resume his seat. That is not the point of order he raised: the honourable member referred to irrelevant statements and he is now referring to personal reflection. I rule the point of order out of order. The member for Spence.

Mr ATKINSON: Ordinarily, I would say that a law such as the old Local Government Act, which requires a council to have the same ward names and boundaries in perpetuity, is not a good idea in principle, and that is why this Parliament will undoubtedly pass this—

Dr ARMITAGE: On a point of order, Mr Speaker, I ask you to rule in terms of Standing Order 127, part 2, which provides that a member may not impute improper motives to any other member. For the member for Spence to indicate that I am supporting this Bill for the totally invalid reason of entrenching with a faction, to which I do not belong, the control of—

The SPEAKER: Order! The honourable member will resume his seat. If he had raised that point of order at the time, perhaps the Chair could have upheld it, but the time has passed: the honourable member is halfway through the debate. The Chair cannot go back; there is no retrospectivity. If members have a point of order, it must be raised at the time. The member for Spence.

Mr ATKINSON: What I was saying before I was interrupted was that the principle of this Bill is correct and, ordinarily, I would support such a principle. I would also support one vote, one value in every municipality in this State—except in the City of Adelaide. There is no doubt that the good principle of this Bill will, nevertheless, lead to the current temporary majority on the Adelaide City Council voting to entrench its rule in that council. It is the prelude to a major electoral malapportionment, because we should consider not only residents in the Adelaide City Council but also ratepayers, because the vast majority—

Mr Ferguson interjecting:

Mr ATKINSON: Quite so. The vast majority of Adelaide City Council's rate revenue is paid by people who do not live in the City of Adelaide. That is not so for most, if not all, municipalities elsewhere in the State. When we consider Adelaide City Council, we must consider other matters. We could not decide an electoral redistribution for Adelaide City Council on the same basis as we could decide a redistribution elsewhere. In summary, I am saying that no doubt this Bill will pass tonight with the support of the member for Adelaide, who has nailed his colours to the mast tonight and supports the yuppie faction.

The Hon. G.J. CRAFTER (Minister of Housing, Urban Development and Local Government Relations): I am pleased to receive the support of the Opposition for this measure and the conditional support of my colleague on this side. This minor measure will enable the periodic review of the boundaries of the Adelaide City Council to proceed. As the member for Adelaide has said, the Adelaide City Council ward boundaries have remained unchanged since 1874. Obviously, the provisions of the Local Government Act that are now in place need to be complied with, and it

was seen that there was a barrier to that proceeding with respect to the current legislation; this minor amendment rectifies that situation.

It comes at an important time in the life of the Adelaide City Council, and obviously the council is experiencing great difficulty at present in functioning as an appropriate local government authority and reaching decisions in the interests of the constituency that it represents and on behalf of the people of the State, because the City of Adelaide simply cannot be divorced from the well-being of our whole city and State. It is a great disappointment that the current unfortunate debate that has divided the Adelaide City Council has been couched so much in acrimonious terms and that there is an unfortunate division between conservative forces in our community.

The Lord Mayor was quoted on the weekend as referring to the council as 'gutless'. That is an unfortunate reflection on the council by the Lord Mayor, who attacked the greenie, yuppie faction of the council for not being prepared to arrive at decisions without caucusing and voting *en bloc*. It is quite confusing to see the Lord Mayor as an endorsed Liberal Party candidate seeking preselection to Parliament at variance with the Liberal spokesperson on local government matters in another place who is saying that she supports the view that the Lord Mayor was so vehemently opposing. Obviously, confusion reigns in conservative party circles—

Members interjecting:

The Hon. G.J. CRAFTER: Exactly—with respect to the decision-taking processes. I hope that a way can be found to overcome the current impasse that is being experienced in the Adelaide City Council and we can get onto proper and responsible decision taking in the next few months and, indeed, that a new council will be elected next May which will bring about a much greater degree of consensus and spirit of conciliation in order to arrive at the interests of the ratepayers of the City of Adelaide being reflected in the council's decision-taking processes.

This periodic review of electoral boundaries, which is currently before the Local Government Advisory Commission, hopefully will assist in that process prior to the next local government elections. Therefore, for those reasons I urge members to support this measure.

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

POLICE (POLICE AIDES) AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 15 October. Page 305.)

Mr GUNN (Eyre): The Opposition supports the Bill. It is a measure which has been long in coming and which will confer on Aboriginal police aides who have served this State particularly well over the past few years the same rights and privileges that normal police officers have. I am aware that the police aides for some time have desired the opportunity to belong to the Police Association so they can participate in that organisation as full members of the South Australian Police Force.

Over the years a number of Government programs have been put forward, and in my judgment the most successful program in Aboriginal areas has been the establishment of the ongoing police aides scheme. It has clearly been successful for the simple reason that the local communities have been involved in choosing their own representatives; we have had Aboriginal people policing Aboriginal people, and the results have been quite spectacular. My only concern is that it has taken so long to extend this program over the rest of the State and that there have been restrictions on where police aides have been able to operate. I am of the view a number of police aides could take their place in any policing arrangement in South Australia and that they would do so most effectively.

I believe it is good for the Police Department that these people are used in various situations around South Australia, because it does two things: first, it clearly indicates to the community at large that if Aboriginal people are given the right management, opportunity and training they can make an effective contribution and, secondly, it is an indication to the Aboriginal community in general that they do have people who can participate in enforcing the law, so they can clearly understand that the law is not only a white person's law but a law for all South Australians. That in itself is very important.

From my personal knowledge and discussion with the police aides and other people who are involved in this area, they are very keen to see this legislation put on the statute book. Last year a quite significant move was made in relation to this matter. I was approached by representatives of the police aides, and I did make contact with the former Minister's office; I am disappointed that it has taken so long. I am aware that it was necessary to amend the Act because there was some hesitation, and I think resistance, on the part of the Police Association to have the police aides admitted without their being full police officers because there was a hiccup in relation to the use of volunteers. In an industrial dispute many years ago in Victoria part-time or volunteer police were used to replace permanent officers. That is a matter long since in the past, and I think these amendments will remove the fears that the Police Association has. It is disappointing that it has taken so long to have police aides appointed to Ceduna.

The Hon. T.H. Hemmings interjecting:

Mr GUNN: It is most disappointing because in my judgment it would have saved the taxpayers a considerable amount of money. The member for Napier sort of said 'Come on.' The House would like to know whether the brochures that the member for Napier is now preparing are for Terry Groom or Annette Hurley. Whom are they for? The House would like to know.

The Hon. T.H. HEMMINGS: On a point of order, there is no relevance to myself or Terry Groom in this piece of legislation.

The SPEAKER: I uphold the point of order. There is no relevance whatever in the comments made by the member for Eyre. I am sure he is well aware of it and that he will now return to the subject matter.

Mr GUNN: Certainly, Mr Speaker, but I have raised a very interesting point. The honourable member still has not answered the question as to whom he is supporting: on the two sided how-to-vote card, is he going to support

his Minister or the Labor Party candidate? However, we are here tonight to talk about Aboriginal police aides, and that is far too important a matter to be sidetracked by the member for Napier who does not know whom to support. Let us hope that he will support the Aboriginal police aides, because he has not so far; he has been very slow in coming forward.

Until I was interrupted by the honourable member, I was making the point that it is very disappointing that it has taken so long to have Aboriginal police aides at Ceduna, Coober Pedy and other parts of the State. I am of the view that the money it would have taken to train and establish the police aides in those areas would have been more than recouped, because fewer people would have been put into prison, there would have been less law breaking in those towns, fewer community disruptions and antagonism by sections of the community and they would have been better towns in which to live. Therefore, there would have been a considerable reduction in cost to the communities and a great improvement in community relations. I should think that all members in this Chamber believe that we should be doing everything possible to keep people out of prison. The answer is not to put people in prison, except for very dangerous people. Putting people in prison is costly; it is not the way to operate.

A week or so ago, when I paid a most extensive visit to the Port Augusta Gaol, I could not help but note the numbers of Aboriginal persons in that prison. I believe that with the extension of the police aides scheme there will be fewer persons in prison, and that will be a good thing for the community and a saving to the taxpayer. Law and order issues will be addressed. There will be better policing, less vandalism, fewer breakings and enterings, and the community will feel satisfied because they will be getting a better police service and the taxpayers' money will have been well spent.

I look forward to this scheme continuing for a long time in the future. I believe that some of the original police aides who are still operating—people like Stanley Douglas and others—have given outstanding service to the Police Department. Of course, the credit should go to those original police officers who were involved in the training programs that established the scheme and got it off on a sure footing and whose personal interest ensured that the scheme operated effectively. I sincerely hope that this legislation will improve and enhance the Aboriginal police aides scheme, because it is in the interests of all South Australians and particularly of law and order. On behalf of the Opposition, I am delighted to support the measure wholeheartedly.

The Hon. T.H. HEMMINGS (Napier): I support the Bill. Before I give my reasons for doing so, I should like to put the record straight. Those envelopes that I was busily sealing are to the many hundreds of my constituents who have urged me to stand again and offer my services to the State. The letter actually says that I am seriously considering it, Sir, so you may see me here between 1994 and 1998.

