HOUSE OF ASSEMBLY

Thursday 11 April 1996

The SPEAKER (Hon. G.M. Gunn) took the Chair at 10.30 a.m. and read prayers.

ENVIRONMENT, RESOURCES AND DEVELOPMENT COMMITTEE: ROXBY DOWNS

Mrs KOTZ (Newland): I move:

That the nineteenth report of the committee on Roxby Downs water leakage be noted.

This report deals at length with the leakage from the tailings retention system at Olympic Dam. It follows a detailed and far reaching inquiry extending over many months. Parliament asked the committee to examine the massive leakage of water at Roxby Downs and to make recommendations as to further action.

Our report examines in great detail the circumstances surrounding the leak in the decade since 1986 but it also focuses on the future. As specifically requested by Parliament, we have also commented on the desirability of the Department of Mines and Energy having prime responsibility for environmental matters in relation to mining operations. In short, on this point, we have found the assumptions in the terms of reference about the role of the department to be wrong. But, as regards Roxby Downs and the operations conducted at nearby Olympic Dam, this is only one of the many mistakes and misapprehensions that have unfortunately obscured the fine work being carried on there. That work in not only discovering the potential of a vast resource locked hundreds of metres beneath the surface but also exploiting it in an environmentally responsible manner is worthy of great praise.

Committee members believe that it is important for the operations at Olympic Dam to be fully understood and appreciated by all South Australians and the wider public, who are often too ready and willing to accept misinformed or mischievous criticism. Our report praises the operators and regulators of Olympic Dam, when appropriate, but it also criticises them when necessary. Its main focus is the end product of all the mining and processing that takes place at Olympic Dam—the waste management and tailings retention systems.

After describing the Olympic Dam operations and providing a brief overview of the regulations controlling them, our report describes how the tailings retention system was designed, modified and improved. As with so many aspects of the operations at Olympic Dam, the tailings retention system was an innovative design, unique in many ways. Its efficiency and effectiveness could only really be proven in operation. Our report examines the system as designed, the changes that were made to it and how well it has worked in practice over the decade since it came into operation. The committee believes it is important to share the detailed information obtained in the course of its inquiry, in order not only to allay unjustified fears which may have arisen about the leakage but also to assist others who may be designing and operating similar systems. There is indeed much to learn from the Olympic Dam experience.

In its concluding recommendations, the committee urges the Olympic Dam operators and Government agencies to continue to publish the results of their monitoring and longer term research and to continue to contribute to the growing pool of knowledge about the environmental impacts of mining and, in particular, uranium mining. I trust that our report will also make its own positive contribution to that growing pool of knowledge. Our report calls upon the State Government to work with other Governments, specialist research institutions and the mining industry to promote strategic research into environmental management and, in particular, research into the design, operation and rehabilitation of tailings retention systems.

Our report makes a number of findings about the adequacy of the final design for the tailings retention system at Olympic Dam. As the committee took evidence, it heard that it was not just leakage from the system that was an important factor in the system's design: controlling radon emanation and anticipating the impact of what would be left on decommissioning the system were two of the many other crucial variables that had to be taken into account in designing that system. We also learnt that important changes in the design of the tailings retention system, which occurred at the same time as the original design concept was being tested and refined, arose as a result of the reduction in scale of the project from a proposed annual production rate of 6.5 million tonnes of ore to an initial rate of 1.5 million tonnes.

Even taking these factors into account, the committee has found that there were several deficiencies in the design of the initial system at Olympic Dam. The most important of these defects was the failure to provide for a decanting of the excess liquor which ponded on the surface of the tailings storage cells. We have also found that the concept of unlined evaporation ponds was a deficiency in the design of the initial system and that the decision to remove the coarse particles from the tailings exacerbated these design deficiencies and made management of the system more difficult. Any leakage would also be made worse by the presence of cracks and cavities in the limestone underneath the tailings retention system, and, although several techniques were employed in an attempt to locate sub-surface weaknesses at Olympic Dam, they were not successful. It is now clear that, if the tailings retention system had been constructed further south, it would have been better protected from potential solution channels.