It is not often that I support the member for Eyre. The honourable member has a tendency to go down the rational path of debate and suddenly get a rush of blood to the head. What happened tonight was typical when he was putting a very good case, with which I had no problem, in relation to police aides. The member for Eyre and I share a position on the Pitjantjatjara and the Maralinga lands committee where we have seen the benefits—

Mrs Hutchison: Me, too.

The Hon. T.H. HEMMINGS: And the member for Stuart, but the member for Stuart never has a rush of blood to the head; that is why I was not including her. The member for Eyre and I have seen the benefits of the police aides scheme. Like him, I agree that it has been fairly obvious that where communities have had the benefits of a police aides scheme those benefits have been shown very clearly, because the communities themselves choose the aides and in those communities the incidence of crime has dropped considerably. Where I take issue with the member for Eyre is his carping criticism of the Government. Just because Ceduna does not have a police aide as yet—the member for Eyre knows where Ceduna stands in the overall budget considerations for police aides—it will get a police aide eventually, and he will then be able to make speeches in this House apologising to the Minister and to me.

If it is in 1995, who knows? I might be back on the front bench. I might be the Police Minister, and if that is the case I will only too gladly take the police aide away from Ceduna and put that person in Munno Para. I was speaking to a senior police officer only on Monday at the inter-agency forum for the northern service providers who deal with delivery of services to the Aboriginal people in my electorate and those of Elizabeth and Salisbury. The senior police officer said that the incidence of young Aborigines committing petty crimes has decreased considerably. The benefits have been tenfold in that area, because we would have had to put about 30 or 40 white police in that area to make any inroads whatsoever, and I doubt very much whether there would have been any success at all. The meeting was held at Kaurna Plains Aboriginal School, and it pleased me that all the young kids there were actually going up to the coordinating officer (a white man) and talking to him about how it was going with 'their policeman', not the white policeman.

If anything, that is an indication of how well within the Aboriginal community itself and in particular the urban Aboriginal community they relate to the Aboriginal police aides. I know the member for Price and you yourself, Sir, have strong views that there should be a police aide presence in an area of Port Adelaide and it has rather surprised me that, given how much influence you have, Mr Speaker, you have not been able to achieve that. I digress and I should not, but the temptation was there and you know what a fool I am to rise to temptation.

There is one area where I take issue with the Government and with the Minister in particular. The Minister said in his explanation that he hoped it would not be too long before there was an Aborigine going through the academy to become a fully fledged policeman as the community knows it, rather than a police aide. I have heard that sentiment expressed so many times by different Ministers of Emergency Services that I wonder whether it will be in the tradition of the old Labor Party policy of building a deep sea port down in the South-East. I seem to recall that it was Labor policy from the

year I joined the Party that every election there was going to be a deep sea port somewhere down in the South-East.

In fact, in my own policy speech of 1977 I pledged that there would be a deep sea port in Elizabeth and that may well be why I won—they may have thought that if I could achieve that I could achieve anything. That will be the final test. We have 32 police aides and that number will be increased in future budgets to pick up your concerns, Sir, and those of the member for Price and in other areas that have been mentioned—Ceduna and the Riverland—where we need to increase the police aide presence.

However, there comes a time where if we reach a figure of, say, 50 we start to get an imbalance, because there should then be people coming from that police aide corps who should be transferred into the Police Academy to become fully fledged policemen. One could guess or predict that if that happened there would then be a totally different attitude of the Aboriginal community towards law and order, because they would see one of theirs in a blue uniform rather than the khaki that the police aides wear. The next step is to get Aboriginal people to go through the ranks and possibly become commissioned officers. I would dearly hope that it happens very soon.

At the police aides' headquarters at Marla, the Pitjantjatjara lands committee was given an exhibition of skills by the police aides based there—those serving all the Pitjantjatjara communities and the Maralinga communities. To me it was unforgettable. I have never seen a group of people who were so proud of the uniforms they wore, the standing that they occupied out there with their Aboriginal fellows and their ability to maintain law and order, sometimes at the risk of personal injury, because they felt that they were a part of the Police Force of our State.

Mr Ferguson interjecting:

The Hon. T.H. HEMMINGS: Well, the member for Henley Beach, forever coming to my aid as he does so often, says that it was *esprit de corps*. That is an example of people who are so often dismissed by European people as having no community spirit. I have heard such things in this House, in particular from the member for Adelaide who is not in the Chamber at the moment. He just dismissed the whole of the Pitjantjatjara community under the label of 'petrol sniffers'. When I took him to task he went completely berserk, as he usually does, and said that I was trying to inflame the situation. I was just asking him to tell the House which particular communities he was talking about.

The incidence of petrol sniffing has diminished dramatically throughout the Pitjantjatjara lands. Why? Because of the police aides. The police aides have taken that problem, grabbed it by the scruff of the neck and told the young people that that is not on. If they want to live a decent lifestyle and be a credit to their community then petrol sniffing is out. I sent a copy of the member for Adelaide's speech to the Aboriginal communities to highlight to them that, despite the fact that the Pitjantjatjara land committee made recommendations on their behalf, there were unfortunately some members in this House who had little or no respect for what was being attempted. I urge the House to support the Bill.

Mr MATTHEW (Bright): I rise to support this Bill and in particular to commend my colleague the member for Eyre for his words of wisdom with regard to it. Members of this Parliament would be aware that the member for Eyre services a very large section of the northern portion of our State and in so doing has had the privilege of seeing first hand the fine work that has been performed by our police aides. Many of us would know that the member for Eyre is a particularly modest parliamentarian and for that reason would not have volunteered to the Parliament the pride with which he holds his gallery of photographs of various events in his electorate.

I was sitting in his office briefly tonight and noted that amongst that gallery of photographs in his office in this Parliament in its place of pride is a photograph of the member for Eyre with a number of the police aides in his electorate. That in itself indicates that the member for Eyre not only represents his electorate in this Parliament but also meets with the people in his electorate and talks to those working in his electorate and, in the case of the police aides, talks to those who protect his electorate and who work with the Aboriginal communities. The member for Eyre is well aware of the fine effort that those people are making towards the safety of this State.

The only regret that I share with the member for Eyre is that it has taken so long for this Bill to come before our Parliament and for more police aides to be appointed throughout our State, because there is no doubt that they are a great success in South Australian policing. It is also fitting to remind members of this Parliament that not only have police aides contributed to policing in our State but the South Australian Police Department has learnt a considerable amount from the experience and skills that police aides have and has freely acknowledged it has much more it can learn from the contribution of these people. The Liberal Party looks forward to seeing many police aides progress through the ranks of the Police Force to become police officers who can be utilised in each sector of our community. I share the belief of the member for Eyre that many of our police aides would quite comfortably fit into any role of policing within our community.

This Bill is before us because the Police Department has employed Aboriginal people as police aides for several years. As members would be aware, initially several police aides were employed on an experimental basis in traditional Aboriginal areas, and both the Police Department and the Aboriginal communities concerned have been well pleased with their contribution in the overall success towards policing. They have now become an established feature of policing.

I note that the State budget provided for an additional 14 police aides, bringing the number to 32 police aides employed in traditional country and urban locations. Mr Speaker, I have no doubt that your electorate of Semaphore is to benefit from this endeavour, about which I am sure you are as well pleased as others members of this Parliament. Members would be aware that police aides are not recognised as such in the Police Act 1952 or in the police regulations 1982. As an expediency, to date they have effectively been appointed as special constables under the Police Act, thereby acquiring limited

police powers and immunities and are employed on weekly contracts.

For some time the Police Association has been concerned that the rules of the association prohibit membership by special constables and therefore police aides have not been represented industrially up to now by the association. Despite that, the Police Association has had ongoing contact with police aides. I was pleased to note in the May 1992 edition of the *Police Journal* that the secretary of the Police Association, Mr Sam Bass, and his industrial officer, Mr Chris Kennedy, headed up north to the Pitjantjatjara lands and met with a group of police aides. Indeed, they conducted a presentation ceremony of two shields to members who were present at that ceremony.

I was interested to talk to representatives of the Police Association and hear of the high regard in which they hold police aides for the amount of work they do and the long hours that those people put into their policing duties. I am advised that it is not uncommon for a police aide to go on a 'short' trip that may take four or five hours simply to reach their destination, perform their policing duty and return again to the original place from which they left, often accompanied by a prisoner. That certainly is an effort that deserves acclamation by many of our community, to have people working in such a role. To travel five hours just to get to a destination to perform their job and come back again is indeed something that I am sure all South Australians would appreciate. For that reason, the Police Association has been strongly requesting amendments be made to the Police Act to recognise police aides, and I am advised that it is well pleased with the Bill that is before this Parliament.

It has asked me to raise one matter with respect to new section 20e, which provides that conditions of employment, including remuneration allowance and expenses, shall be decided by the Police Commissioner. The Police Association has indicated that it has some concern with that, because normally conditions of remuneration are determined under the police award. Obviously, in the interests of expediency and the importance of getting this recognition through as quickly as possible, it is appropriate that we support this Bill in its present form, and I have had some initial discussions with the Minister's office as recently as today. I understand from the Minister's representative that the award provisions will be considered at a later date, and I am aware that the Minister's office had initial discussions with the Police Association today.