The committee is concerned that any further expansion of operations at Olympic Dam must take this into account. Therefore, we recommend that, in granting future approvals, the Minister for Mines and Energy should ensure that future tailings storage cells and evaporation ponds at Olympic Dam are located where soil cover is greater than in the existing tailings retention system. While being satisfied that the approvals process was handled conscientiously and competently by the agencies involved and, in particular, by the Department of Mines and Energy as a coordinating agency, the committee is concerned that potentially valuable public comment or comment by disinterested experts was not available to the then joint venturers. Therefore, we have recommended that requests for approval for future developments at Olympic Dam, beyond those considered in the course of the recent public environmental review, should be made in an open, fully consultative public manner.

Part 4 of our report outlines how the tailings retention system was built and operated and how the massive leakage from it was detected and reported. It is clear that the Olympic Dam tailings retention system did not receive the degree of informed supervision of its various components that it required to operate efficiently as designed and that this inadequate supervision by the operators of the system

contributed to the massive leakage from it. Therefore, we recommend that all aspects of the Olympic Dam tailings retention system should be separately managed and supervised by staff fully acquainted with the principles and designs of the system's design and in consultation with those responsible for that design. As the committee took evidence about how the leakage was detected, we were told of the many difficulties of interpretation surrounding the monitoring results which were being received.

Our report concludes that the monitoring systems designed in part to detect leakage from the Olympic Dam tailings retention system were defective but that, following prompting from authorities and its own consultants, the operators did move quickly to remedy these defects. However that may be, we have found that the operators were reluctant to accept that a leakage from the tailings retention system was occurring, despite mounting evidence to that effect. Being confident of the benign impact of any seepage, the operators were also reluctant to admit deficiencies in the design and difficulties with the operation of the system which were contributing to the leakage from it. This reluctance coloured the company's reporting of operations at Olympic Dam and delayed measures necessary to understand the leakage and reduce its impact. Our report concludes that it was only when the leakage was too big to ignore or explain away and only in response to hard prompting from regulatory agencies that *ad hoc* operational changes were converted by the operators into radical remedial action to alter the original defective design concept.

For the detailed reasons set out in our report, we have found that, although the leakage is not attributable to any single cause, the mine water evaporation pond has made a significant contribution to the amount of leaked liquid. Perhaps most importantly our report concludes that, on the basis of current evidence, there have been no harmful effects to employees, the local community or the environment arising out of the leakage from the tailings retention system at Olympic Dam and that it is highly unlikely that any such harmful effects will emerge in the future. The committee is mindful of the major caveat that must be placed on any such finding because of the lack of knowledge about what has actually happened to the leaked liquor under Olympic Dam. We simply do not know enough about what has happened and will happen to this liquor as it passes through the soil under Olympic Dam.

Obviously, more scientific studies are necessary, which is why we have recommended that the Olympic Dam operators continue their search for a complete scientific understanding of the source of the leakage and of the hydrogeological flow patterns beneath the tailings retention system. Our report particularly recommends that they consider the necessity for additional chemical analyses of water samples taken from beneath the system to enable the source and flow pattern of any leaked water to be better understood.

Turning to more recent events, we find that the changes to the tailing retention system undertaken by the Olympic Dam operators in response to the leakage have been undertaken with commendable zeal. They appeared to us to represent an appropriate response to the leakage which will minimise the likelihood of future problems—provided the new system is properly constructed, monitored and managed.

Our report ends with a discussion of the role of the Department of Mines and Energy and with a series of recommendations designed to improve environmental management and regulation at Olympic Dam and elsewhere. As I mentioned at the beginning of my comments this morning, the committee has been concerned in its report to dispel several myths surrounding the Olympic Dam operations. One of these is the degree of control over the operations exercised exclusively and in some apparently malevolent manner by the Department of Mines and Energy. Our report concludes that, although the department has prime responsibility for regulating mining operations generally in South Australia, other agencies have important responsibilities in environmental matters in relation to those operations.

We also conclude that among other agencies the Environment Protection Authority, the Environmental Impact Branch of the Department of Housing and Urban Development and the South Australian Health Commission should all retain important independent responsibilities in environmental and health matters in relation to the Olympic Dam operations. In the course of its inquiry and when addressing this particular term of reference the committee heard a great deal of valuable discussion about how the regulation of Olympic Dam and its operations could be improved.

As in its Sellicks Hill quarry cave report tabled at the end of last year, having looked at some of the mistakes of the past, the committee is anxious to look positively to the future and to make recommendations which will prevent a recurrence and increase public confidence in the operations. The recommendations are made under four broad headings:

- Environmental Regulation;
- Open reporting;
- Independent Review; and
- Research and Cooperation.

In the area of environmental regulation, our report recognises that the operators are committed to improving their management of the environment at Olympic Dam. We therefore recommend that Government agencies commit themselves to establishing environmental goals and overseeing their retainment while leaving the prime responsibility for day-to-day environmental management to the operators.

With respect to the company, the committee sees considerable benefits in the Olympic Dam operations being more open to public scrutiny. This will help to remove false public perceptions about what is happening at Olympic Dam and counter negative propaganda based on prejudice and fear rather than on fact. We therefore recommend that the Minister for Mines and Energy reviews any statutory and practical impediments to the free flow of information about the environmental impact of Olympic Dam operations with a view to ensuring that all relevant information is freely available to interested members of the public.

More specifically, we recommend that the Minister for Mines and Energy consults with the Olympic Dam operators, other relevant State and Commonwealth agencies, and other interested bodies with a view to providing a forum for information exchange and policy consultation among a range of interest groups on the effect of operations at Olympic Dam on the environment. We also recommend that the Minister join with the Minister for the Environment and Natural Resources to consult with the Olympic Dam operators and others with a view to establishing a system of periodic, independent, external, environmental audit arrangements in relation to the operations.

As I mentioned in my opening remarks, the committee believes that it is important to learn from the experience of the Olympic Dam leakage. Our report concludes with two formal recommendations which pick up these concerns and

look to the longer term. In its concluding recommendations the committee urges the Olympic Dam operators and Government agencies to continue to publish the results of monitoring and longer term research and to continue to contribute to the growing pool of knowledge about the environmental impacts of mining and, in particular, uranium mining.

As I said earlier, I am confident that our report will also make its own positive contribution to the growing pool of knowledge. Our report finally calls upon the State Government to work with other governments, specialist research institutions and the mining industry to promote strategic research into environmental management and, in particular, research into the design operation and rehabilitation of tailings retention systems.

In commending these recommendations to the Government, I wish to thank all those who contributed to their formulation and all those who contributed to the difficult task given to the committee of establishing precisely what was wrong with the design, operation and oversight of the tailings retention system at Olympic Dam.

The committee thanks our research officer, Ray Dennis, who is no longer with us because he taken up another promotional post. We wish him well in the future and we acknowledge the professional assistance provided by Mr Dennis and the grasp that he had on the matters that were presented to us throughout this very complex inquiry. I also thank the committee's secretary, Geraldine Sladden, who also has accepted a promotional position elsewhere. The committee also thanks all *Hansard* members who, under very difficult acoustic conditions in Old Parliament House, managed as they always do in a professional manner.

Ms HURLEY (Napier): The member for Newland has given a very detailed and accurate description of the committee process but, as a member of the Environment, Resources and Development Committee, I would like to emphasise a couple of points: first, the original design of the tailings dam at Olympic Dam was part of the original environmental impact statement and was significantly different from the operating tailings dam. The change from the original design to the operating dam was mostly due to a reduced output from the mine—from 6.5 million tonnes to 1.5 million tonnes.