I would like to commend the new Minister for ensuring that this Bill has been brought up for debate quickly. I am aware that the Minister has been in the portfolio for only a few weeks. My colleagues and I have been frustrated at the long delay over many months in getting the Bill to this stage, and I am pleased we have an opportunity to debate it tonight and to ensure that the Bill passes and that police aides receive the recognition they deserve for the fine role they are performing in protecting our State.

Mrs HUTCHISON (Stuart): It gives me a great deal of pleasure to support this Bill. Obviously, it is a very important one for the Aboriginal police aides themselves, and it will give them a sense of belonging, if you like, to the Police Association. From my discussions with the police aides whom I have been privileged to meet around the State—as a member of the parliamentary committee on the Pitjantjatjara lands, as was the member for Napier—it was apparent that they had no sense of belonging. Although they were with the Police Force, they were not accepted as part of the Police Force in the legislation. I am sure that all police aides around the State will be extremely pleased that this legislation is now before the House, and I hope that it receives an extremely speedy passage.

I was extremely pleased to see that the budget did make an allocation for police aides at Ceduna, Port Lincoln and Coober Pedy, because they have been needed there for quite some time. I am delighted that we now have the funding. The extreme importance of the consultation process with the communities needs to be recognised to get the right people in place. From my own experiences in Port Augusta, I can say that that was the most important part of the process because, if they do not have the confidence of the community, the police aides are not accepted. So, they must have that confidence of the community.

I refer to the point that was raised by the member for Napier—not that he is sexy but that there should be more of a progression of police aides through the system to become commissioned officers. I would like to inform him that two of the police aides in Port Augusta—the female police aide and one of the younger male police aides—are looking at doing that. So, I am very hopeful that the member for Napier's wish will be granted and that these two police aides will indeed follow that path and become commissioned officers in the Police Force.

In respect of the Port Augusta situation—and I am sure that this has been the feeling down here in the metropolitan area with regard to the performance of police aides—I can only say that, to my knowledge, they have made an incredible difference to the situation with regard to juvenile offenders in that city. The work they have done has ensured that juvenile offenders are aware that they must abide by the law, but it has also given them some sort of self esteem in knowing they have their own police officers.

Another honourable member mentioned in this debate that there is a feeling of ownership by those people in respect of the police aides. I know that the police officers in Port Augusta have been extremely pleased with the performance of the police aides. In fact, when asked whether the police aides are doing an excellent job or just a medium job, the police say that they are excellent and they would like to have more of them. I can assure the people of Ceduna, Port Lincoln and Coober Pedy that, if they do the right thing and if their consultation process is correct and they negotiate with the community and select the right people for those jobs, they will notice a marked improvement in the offending rates in those areas. So, it is with a great deal of pleasure that I support the Bill, and I urge all other members to support it and give it a speedy passage.

Mr BRINDAL (Hayward): I rise also to support this important measure and, like my colleagues on this side of the House, I only abhor the time it has taken the Government to act on this matter. I would particularly

commend the member for Eyre because, like my colleague the member for Bright, I believe he is too modest. The success of police aides in his area has been in no small measure due to the encouragement, help and support of the member for Eyre, who has been very active in our Party room and in his electorate in supporting the appointment of Aboriginal police aides. If any member of this House deserves credit for the success of police aides, it is the member for Eyre.

In a speech today, the member for Walsh described his speeches as colourful. If we use that as a yardstick, the member for Napier can only be described, every time he rises, as contributing a political bouillabaisse, and we all know that bouillabaisse is a very rich, thick fish soup. Therefore, I was most surprised this evening in the member for Napier's contribution to this debate to find a little bit of meat, but what extraordinary meat it was! I will check the record very carefully, because I understood the member for Napier to say that the police aide in his area was worth 30 to 40 white policemen. If that is true, Mr Speaker, I would put to you that, in a single stroke, a man flickering as the light is about to go out, a man in the decline of his political years, has solved the insoluble problem of Government: how to save money in the Police Force. A total of 32 police aides, each of them representing, say, 30 white policemen is the equivalent of 960. If that number were increased to about 50 aides, there would be no need for a white Police Force, the way the member for Napier spoke.

I might be approaching this in a lighthearted fashion, but elsewhere in the speech of the member for Napier, if I heard him correctly, he said that one of their valuable contributions is that they can grab a juvenile Aboriginal offender up there by the scruff of the neck and tell him that petrol sniffing is not on. I believe that is what the honourable member said, and I hope that I am quoting him accurately, but that in itself gives rise to what I believe might be at issue in this matter; that is, if police aides do such a good job and do it so easily, what power do our ordinary police officers lack or why is it that they cannot act as effectively in the same situation? That matter should be referred to one of the committees of this Parliament.

Police aides are valuable and they do an extraordinarily good job, but their success merely highlights some of the questions to which our society should seriously address itself. Why are police aides as successful as the member for Napier says they are? I support the Bill and I commend the police for the introduction of police aides. I commend police aides for the work that they are doing, but there are some larger questions to be answered. A week or so ago, Mr Speaker, you were in the chair when I spoke about Aborigines, and some of these questions must be squarely addressed by Parliament. Members opposite should not hide behind rhetoric and hollow sentiment, as they often do, but they should address the issues of South Australia in 1992 squarely and fairly and without fear or favour. I commend the Bill.

The Hon. J.P. TRAINER (Walsh): Before making one or two remarks about this Bill, I should like to rectify an error made by the honourable member opposite. He said that earlier today I made a claim that I make colourful speeches. I made no such claim. What I said this afternoon was that I usually try to avoid making speeches that are drab, colourless and boring. That merely indicates an intention to avoid falling into fault. It makes no claim other than that.

In supporting this Bill, I should like to point out what would be the effects on police staffing, police aides and other matters related to the Police Force if members opposite were to come into office and impose the 25 per cent cuts that have been threatened. There would be a complete halt to all crime prevention and crime detection at 5 o'clock on each Friday. I suspect that they would be in a similar position to the Tennessee legislature which, because it found it inconvenient, tried to legislate that the value of *pi* would be three because it would make all their mathematics easier. In the 1920s, a member of that southern legislature (I am not sure whether it was Tennessee or Alabama) tried to legislate that the value of *pi* should not be 3.14159265 . . . but 3 exactly because it was more convenient.

When in Government, members opposite would have to legislate that no crime would be committed after 5 o'clock. They would have to legislate that burglars and other criminals would have to operate within the normal trading hours of 9 to 5. That is what we could expect from members opposite with the sort of cuts that they are proposing.

The Hon. H. Allison interjecting:

The Hon. J.P. TRAINER: The honourable member opposite who just interjected reminds me of someone who once interjected on Artie Fadden when he laid claim to working late at night, saying, 'Obviously, it is because you are a burglar.' In this case it is obvious that, if members opposite got into power, we would be in a great deal of difficulty. They would have to ensure somehow that unnatural things happen and ensure that all crime occur between 9 and 5. I support the Bill.

Mr BLACKER (Flinders): I support the Bill. The introduction of police aides has been a great step forward for the Aboriginal community. Indeed, for any community where there is assimilation of the Aboriginal and European community, it has been a great leveller. I hope that Port Lincoln will be a beneficiary of this legislation and that we will get three police aides there, three in Ceduna and some in Coober Pedy.

That is a great step forward. I trust that the Police Department will get all the support it possibly can from the wider community to enable the rapid implementation of those positions. I am pleased that the legislation sees fit to recognise police aides as an integral part of the Police Force. Despite the fact that a different set of criteria is used to introduce police aides into policing, nevertheless it paves the way for those with the desire and inclination and who have had a taste of proper police procedures to go on and join the Police Force as a regular police officer. I give my full support to the legislation—I think it is a great move. The comment has been made that it is overdue, but it is never too late to make improvements to any legislative procedure. To that end, I fully support the legislation.

Mr De LAINE (Price): I will not delay the House very long because a lot of what I intended to say has been said. However, I want to point out that Aboriginal

police aides have been used in Port Adelaide on a trial basis. You, Sir, would know as well as I of some of the problems with Aboriginal people that have been experienced in the Port Adelaide-Semaphore area; in particular, the Aboriginal drinking problem. Aboriginal police aides have been used in that area on a trial basis with tremendous results—one of the main factors that has brought about a drastic reduction in problems with Aboriginal people, particularly in Port Adelaide. Another major factor has been the establishment in Port Adelaide of an Aboriginal adviser/coordinator who liaises with the Port Adelaide council. He has done a magnificent job, as have the Aboriginal aides, who are extremely valuable, particularly in Port Adelaide, because of the way in which Aboriginal people respond to them. They take notice of and respect them, and that respect is mutual.

Many white police officers in the Port Adelaide area and, no doubt, in other places feel uncomfortable when dealing with Aboriginal people because of the risk of being seen as racist, and this causes animosity on both sides. The use of Aboriginal aides has completely overcome this problem and has put law and order on a fair and even footing. As I have said, they have been used successfully in Port Adelaide, and I believe everyone will benefit from the legislation. The amendments will not only give these valuable police aides more security and standing, for their own benefit, but will allow them to be covered by and have access to superannuation under the Police Superannuation Act. I have much pleasure in joining with other members of this place in supporting the amendments to the Bill.

Mr FERGUSON (Henley Beach): I join with members of this House in supporting the Bill. It is logical that Aboriginal aides should get the recognition afforded them by this Bill. From travelling in the northern areas of the State, particularly Port Augusta, and hearing evidence in relation to juvenile justice, I have learnt how very important the Aboriginal aides are. Aboriginal people, particularly in their evidence, laid great emphasis on the fact that they wanted their own people in these positions of power. I believe that is one reason why Aboriginal aides have been so successful since the introduction of these position in South Australia. I have been disappointed by some of the comments from members opposite to the effect that this proposition is long overdue. I cannot remember Liberal Administrations ever entertaining the thought of having Aboriginal aides.

Only a Labor Administration has been able to produce the sorts of reforms we are now talking about. In relation to the problems that arose in Hindley Street, for which area a committee was formed to look after the problems of juvenile crime, evidence was given to our committee on juvenile justice by a group of Aborigines who voluntarily give of their services to be of assistance, where possible, in reducing juvenile crime in that area. The evidence given to the committee of the sterling work being undertaken by Aboriginal volunteers in this area, particularly by the young Aboriginal people, is something that has always left an impression on me.

All it does is strengthen the view that what the Labor Administration has done so far as Aboriginal aides is concerned has been the right thing. The Labor Party has always responded to the needs of the Aboriginal people, and this is just another example of what we are prepared to do so far as Aborigines are concerned. I believe that when history makes a judgment on what this Government has done so far as Aboriginal people are concerned, taking into consideration this and all other measures we have put in place and the legislation that has gone through this House in the past 10 years, we will be viewed in a favourable light, particularly when compared with previous administrations.

The Aboriginal people made it very clear to us, when giving evidence on their views on juvenile justice, both in Port Augusta and in this building, that they wanted to see more of their own people involved in the justice system. I attended the meeting in the Port Adelaide Town Hall—and you, Sir, also attended—when we heard some pretty disturbing news about the incidence of crime in and around that area. Since the introduction of Aboriginal aides, the number of incidents that have been reported to me has diminished significantly, which goes to prove the value of this proposition.

I congratulate the member for Flinders on the even-handed way in which he entered into this debate and contrast that with the manner of the member for Eyre, who tried to take cheap shots at members on this side of the House, especially at the member for Napier, who has always done a sterling job for this side. All I can say is that I commend the member for Flinders on the way he handled this debate. I hope that our debates, particularly in this area, continue on a higher plane than we have had so far.

I am a union official from way back: I was a union official for 16 years and am extremely pleased that this measure will allow police aides to be represented by the Police Association. The Police Association has done a magnificent job in looking after its members. I can remember many secretaries of the police union, including Ralph Tremethick, from many years back, who happened to be at the same time an executive member of the United Trades and Labor Council and an executive member of the Australian Labor Party.

He managed to get substantial wages for his members and they have been well represented over the years. They have done well. I just hope that the police do not have to suffer a future Government that suggests that their numbers should be reduced by 25 per cent and that their penalty rates should be abolished, because I think that the police do a sterling effort, and when they are called out at unusual hours of the morning and on Saturdays and Sundays they deserve penalty rates. I hope that they do not have to face a future Administration that will eliminate those penalty rates. Aboriginal aides will be well represented industrially by their being able to join the police union. They deserve to be represented by the union and I am sure that the union will look after them. It is one of the pleasing aspects of the legislation before us that it will allow this to happen. I support the Bill.

The Hon. M.K. MAYES (Minister of Aboriginal Affairs): I thank members from both sides for their support. Given members' comments, the Bill has been thoroughly canvassed; most aspects of the positive nature of this amendment have been raised. The Bill will provide industrial coverage. Police aides are captured by the Act and are being recognised as being part and parcel

of the Police Force. As the member for Henley Beach has so appropriately recognised, they will be covered by an industrial union—the Police Association. That is an important aspect. I would like to mention that this is the wish of the Aboriginal people, and that is significant.

The Hon. T.H. Hemmings interjecting:

The Hon. M.K. MAYES: My colleague the member for Napier, who has been privileged to hold the Aboriginal Affairs portfolio, indicates his support. It is significant that we have the support of the Aboriginal community. As South Australia is a vast State geographically, it covers a range of communities: the urban community, the inner rural community and those communities living at the extremities of the State, over 1 200 kilometres from Adelaide in the north-east and north-west. Members of those communities have their own community needs and a clear interest in ensuring that not only European laws but also Aboriginal laws are respected.

We have to recognise their role and their traditional way of dealing with their own social mores. That is a significant part of it. This is not a thrust from the 'whities' but initially a recognition from the Aboriginal communities throughout the State. It is not just a case of the Europeans inflicting their laws and their administrative structures on Aboriginal communities. Members have ably represented the vast cross-section of positive views that have been extracted easily in respect of the Bill in terms of what it will provide to the community.

I wish to relate an amusing incident that happened when I was at Pukaja and Ernabella about two years ago. We arrived late at night and were unpacking. As then Minister of Public Works, I had responsibility for the provision of water, power, roads and so on on the lands. We were camping in an old SACON caravan next to the new police aides station and it was just getting dark. We had arrived late and were unpacking. A couple of young kids who had imbibed or over-indulged had been brought in; they were in the lockup. When I was unpacking the four-wheel drive, they called out to me for a cigarette with comments like, 'Whitey, have you a cigarette?' I did not answer.

I was told by the police aide not to respond, so I ignored them for a while. They were having a discussion amongst themselves about my failings in not offering them a cigarette. I had been in and out of the van and unpacked the four-wheel drive, and one of them called out again and asked, in a fairly positive and in a very clear and demanding way, 'How about a cigarette, whitey?' I did not respond. He turned to his mate and he said, 'That Captain Cook, you know, has got a lot to answer for.' That remark was fairly embellished and I have edited it somewhat, but it was an extraordinary experience. Everybody within earshot was rolling in the dust in amusement. I guess it probably sums it all up from the point of view of the Aboriginal community.

I thank the House for its support. This is a very significant step, and I know that we do need to address this issue positively. I look forward to working with the police community—the Commissioner and all officers—to ensure that we see a development and extension of this program involving Aboriginal police aides. The member for Napier mentioned that you, Mr Speaker, would like a similar service to be provided in your electorate. I am sure those issues will be actively pursued by all members who see the need for that service. I thank the House and I look forward to support.

Bill read a second time.

In Committee.

Clauses 1 to 4 and schedule 1 passed.

Schedule 2.

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

Page 4, leave out all words appearing under the heading 'Amendment of Police Superannuation Act 1990' and insert—

The Police Superannuation Act 1990 is amended—

(a) by inserting after the definition of 'invalidity' in section 4 (1) the following definition:

'member of the Police Force' includes a police aide:;

and

(b) by inserting in schedule 1 after clause 7 the following clause:

Special provision relating to police aides

8. Subject to the regulations, this Act applies to a person who was a special constable employed as an Aboriginal police aide during the period from 1 July 1992 until the commencement of the Police (Police Aides) Amendment Act 1992 as if the person had been a member of the Police Force and had contributed as a contributor under the new scheme for the time during that period for which the person was so employed.

Amendment carried; schedule as amended passed.

Long title.

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

Page 1, line 6—After '1952' insert 'and to make consequential amendments to the Children's Protection and Young Offenders Act 1979, Police (Complaints and Disciplinary Proceedings) Act 1985 and the Police Superannuation Act 1990'.

Amendment carried; long title as amended passed.

Bill read a third time and passed.

STATUTES AMENDMENT (COMMERCIAL LICENCES) BILL

Adjourned debate on second reading.

(Continued from 26 August. Page 426.)

Mr S.J. BAKER (Mitcham): The Opposition supports this Bill. It consists of a relatively minor set of amendments to the various Acts which come under the auspices of the Commercial Tribunal. The object of the amendment is to relieve the Commercial Tribunal of the onerous task of advertising in the paper whenever agents of various types and people holding licences of various types fail to lodge their returns or to submit their annual licence fees. Under the Acts that govern building licensing, commercial and private agents, consumer credit, land agents, brokers and valuers, second-hand motor vehicles and travel agents, it has been the practice, when people who held licences have failed to live by the conditions of those licences, to have advertisements placed in newspapers. In particular, if disciplinary procedures succeed and a person is found to be at fault, the tribunal is required to advertise any findings which reflect on the competence or the honesty of the people concerned.

However, there is another category of people who, for a variety of reasons, fail to live up to some of the conditions, such as those I have already mentioned—principally the failure to lodge an annual return or pay fees. Some submissions have been received by the Liberal Party on this subject. Concern has been expressed that in the second-hand motor vehicle industry dealers have avoided their responsibilities, and the Motor Trades Association, for example, would wish their names to be published because some of these people are deliberately avoiding their responsibilities. Their impecunious position or their failure to lodge returns is directly related to the fact that they are under some scrutiny for actions which are unconscionable.