As a result, several changes needed to be made to the original design concept. At the stage when the mine was actually operating, problems arose with the way in which the tailings dam operated. That issue picks up one of the committee's recommendations—that the operations of sensitive mining areas such as this, or indeed many other areas involving environmental consideration, as much as possible need to be open to scrutiny from a number of agencies as well as to public scrutiny, because it is important that independent experts be available to provide input and to monitor what is happening. Secondly, on the basis of current evidence, no harmful effects have occurred as a result of this leakage.

In my view, this is due to the fact that enough care was put into the original design so that, even though the operation was modified, safety factors were taken into account and, in some respects, the tailings retention system operated as expected. No significant damage occurred before the leakage was detected and acted upon by the management of the mine. As the member for Newland said, this finding is made only on the basis of current evidence. Obviously there is scope for much more work to be done on exactly what happened to the water that leaked out of the tailings system, how that problem might be prevented in future and what might be done with it.

That leads me to the value of ongoing research and development in the mining industry, as in many other industries. It is important that research be carried out by independent bodies, and often that means Government funding. We need to know more about the operations of tailing systems and mining operations, particularly in environmentally sensitive areas such as Roxby Downs. It is the history of mining in this country that private mining companies have expended a lot of money and a great deal of time in their own research and development. It is unreasonable to expect that they will carry out a lot of research that is not particularly relevant to their operations. After all, they must look after the profits for their shareholders. The Government must maintain and perhaps even increase the amount of research it does in this area.

I would like to mention the importance of dedicated personnel at an operating mine site who are aware of the environmental implications of the mining operations, who are in touch with outside experts and who are able to monitor properly what is happening in the mining operation. Staff were employed at Olympic Dam who were dedicated to the task of monitoring and who carried it out accurately and well. As I see it, it was a matter of interpretation of those results, which were slow and led to the leakage occurring over a longer time than any of us would have wished. But I believe that it is important that the management of this environmental impact stay within the management of the mine, because the mine managers, after all, are there day to day; they are much more aware of the operations and of the changes in their own environment than are outside experts.

I have no wish to see monitoring and analysis of environmental impacts taken away from the company: merely that we should see a more open and public scrutiny and analysis of these results and a friendly interaction between these agencies and the managers of the mining company such that we have a flexible and workable partnership between the mining and environmental industries. I believe that that is starting to happen, and it should be encouraged and added on to. I hope that this report will add to that trend.

Mr VENNING (Custance): I will speak very briefly but certainly in total support of the Chairperson of the committee, the member for Newland. I have been immensely interested in this investigation, which is a very important investigation not only for the Parliament but for the people of South Australia. Roxby Downs, as we all know, is a great success story for South Australia, and we wish it all the best in the future with the increase in production and doubling of the size of the plant. But the news of this leakage was of great concern to everyone in South Australia. I can remember being concerned when I heard it; the issue was very emotive at the time. There is no doubt whatsoever and no argument about the fact that there was a leak, but there is some doubt even now as to its extent and whether it came from the tailings system itself or from the mine waste water system. Either way, it is gratifying to know that the underlying water systems have not been contaminated in any way.

I believe that the Olympic Dam company has acted responsibly, even though it could be argued that it was a little tardy in telling us that there was a problem. But it has certainly gone the extra mile in trying to solve these problems, particularly with the full lining of the tailings retention system with a very strong vinyl coating. This was not asked

for, but the company took this responsibility on itself to make sure that the leakage could not continue. I was fortunate to be able to see the operations first hand, and I also went to the Northern Territory to see the Jabiru mine and the problems they have up there. Of course, the mine in the Northern Territory—inside a national park—I believe is touted to be the cleanest mine in the world. I wonder about that, because around that mine site you could see the carbonates that were being removed from the site. So, I question how that mine can be said to be the cleanest, because our mine has come under much closer scrutiny than that mine.