I am not particularly happy about the way in which the Department of Consumer Affairs has operated in a number of these areas. I have been informed of various cases during the years that I have been in Parliament of builders who, without a licence or the appropriate licence, have done shoddy work, but the Government has failed to prosecute and to ensure that the rights of consumers are upheld. I have a case at the moment involving a person who had a limited building licence and who responded to a request from one of my constituents for work on her premises. He did not have the appropriate licence; he told my constituent that she did not need council approval for the work; and, when he did the work, it was of a second-rate, shoddy nature.

More than that (and perhaps this reflects on the person concerned), according to independent sources, the value of the work that was done was half that which she paid for the work to be done. I have followed up that matter with the Department of Public and Consumer Affairs, expecting that action would be taken. To date, no action has been taken on that matter; that person has not been prosecuted. The person bullied and threatened my constituent, yet no action has been taken. The person's name is Mr Steve Guerin, and it is my belief that he should face the full force of the law, that his limited licence be taken away and that he be prosecuted as should anybody else who acts in a fraudulent fashion. However, that has not happened, and I would say that over the years I have brought similar cases to the attention of the department but it has failed to follow them up in a fashion that I and those who have suffered financial loss would have wished. So, whilst the Opposition supports this Bill, we also recognise that some of the people who are transgressing in this situation (namely, failure to lodge or pay fees) are also the people who are involved in rorts and actions which this Parliament could in no fashion condone.

Perhaps the failure to lodge is one of the indications of the nature of the individuals concerned. I have reservations that the public is not fully protected under these measures. It is a closed door arrangement if indeed the only notification of failure to meet the conditions of the licence is a note to that person saying, 'Please comply.' There are winners and losers in the system; there are other people, for example who, because of the difficult financial and economic circumstances, may be late in putting in their returns and paying their fees because of their finances.

I note that the Minister in another place has already given some assurances to the motor trades industry that those who fail to lodge returns or pay their dues will be notified to that association. Examples have been provided where those people who no longer hold licences are still trading and taking advantage of stamp duty exemptions that apply to motor vehicles sold through second-hand dealerships. As everyone would realise, second-hand dealers are exempt from stamp duty on the purchase of motor vehicles because these vehicles are regarded as a stock in trade and not a final product.

I would like to think that there will be some monitoring of the change that we have before us. It may well be that we should go back to the previous system if we find that a large number of those people who are failing to comply with the conditions of their licence are the same people who are under scrutiny or against whom complaints have been made. If that is the case, and given the time it takes for tribunals to look into malpractice, it may well be appropriate to revert to the situation that pertains in the Act today, namely, to advertise that particular people do not hold licences because they have failed to comply.

With those few words and with some reservations, I indicate that the Liberal Party does support the proposition before the House. I have noted the discussions and the debates that have occurred in another place. I understand that the Minister will live up to her responsibilities and ensure that the Motor Trade Association is appropriately informed within seven days of any licences that are suspended so that that organisation, as master of that industry, will be able to take appropriate action and ensure that those people who bring disrepute to the industry can take some action of their own to protect consumers. The Opposition supports the Bill.

The Hon. M.K. MAYES (Minister of Environment and Land Management): I thank the Opposition for its support. I note that the member for Mitcham has recorded the Minister's commitment and I am sure that commitment will be honoured by the Minister.

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

SUMMARY OFFENCES (ROAD BLOCKS) AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 8 September. Page 491.)

Mr BRINDAL (Hayward): In essence, the Opposition supports this Bill and recognises that an extension of the provisions of the Summary Offences Act, which presently allows road blocks for the purpose of apprehending persons who might be illegally using a motor vehicle, is an additional aid to police in the apprehension of offenders. One recognises that potentially this power can be controversial. However, the Opposition believes that there are reasonable safeguards to ensure that the use of power should not become controversial.

In supporting the Bill the Opposition notes a number of matters. First, the police have a departmental policy statement on road blocks. As the Minister responsible in

another place outlined in his speech, the road block provisions are in fact quite extensive and include considerations for the safety of the public and the offender, although I believe there would be many in our community who argue that the safety of the police and the public should be paramount and perhaps not at quite such a level should be considered the safety of some offenders who seem to think nothing of putting the lives of our police officers and members of the public at risk. Yet, in a society such as ours we seem bound always to protect those who are perhaps less than worthy of that protection.

The road block site has to be on a straight road. It has to have a low volume of traffic to minimise risk. There must be no moisture on the road or no visibility impairment due to inclement weather. The road must not be too wide and must naturally lead to the road block itself. The material used is prescribed, and warning must be given of the road block, presumably to the offenders and everybody else. Then we have a provision that on any stretch of the road where the offending vehicle is travelling at very high speeds there is always the danger that the road block may cause loss of control over the vehicle, either from punctured tyres or while trying to avoid the road block, resulting in a serious crash. In those conditions road blocks will not be erected on roads where the speed of the offending vehicle can be expected to be very high.

Whilst the Opposition supports this measure it is left to ask, 'On which occasions will the police be able to erect road blocks?' If you apply the absolute letter of the law to the conditions that are laid down I put to members that on most roads you cannot do this, while on those roads where it could be done people would be expected to speed, so it cannot be done, anyhow. I wonder how many times the police will be able to erect road blocks given the constraints under which they operate. That leads me, whilst supporting the Bill, to make an important point in this debate—that is, that it is about time we started trusting our police officers a bit more and stopped hedging them in with regulations and provisions which suggest that they are not worthy of our trust. I believe that they are.

While I support this Bill I believe that the strict guidelines are in fact not necessary—that our Police Force is well and truly capable of exercising the required judgment. Perhaps we need a bit more regulation of the Police Force from this place and from their superior officers and a little more support for those officers of the Police Force who do a very valuable job. Every three months the Act requires a return to be sent to this Parliament of those instances in which the police erect a road block. I believe that today a statement was made in another place explaining why the Police Commissioner had forgotten to provide this House with the statements that are required by law.

I also note that such returns were in fact tabled today in the House and refer to authorisations pursuant to section 74*(b)* of the Summary Offences Act. They detail a number of road blocks that took place: on Mount Barker Road, Glen Osmond; on the national highway near Port Pirie, in particular Marie Street, Melrose Park, and National Highway 1; and on Princes Highway, Port Augusta. I also note that they detail road blocks which were erected in consequence of section 83*(b)* of the Summary Offences Act in the area of Golden Grove bounded by Hannaford Hump Road, Snake Gully Road, the portion of One Tree Hill Road between Snake Gully Road, Couch Road and the Para River; North Terrace in the vicinity of King William Street; King William Street in the vicinity of the Town Hall; and Melrose Park, Hahndorf.

While I think all members of this House must regret the procedural mistake which led the Commissioner not to provide this House with information when he ought, I think the House should also accept that the Commissioner will now put in place procedures which will ensure that this House gets regular and prompt returns on this matter. I conclude by repeating that the Opposition supports the Bill, but I would hope that when we are in government we would have a policy which is much less constraining of the police and supports them for the professionals they are in their pursuit of the safety and orderly administration of South Australia in terms of the laws enacted by this Parliament.

The Hon. G.J. CRAFTER (Minister of Housing, Urban Development and Local Government Relations): I thank the Opposition for its indication of support for this minor amendment which overcomes a deficiency in the legislation. The Commissioner of Police has sought this amendment to enable road blocks to be established where there is an illegal use situation. This will help the police in their apprehension of offenders.

There has been a spate of chases of this type. It is an unfortunate situation when the police find themselves engaged in these experiences, particularly in some country areas where they are in very dangerous situations and where the apprehension often occurs in less than satisfactory circumstances. Therefore, a road block, when established, can bring about an apprehension and perhaps even save lives. For those reasons the Opposition's support for this measure is appreciated, and I commend it to all members.

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

EQUAL OPPORTUNITY (EMPLOYMENT OF JUNIORS) AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 8 September. Page 491.)

The Hon. H. ALLISON (Mount Gambier): The Opposition supports this legislation. The existing Age Discrimination Act ostensibly eliminates discrimination against both the young and the old in our community. However, it has been pointed out by a number of employers that the industrial laws and the awards made under those industrial awards not too infrequently allow youth wages to be paid at a level which is almost invariably below the adult wage. Amendments which have been moved by the Attorney-General and the shadow Attorney-General in another place have removed certain anomalies from the original Bill, anomalies which we felt needed correcting, and among those is an

amendment which extended the legislation before us to include industrial awards made under Commonwealth legislation, as opposed to the original Bill which was simply inclusive of the industrial awards made under the South Australian legislation.

Questions still remain which were put to the Attorney-General in another place regarding the question of retirement of academic staff, and it was pointed out that the academic staff whose period of tenure would normally expire at age 65 years, under the new age discrimination legislation, are ostensibly allowed to retire at some time beyond the age of 65 years, irrespective of the period of their original tenure, if they have unlimited tenure.

The Attorney-General pointed out that this also applied to a number of members of the Public Service and that these conditions could also apply in any number of other cases. As a result, he gave an assurance in another place that the Equal Opportunities Commissioner would have a look at those various circumstances and would report back to Parliament at some time towards the end of this year or, more likely, early in the new year. Under those circumstances, I have no intention of extending the existing debate for any length of time; I look forward to those findings and the recommendations being handed down in due course. The Opposition supports the legislation.

Mr S.G. EVANS (Davenport): I support the legislation. It is a step in the right direction. I say that in reasonably strong terms. We as a society are foolish. In relation to equal opportunity in the workplace, we place on the employer the responsibility to advertise for a particular person for a particular field. The employer quite often has in mind that he or she wants a tall, tattooed man for a particular reason, or a tall, tattooed woman, or a fat tattooed man or lady for a particular role. If they could advertise what they were looking for, they would save much expense for some individuals. I can give an example of a small operator who wanted to employ a person in a particular role, but could not say that they wanted to have somebody under a certain age—that was their intention because of the age of the rest of the work force—and ended up with 152 applicants. Of those 152 who applied, the employer was only really keen on interviewing eight. So, 144 people had spent money on stamps, filled out an application form and, in many cases, a quite complex resume, and sent it in with an expectation but did not obtain an interview. How soul destroying is that? If someone does that a few times, they really get tired of seeking work.

Equal opportunity sounds good. It sounds good that we are all born equal, but we are not. Some are born with large muscles; some are born quite slim; some are born intelligent; others are born intelligent and useful with their hands at a trade. There are many things that each of us cannot do as well as another person. We really give those people who are not to be granted an interview a wrong expectation. It is wrong and it is soul destroying. Every member in this place knows that, but we got carried away with this idea that we can say we are all equal or that we should all have an equal opportunity. The sheer intervention of nature takes that away from many of us.

There are some small operators who will not advertise again. I know of one in a garage who battles on and works for 12 or 13 hours a day. He is 62 years of age and would take on a person in the category that he wants, but he will not advertise. He will not be humbugged into going through a whole heap of applications because he thinks it is unfair not only on him but on those seeking employment. Why should a person who wants to employ a particular type of person not state what they want, such as sex, age, height, whatever? Why should they not be able to do so?

Mr Atkinson: Religion.

Mr S.G. EVANS: If it happened to be a church organisation, I would agree with the honourable member. If a church organisation wanted an applicant of their own religion, they should be able to state that fact without fear or favour. If someone is seeking work, why should they not be able to state the type of employment or the sort of business they would like to work in, including the size or whatever? I support the Bill and say again: it is a step in the right direction. I know that, within the next 10 to 15 years, it will change quite dramatically because the young people out there, those who are idealistic—and I am talking about young people under 30—know that we have been wrong. They talk amongst their friends and know that this type of law is wrong because they and those for whom they hope to work have been humbugged. I will not be here in a couple of years—

Mr Atkinson: I am sure you will live much longer than that!

Mr S.G. EVANS: I will not be here in this place in a couple of year's time, but I am sure that the parliamentarians of the future will see a change in this area because, deep in everyone's heart, they know we took a step down an idealistic path that could not work in practice for the benefit of those who really seek the jobs. It is all right for those who sit in an office and read the law and state, 'You shall do this.' Those employers who will not be humbugged with it say, 'All right, I will get by; I will work longer myself. My partner in life will work with me.' Small business is the place where many people can be employed, but small business also cannot afford to be humbugged, and our laws humbug them. In the future, both sides of politics will realise the error of their ways. I appreciate that the present Government has seen that, in part, and has brought in this amendment, and I commend it for that action.

Mr HOLLOWAY (Mitchell): I support this Bill to amend the Equal Opportunity Act but I do not agree with all the comments made by the member for Davenport. It can be argued that an employer has in mind exactly the sort of person he or she wants for a job, but what is important about the Equal Opportunity Act is that it helps to change the community's attitude about age discrimination, and that is why amendments to this Act have been introduced within the term of this Parliament.

This Bill deals with a specific problem concerning the question of age discrimination, that is, the employment of young people. There are a number of small business employers in my electorate and I know from speaking to several of them that they have had problems when advertising for someone to fill a position. Although they have had a young person in mind because the work

involves training, they have had to deal with a large number of applicants, and that is particularly so at this time of unacceptably high unemployment. The problem has arisen because of the provision which outlaws advertising for junior workers. That means that employers have to go through a large number of applications, unnecessarily wasting their time.

In some cases, people in the over 40 age group have applied for these jobs, and they resent the fact that, when they turn up for an interview or when they make application for the position, they discover that it was never intended for their age group, that it is clearly meant for a young person. Because the Act outlaws advertising specifically for a young person, applicants go through the time consuming and, for an unemployed person, costly effort of applying for a job that they are never likely to get.

This amendment, which will overcome this problem, is a sensible change to the law. It will make employers and job applicants happy by preventing their wasting time. However, it is also important that we keep the principle of age discrimination within the Equal Opportunity Act because, although it may never be possible to use the legal system to get rid of age discrimination altogether, while it is in the law it will at least help to change attitudes, and that is really the most important part of the Bill. Although the House is dealing with a sensible amendment which confronts a practical problem, I do not believe that we should throw out the baby with the bath water, as the member for Davenport suggests, but that we should keep sight of the very desirable objective of eliminating discrimination on the basis of age within our community.

Mr S.J. BAKER (Mitcham): I support the amending Bill before the House. I have received a letter about this matter from the Youth Council, which suggests that the Liberal Party should oppose the amendment because it believes that it cuts across the discrimination legislation. In practical terms, I am sure that, like me, most members have been approached by employers about job adverts. Those employers have felt particularly bad when 200, 300 or 400 people applied for a vacancy but, because the advert was of such a general nature, many of them had no hope, quite frankly, of getting the job.

I have taken up this matter with the Commissioner for Equal Opportunity and suggested that she turn her mind to putting together some words that will get over the problem and provide practical relief for employers who simply do not have the time or energy to process a large number of applications and who feel particularly badly about having to reject so many applicants, many of whom would never have applied in the first place if the advertisement had been sufficiently descriptive. This is a practical solution to a difficult problem. While still adhering to the principle of non-discrimination on the ground of age, we are saying that there are industrial laws which contain descriptions of people in relation to awards that allow no doubt about the fact that an employer is looking for either a young person or an older person with wider and more general experience.

This legislation is a practical step forward. I remind the House that the system will change dramatically over the next few years. As I have said, I have been a great advocate of trainee wages and systems. It is a pity that this nation could not get its act together and ensure that the system of traineeships was more widespread, because if that were so we would not have run into the problem we are now facing of how to describe the sort of person whom an employer may wish to hire to fill a position. As members would be aware, the system will change dramatically under the next Liberal Government. Members on the other side of politics would say that that is for the worse, but I think young people have to be given a chance.

Recently, I addressed some young people aged about 13 and 14 at a school, and they asked me about the youth wages policy. I told them that one of the greatest problems facing young people today is the fact that they do not have opportunity. I quoted the case of my relative who worked for four months without pay and was quite happy to do so because she used the opportunity to upgrade her skills. She lived up to the conditions that normally applied to full-time employees and eventually was successful in obtaining that position. Some of our laws do not allow for that, and some employers would take advantage of such a situation; however, in this case her employer did not.

The greatest thing we can give young people is the right to work. That right has been taken away because of economic circumstances and policies that have left this country in economic tatters. We must ensure that all our young people are given the chance to work in order to progress and improve their talents and to make a contribution to this nation. This is a small but practical step. The world as we know it will change dramatically over the next few years irrespective of whether Liberal or Labor is in government. There are new imperatives, changes have to be made to the way in which we operate in this country, and this legislation is one step that will assist.

Mr MEIER (Goyder): In some ways one could argue that the Equal Opportunity Act, when first passed, legislated for deceit, because it has prevented employers from being truthful. It has made employers advertise for what they do not want. It has encouraged deceit and ensured that employers have fudged the truth. I am pleased, therefore, that this is a step in the right direction and that it recognises one of the key faults of the Equal Opportunity Act. Let us look at the wording that is most applicable to this debate, as follows:

> This division does not render unlawful . . . a decision to offer employment only to a young person, or the employment of a young person, where the rate of pay for that employment is a rate less than that applicable to an adult, fixed by or in accordance with the provisions of an award or industrial agreement made . . .

It is, therefore, still limiting. If it is the intention of the employer to pay an adult wage, it would appear that he or she will not be able to advertise for a younger person even if he or she wishes that person to be the appropriate choice. I should like to highlight three cases that have come to my attention in the recent past (many cases have come to my attention over the past few years). The first relates to a garage proprietor who advertised for a person to oversee the spare parts section.

That person had employed a younger person who was no longer able to work for that business and who had left

or was leaving. The person has said to me that he made the mistake of advertising for a person to oversee spare parts and undertake clerical work. That garage proprietor had some 200 applicants—and this is from a small country town in my electorate. A few of those were from as far as 200 kilometres away. He said that it took him a good two weeks of totally committed time to go through the applications and to interview the appropriate people.