I certainly enjoyed going to these mines and seeing the operations first hand. We were able to acquire copious amounts of paper work not only from the Northern Territory but also from our own Olympic Dam operations. I note that this week it has released another report, which is now in the hands of the Minister. That is its report on its own operations, and I pay full credit to the company because of its monitoring. Even though sometimes it could not be said to be impartial, because Caesar really cannot judge Caesar, when you read the report and see the efforts that the company undertakes with its own monitoring of its bores, you see that it is taking every measure to make sure that its mine is not only world class in relation to being environmentally friendly but also sustainable for many years to come.

I want to thank all those involved with this inquiry, which took a long time and which could well be one of the most important inquiries that the Environment, Resources and Development Committee will ever undertake. As members of the committee, the responsibility on us was pretty awesome. The witnesses before the committee were all people of extremely high calibre and were flown from all over Australia. I urge members to take time to read this report, because it is a very good document indicating a balanced approach to the subject. Anyone who has any doubts at all about the matter considered by the committee should read this report because it covers the situation well.

I thank very much all those witnesses who came before the committee and gave such good evidence. As the Presiding Member said, it is a pity that we lost both our Research Officer (Ray Dennis) and our Secretary (Geraldine Sladden.) Ray Dennis did fantastic work, and I pay tribute to him. It is sad for us to lose him. I also pay tribute to Geraldine Sladden, who was with us from the start as Secretary. I thank *Hansard*, who reported all the evidence, much of which involved some difficulty, especially when speakers, including myself, had to deliver within a short time information containing a lot of technical detail. I want to congratulate committee members and especially the Presiding Member, who has done a fine job in chairing the committee, settling difficult questions and keeping the committee in order. We did not have a cross word from anybody during the whole hearing and, when one considers who is on the committee, one realises that that is no mean feat. I commend this report to the House and urge every member to read it.

The Hon. FRANK BLEVINS (Giles): I, too, would like to congratulate the committee, its Presiding Member (the member for Newland) and the research staff, who are indispensable and whose work quality shows through in this report. I have a personal interest in this matter as it is in my electorate, and reading the report impressed me. It is one of the better reports that I have read whilst I have been a member of this Parliament. It was well done, indeed. In particular I congratulate members of the committee on their restraint. In this case, it would have been easy to get some cheap cheers by kicking Western Mining or the Public Service staff who have been involved over about 15 years in putting together the project and monitoring what has occurred since. The committee resisted that, and there is absolutely not a whiff of pandering to any elements that seem to get their fun by knocking the mining industry and Western Mining Corporation in particular. The committee and the staff are really to be congratulated.

I am sorry about some of the reports made by the media on this report last night. It was unfortunate that the media were quick to point out some of the deficiencies in the original design and monitoring process, but they did not, in all cases, quote what was said by the Presiding Member of the committee when, in her introduction to the report, she stated clearly that no harm had been done to any individuals or to the environment now or, on the information available, in the future. That balance was not always reported, and that is a great pity.

The members for Newland and Napier, in particular, have just about said everything, so there is no need for me to repeat it. However, I want to put on record my strong support for the Olympic Dam operation, and not because it is in my electorate. I never imagined for a moment that it would be in my electorate; nevertheless, it is. I support it strongly, as does the ALP. We strongly support that project and look forward to its expansion as quickly as possible. From my home town of Whyalla I know that about 20 companies are involved in the construction and ongoing work at the Olympic Dam project, so the direct and indirect benefits to my electorate spread far wider than Roxby Downs. They involve other companies and workers throughout the electorate, including many employees from the Kimba region.

It only remains for me now to wish everybody involved in the project well and continued prosperity. I urge Western Mining Corporation not to be quite so defensive about its operation. I can understand that because, since the late 1970s when it discovered this ore body, it has had to get approvals or be involved with 70 or 80 Government departments and other bodies, and that would test the patience of a saint. However, Western Mining Corporation has soldiered on and battled through. I can understand it being a little touchy, but it has a tremendous story to tell. From my point of view, I wish that a mine of that size and quality could be found on every pastoral lease in South Australia. There would be no problems with me over that.