The CES contacted him on several occasions and said, 'Excuse me, did so and so turn up for an interview?' When he said, 'Yes, but that person was from 200 kilometres away,' the response was, 'Yes, and that person is entitled to full travel reimbursement for having gone to the interview.' He said that after the first call he started to limit those who were farther than 100 kilometres or so away. Be that as it may, he eventually appointed a person who was slightly more mature rather than the young person he had originally intended to appoint, so I guess one could argue that the Equal Opportunity Act had its appropriate use.

However, after one week that appointee said, 'Look: this is not the type of work for me. I'm afraid I can't continue any more,' and left. So, the proprietor hired one of the other applicants, a young person of 18 or 19 years of age who is exactly the person he originally wanted. Probably, he could have saved himself at least a week's work. He could have saved tens of people their time and effort in applying for the position. He could have saved money all round and got the right person anyway. Thankfully, this change is a step in the right direction. The second example is that of a restaurateur.

He wanted a public relations manager and he said to me, 'Do you know how many applicants I got?' This was a few weeks after the garage proprietor had received about 200 applications, and I said that, if there had been 200 applicants for an ordinary unskilled job, then for a public relations manager there would probably have been, say, 300 applicants. He said, 'You're slightly out! I had three applicants for that position'. It is hard to draw conclusions whether or not the Equal Opportunity Act had a bearing on that, although it is obvious that if that restaurateur could have identified the age bracket of the employee he was seeking, he undoubtedly would have had many more applicants. He hoped he would have more applicants and I understand he was going to use another method to get more people interested.

This again shows that the Equal Opportunity Act is a drawback for employers. The third example involves a painter in my electorate who sought a young person for painting work. The person did not have to be skilled as it was the type of work on which he would provide teaching and advice where appropriate. Again, though, that painter could not identify in his advertisement that he wanted a young person, and thus he had many applicants that he was not even going to consider. There are many other examples that I could highlight. This Bill is a step in the right direction but much more needs to be done in the future.

The Hon. G.J. CRAFTER (Minister of Housing, Urban Development and Local Government Relations): I thank members who have contributed to the second reading debate and who have covered the measure adequately. This situation has arisen because of the number of inquiries that came to the Equal Opportunity Commissioner, and undoubtedly to members of Parliament as well, given the debate that has occurred here, and in most cases employers have expressed confusion and concern about the age provision which, on the one hand, allowed them to pay award rates to be based on age but, on the other hand, made it unlawful for them to advertise to recruit employees using the same criterion. This amendment recognises that it is anomalous to prohibit advertising for a junior so long as junior rates of pay continue to be included in awards and provides that employers are able to advertise for juniors where the work to be performed is covered by an award or industrial agreement and such award or agreement contains junior rates of pay.

The Government believes that that may assist some of those young people in our community who are seeking employment to more efficiently use the time and resources—often very limited resources—that are available to them to obtain the work that they are most likely to succeed in in their pursuits. It is a saving for employers as well, as the member who has just contributed to the debate indicated, who often have to sift through several hundred applications for suitable employees. It often causes great distress to people who have applied for positions and who either do not receive an acknowledgment or an indication that they have been unsuccessful and they can go through frustrating periods waiting for responses and interviews, only to find out that they are not in the category of employee that was being sought by the employer. So in this way I think there is a general improvement in the way in which our law operates in this area, particularly in a period of high youth unemployment in Australia.

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

ADJOURNMENT

The Hon. G.J. CRAFTER (Minister of Housing, Urban Development and Local Government Relations): I move:

That the House do now adjourn.

Mr ATKINSON (Spence): When the previous episode of this serial was heard in the House earlier today I was speaking about the bias and discourtesy of Adelaide City Councillors during the handling of the Barton Road road process order under the Roads (Opening and Closing) Act. I was giving some examples. I shall continue. Alderman Douglas loudly promised a Barton Terrace couple in the corridors of the Town Hall that they had his vote. This was before the evidence that council was required to hear under the Act had been completed. The same alderman was contemptuous of witnesses who gave evidence against his predetermined position and it was for the mild mannered Mrs Lindop, representing Red Cross, that he reserved special rudeness. Alderman Douglas's half apology of 28 September that, 'I might not have appeared as openminded as I might' is an understatement.

When Councillor Jim Crawford sought to move that Barton Road be reopened, not one councillor would

second his motion. He was thus unable to speak and the case for reopening the road was not canvassed. The Lord Mayor, Mr Steve Condous, told Councillor Crawford to sit down. Mr Condous wants to represent the people of Henley Beach in Parliament but he does not want them to drive on the streets of North Adelaide. He wants western suburbs votes but he tells us that Barton Road will be reopened only over his dead body. As I said, Mr Speaker, Councillor Crawford could not be heard because he could not get a seconder. Not even Councillors Henry Ninio and Francine Connor, who had previously said they would support the reopening of the road, would do Councillor Crawford the courtesy of allowing him to put his case. Only one side was heard in the council debate. This confirmed what I had been warned of all along: Adelaide City Council was so biased in favour of closing Barton Road that it could not be trusted to go through a quasi-judicial procedure under the Roads (Opening and Closing) Act, a procedure that requires objectivity and observance of the rules of natural justice.

Mr Speaker, I now turn to the matter of emergency access. In her letter to council on behalf of Calvary Hospital, Sister Christina Lloyd, the hospital's Nurse Administrator, wrote:

> Many doctors, particularly obstetricians, serve the patients at both Calvary and the Queen Elizabeth Hospital. It is vital that the most direct route be made available, particularly when obstetric cases are involved. Rapid transfer of gravely ill newborn infants to the Queen Elizabeth Hospital from Calvary is an essential factor in lifesaving circumstances.

Sister Christina was supported by an ambulance driver of 40 years experience, Mr Vic Kollosche. Mr Kollosche added, in his letter of objection to council, that many of the terminally ill patients at the Mary Potter Hospice live in the western suburbs. These patients, like most patients of the hospice, suffer severe pain from terminal cancer. Mr Kollosche's letter continues:

> I would like to point out that the residents of the western suburbs who are patients of Mary Potter Hospice are forced to make extended journeys around the closure. These journeys are necessary on admissions, home visits and treatments. Patients suffering terminal cancer experience severe pain and I can assure they feel every bump in the road.

For the State member for Adelaide and for the odious Dr Hammerton, of Hill Street, newborn infants and terminally ill patients count for nought, compared with the premium they can obtain on their real estate values if their part of North Adelaide can be turned into a secluded housing estate, a Mira Monte of the city.

Mr Speaker, I shall now dwell on the conflicts of interest in this matter of Councillor Jaquie Gillen and the State member for Adelaide. Aldermen Boucaut, Rann and Hamilton quite properly suspended themselves from voting on the closure of Barton Road. Legal advice from the council's solicitors Norman Waterhouse and Mutton was that they had a conflict of interest under section 53 of the Local Government Act. Councillor Gillen, who lives near the closure, in Childers Street, and who stands to gain much in residential amenity from the permanent closure of the road, accepted legal advice that she need not step down.

The reason for this advice was that her residence was owned by her parents-in-law, not her. But Councillor Gillen lives much nearer the closure than Alderman Hamilton, of Stanley Street, who did stand down. I would have thought that commonsense and the maintenance of appearances would have prompted Councillor Gillen to stand down. After all, her vote for permanent closure was not necessary to the majority that was obtained on council for the closure. Be that as it may, Councillor Gillen dashed through a tenuous legalistic opening to vote for her own self interest.

Likewise, the State member for Adelaide spoke on this matter in the House on 19 August, and he did not disclose, when making his speech in support of the closure, that he lives in Molesworth Street, North Adelaide, and stands to gain from permanent closure. To his constituents who want the road reopened he has pretended to be disinterested when the truth of the matter is that he has written to councillors supporting the permanent closure that is so clearly in his financial interest. Through you, Mr Speaker, I ask the member for Adelaide to disclose to the House whether he wrote these letters on parliamentary letterhead and whether he signed himself 'MP'. The member for Adelaide has put his own financial gain ahead of the more than 100 constituents of his who wrote formal objections to the permanent closure of Barton Road.

Mr GUNN: I rise on a point of order, Mr Speaker. The point of order is that the member for Spence has imputed improper motives in relation to the member for Adelaide which is quite contrary to Standing Orders. Therefore, Mr Speaker, I ask you to rule those comments as being inadmissible.

The SPEAKER: I ask the member for Eyre to clarify the improper motive.

Mr GUNN: The honourable member implied that the member for Adelaide was going to make financial gain in relation to the representations that he had made. He clearly implied that the action was improper and contrary to the way that a member of Parliament should act, which, in my judgment, implies an improper motive.

The SPEAKER: Order! The honourable member has made his point. If the member for Spence did imply that, I would ask him to withdraw it.