I think that what the company spends on caring for the environment would improve enormously the pastoral lands of this State. I hasten to add that I do not think that the pastoral lands in this State are in the main mismanaged; that is certainly not the case. However, I am sure that a mine the size of Olympic Dam on each of them would free some funds that would polish them beautifully. Anybody who goes to Roxby Downs and asks to have a look at what has been done can only be impressed.

Again, I extend my congratulations to the committee, to Western Mining Corporation and to all involved in the Olympic Dam project. It was a problem that was identified and rectified, and that is the way of the world.

Mr BRINDAL (Unley): I wish to contribute to this debate, Mr Speaker, because you would know, as the local member, that I visited Roxby Downs before becoming a member of this place and have since visited it on a great number of occasions. I echo and endorse the words of the

member for Giles about the quality of the Roxby Downs operation. The honourable member said that he wished that there could be mines of that size and quality on every pastoral lease in South Australia. I pick up that point, as he did, from the point of view of the restoration and conservation work that Western Mining has done on that site.

Like the member for Giles and others, I particularly commend the member for Newland, as Chairperson of the committee, and all members of the committee for a very valid, balanced and detailed report on what was perceived as a problem. I do not know whether other speakers have alluded to this—the member for Giles did briefly—but I was disappointed at the way in which the media handled its reporting of this matter. It is quite obvious from the report that there was, indeed, a significant leakage. What the media did not bother to report but which the chairperson did in her foreword—and the report picks this up quite clearly—is that there was leakage into a saline aquifer—a contained aquifer at that. There was never any damage or threat of damage to persons, stock or vegetation. It was a leakage, and therefore needed attending to; but it was a leakage into a saline contained aquifer. It is a pity that that was not better reported at the time. It was left to this committee of the Parliament to thoroughly investigate, detail and then report fairly and accurately on this matter.

Again, I commend the chairperson and all members of the committee. The report is one of the better reports that I have seen in this Parliament—not that a lot of them are not good, but this is an excellent report. I particularly commend the series of recommendations which encourage the free flow of information. As the member for Giles said, that is very important not only for Western Mining but for people operating in this State generally. One of the great dangers we can fall into is the trap of giving out need to know information. If we shared information more freely and made the facts more freely available to people, there would be less hysteria and fewer scare type campaigns, not only in connection with Roxby Downs but also with a great many other enterprises in South Australia. I thoroughly commend the committee for its report.

Mrs KOTZ (Newland): I thank all members who either spoke to or contributed to this report. I was particularly pleased that the member for Giles placed his valued opinions and views on the public record, and I thank him for that. I speak again at the close of this debate to make a particular point. Members in this place who are on parliamentary committees would be well aware of the processes undertaken from the beginning of a reference taken on board by a committee to the end result—the report. Through those processes, members of committees have numerous occasions on which to air any of their thoughts or opinions related to the evidence or the report for consideration by other members. If a member of a committee choses to object to a particular area of a report or wishes to make a statement contrary to those of other members, the member has the option of producing a minority report.

I suggest to members of this House and members of the public who will view this report that, when they examine the report on Roxby Downs, they will find no minority report attached. It was a unanimous decision of the committee after hearing very complex and lengthy evidence. It was a matter of great deliberations, and not during one moment of either evidence taking or deliberations of the committee was the word 'negligence' used. I was appalled to hear on last night's news that one of the members of this committee went outside Parliament and used the word 'negligence' in front of members of the media in relation to this report.

I can only say that the Hon. Mike Elliott, Leader of the Democrats, who is a member of our committee, did not voice those concerns at any time during the committee's deliberations. Therefore, we do not see a minority report, because the word 'negligence' was never used. I can only suggest that it was a matter of playing to the media. That seems to be a weakness in one's political character, particularly in relation to the Hon. Mike Elliott. I can only assume that the Hon. Mike Elliott was on a witch-hunt from the moment he presented the terms of reference to the Parliament. But the evidence did not stack up to provide him with his assumed self-righteous indignation.