Mr ATKINSON: I certainly withdraw it, Mr Speaker. I now come to the question of Jeffcott Street and Wellington Square. For residents of those two thoroughfares the decision to close Barton Road permanently is a blow. All western suburbs traffic will now be forced into Jeffcott Street and Wellington Square, keeping the traffic counts in those two streets above 20 000 a day so as to save Hill Street from carrying any more than 2 500 a day. Councillors' reasoning on this is that the tenants of Jeffcott Street and Wellington Square are much less likely to vote in next May's council election or to make campaign donations than the dozen officious owner-occupiers of Hill Street and Barton Terrace West who ran the closure case. For Councillors Gillen and Angove the people of Jeffcott Street and Wellington Square just do not matter. Those councillors cast their votes cynically.

Mr Speaker, if you look at a map of upper North Adelaide you will notice that Jeffcott Street is the axis. To the east of Jeffcott Street you will see five exits to the east; to the west you will see none. To get to North Adelaide, my constituents have to detour via Port Road, West Terrace, Hindley Street, the Morphett Street Bridge and Montefiore Road. In the alternative, they have to get up to the Jeffcott Street-Fitzroy Terrace junction and wait

for some luck at the lights before proceeding down Jeffcott Road and Jeffcott Street. The shorter of these two detours adds 80c to the taxi fare of a Bowden pensioner travelling to the Mary Potter Hospice or Calvary Hospital. For the State member for Adelaide and the Liberal Party, Bowden and Brompton pensioners are people who count for nothing in the new society that they propose to create should they win the next election.

Another Liberal, the member for Hanson, proposes to represent the people of Hindmarsh and West Hindmarsh after the next election. Will he help them to get Barton Road reopened by moving or seconding with me a motion in this House to that effect? Before the Australian Democrats rally to the member for Adelaide's side on the ground that some parkland gained in the 1987 closure may be lost in the road's reopening, let me refer them to the council's plan. This plan, known as preliminary plan No. 1186, shows that the closure is parkland neutral, and so is the reopening; that is to say, just as much parkland gained by the closure is lost in the realignment of the roads.

There were alternatives to the closure of Barton Road that would have achieved the same result for Barton Terrace West residents. One alternative would have been to close Barton Terrace further to the east short of Jeffcott Street. This would have prevented the east-west flow of traffic that was the nub of the problem before 1987. But lo! Barton Terrace West residents will have none of this, because they want to drive where they please and they will not bear the inconvenience of driving around the nearest corner if they want to travel east.

Mr GUNN (Eyre): I wish to raise a matter of grave concern to my constituents at Leigh Creek, that is, the future of their hospital and the services that that hospital will provide to that part of South Australia and the surrounding area. Some 570 people attended a public meeting a short time ago and unanimously agreed to support the board of the Leigh Creek Hospital in its desire to maintain existing services. In its wisdom, the Health Commission decided that it would make the hospital board the bogey in this case by presenting it with three options, none of which were acceptable to the board or the local community. It is not unreasonable to have a reasonable hospital in an isolated part of the State. I have no problem with the Government doing away with waste or getting rid of people situated in the Health Commission in Adelaide; that would have my full support, as I believe it is a rather bureaucratic organisation, over-staffed, with a number of Labor Party fellow travellers administering it.

With regard to the Leigh Creek Hospital, the facts are set out in a pamphlet that was circulated prior to the meeting, as follows:

While it is true that the cost per occupied bed day is of the order of $1 100, and this is by far the highest in country South Australia, the average per capita expenditure on hospital-based services in Leigh Creek is approximately $375 per annum which appears to be less than the country health average. The cost to the South Australian Health Commission for hospital-based services in Leigh Creek is of the order of $1.02 a day per person while the income tax contribution averages at approximately $13.32 for each person living in Leigh Creek and the area which is served by the hospital.

Isolation:

The nearest alternative is 154 kilometres to the south; there is no alternative to the north (very significant to residents and visitors to those areas); families in Leigh Creek generally do not have local support of extended families; access to alternative or additional health, welfare and other caring services is usually limited and always expensive; the airport and roads are closed from time to time due to heavy rainfall.

High risk industries:

The mining and farming sectors are two of the highest risk industries; tourism in this area also carries a high risk as road conditions are generally poor and many drivers lack experience on unsealed roadways. The age of many tourists is over 60 years and this results in greater demands on health services in general and hospital services in particular.

Additional services which are provided by the Leigh Creek Hospital:

It provides an open 24-hours focus for the township; substitute for family support and advice in parenting, child-care, managing crisis, etc.—particularly after hours; considered and used as a 'safe house'; provides respite and social care for children and the aged; a back-up radio base for St John.

Clinical services:

Day surgery type procedures performed by specialists in a safe environment with appropriately skilled staff to reduce costs and avoid social dislocation for members of the community; level 1 deliveries which reduce costs and avoid family dislocation and also provide a safer and better equipped emergency service for unscheduled deliveries which may be quite high risk events; service for Aboriginal population which is appropriate and acceptable.

Hospital administration:

The board agreed not to replace its chief executive officer, to enter a joint CEO arrangement with Port Augusta Hospital and to have most clerical/financial functions carried out on a bureau basis by Port Augusta Hospital. This has resulted in a reduction of expenditure of approximately $100 000 per annum. This represents a 15 per cent savings in the operating expenditure.

Staffing levels have been monitored and adjusted to ensure that a minimum number of full-time equivalent staff are used to provide the required quantity and quality service. Nursing staff, in particular, have become multi-skilled and carry out tasks which would be described in other health units as 'non-nursing duties', for example, record maintenance, receipt of money, preparation of statistics and accounts, cleaning, aspects of catering, etc.

Planning and monitoring:

The board of directors have developed a strategic plan which not only addresses the role and function of the hospital but also sets the goals to be achieved and the strategies to achieve those goals. This plan had been reviewed by the Health Commission and received praise and no suggestion that the hospital plans were inappropriate.

The hospital has twice been surveyed by the Australian Council on Health Care Standards and on both occasions has been granted full accreditation—indicating that this national body believes that the service offered by the Leigh Creek Hospital was of a very high standard and that it was appropriate for the community it serves.

There is no reason why the hospital currently operating at Leigh Creek should have its services reduced or restricted and become purely an emergency centre. If the Health Commission is successful in its plans it is most likely that that community will lose the service of its doctor.

The Government has a responsibility to provide reasonable and responsible facilities in rural South Australia. It is not the community's fault that the Government has mismanaged the economy; it is not their fault, they have not done it. Local communities have supported and run their hospitals in an efficient and effective manner. The community desires that hospital and supports the service it provides. If it closes it will be the decision not of the Health Commission but of the Minister of Health and the Government. The people will know whom to blame.

The parliamentary Liberal Party supports local hospitals, and we will not be party to closing this instrumentality, nor will we be party to Dr Blaikie's plans—he who is a fellow traveller and an apologist for the Government—to do away with local hospital boards. Democracy is about allowing local communities to administer and manage their own affairs. Local communities in South Australia have run their hospitals in a most effective and responsible manner because they have had the total support of their communities.

In an article in the *Advertiser* of Saturday 17 October, entitled 'Independents force deal'—and I hope they force a deal to keep country hospitals open; that is one thing they can do—Dr Blaikie is reported as mentioning the establishment of five metropolitan health services as incorporated identities and 11 country health services comprising groups of health units. That means the abolition of all those country hospital boards and having a bureaucratic organisation, obviously with appointed people, probably all of whom will be public servants. Let me tell Dr Blaikie, the Health Commission and the Minister of Health that if they want a fight then a fight they will have. If they bring legislation of that nature into this Parliament they will not get much sleep for a few nights.

Let these other fellow travellers who have been running the Health Commission—the friends of the Labor Party—start in the areas controlled by the Labor Party. They should keep away from the rural areas where the people have a proven track record. It is not their fault that the Health Commission budgets have blown out. It should get rid of some of the unnecessary Government cars that we see lined up in huge numbers at Adelaide's metropolitan hospitals. It should not take away these services. These people do not ask for a lot, and it has been suggested to them that they will get less.

If the Government wants a fight then a fight it will have, because, if it is successful in reducing the service at Leigh Creek, a number of other hospitals will come under attack. Let the Government start on the hospitals out in Napier or Elizabeth and those areas to test the water. Nothing will happen out there or down at Semaphore or Henley Beach. When will the Government start rationalising those services? Let us see what happens then. Of course, we know that will not happen. It is only those people in the rural areas who produce the wealth of the country—the practical people; those who ask for very little and get less—who will be penalised again.

The price of living in rural and isolated parts of the community is already very high without making it more expensive. If the services at the Leigh Creek Hospital are downgraded, the cost of living in those areas will be even higher. If the services are reduced it is the fault of the Labor Government and the Labor Party; they will be the ones to blame. It is very well for the member for Stuart to bleat about this up there, but she is part of this Government and she will be party to that decision, and the people will know how to act at the first opportunity in relation to the member for Stuart. She is one of those who sat behind this Government when it mismanaged the economy. Now that it has run out of money she and her colleagues want to inflict great suffering and harm on these hard working people who have only done good for South Australia.

Motion carried.

At 10.11 p.m. the House adjourned until Wednesday 21 October at 2 p.m.