That did not deter the Hon. Mr Elliott from making his outrageous comments to gain his own media coverage. The honourable member demeans his own representation as a member of Parliament. His comments in an ethical sense are quite disgraceful and, as Chairman of the ERD committee, I totally reject the honourable member's newly found accusation and suggest that the evidence that was taken from experts right across a range of areas, including independent advice sought specifically by the committee, does not show or even touch on a form of negligence. I suggest that the evidence and the report speak for themselves.

Motion carried.

REFERENDUM (WATER SUPPLY AND SEWERAGE SYSTEMS) BILL

Adjourned debate on second reading.

(Continued from 28 March. Page 1295.)

The House divided on the second reading:

AYES (9)

Atkinson, M. J.	Blevins, F. T.
Clarke, R. D. (teller)	De Laine, M. R.
Foley, K. O.	Geraghty, R. K.
Hurley, A. K.	Stevens, L.
White, P. L.	

NOES (26)

Allison, H.	Andrew, K. A.
Ashenden, E. S.	Baker, D. S.
Baker, S. J.	Bass, R. P.
Becker, H.	Brindal, M. K.
Brokenshire, R. L.	Brown, D. C.
Buckby, M. R.	Caudell, C. J.
Cummins, J. G.	Greig, J. M.
Hall, J. L.	Ingerson, G. A.
Kotz, D. C.	Lewis, I. P.
Meier, E. J. (teller)	Olsen, J. W.
Oswald, J. K. G.	Penfold, E. M.
Scalzi, G.	Venning, I. H.
Wade, D. E.	Wotton, D. C.

PAIRS

Quirke, J.A.	Kerin, R.G.
Rann, M.D	Rosenberg, L.

Majority of 17 for the Noes.

Second reading thus negatived.

WORKERS REHABILITATION AND COMPENSATION (MENTAL INCAPACITY) AMENDMENT BILL

Adjourned debate on second reading.
(Continued from 28 March. Page 1296.)

Mr CLARKE (Deputy Leader of the Opposition): I will respond to arguments put forward by Government members on this Bill. Nothing that has been said by the Government in respect of this Bill would in any way influence me to believe that our position is wrong. This matter has been dealt with before in this place. Unfortunately, we lost on that occasion and the numbers will be against us again now, but that does not make our position wrong, because the simple fact of the matter is that this is about bringing justice to those workers who have an injury of the mind that they suffered as a result of their employment. It is about ending the discrimination that exists between workers who have a physical injury and being entitled to claim a lump sum payment under section 43 of the Workers Compensation Act as against those workers who suffer a mental injury just as debilitating and just as far reaching in its effect on that individual worker and their family as injury to a worker suffering from a physical injury, yet they are discriminated against under this Act by not being able to seek a section 43 lump sum payment.

I thought that in South Australia in 1996 we had got beyond the thoughts or social thinking of 50 or 60 years ago where we discriminated against people with mental injuries. It is not a stress claim. Members opposite constantly harped that this would open the flood gates with respect to stress claims. It has nothing to do with stress claims but everything to do with justice for workers such as my constituent, Mr Curtis, who suffered a trauma—a mental injury—from having, not once but twice, a shotgun shoved up his nose in a service station and being threatened by drug crazed offenders with having his head blown off if he did not hand over money from the till. That man's life has been ruined just as much as if he had been physically attacked and lost an arm, a leg or the use of his body.

The person suffering the physical attack would be entitled to receive a lump sum payment but a person suffering from mental injury would not. This Government is still accountable, under the Commonwealth discrimination laws, and the current legislation is in direct breach of the discrimination laws of the Commonwealth Parliament unless this Government, because it now has its bedfellows of the same political persuasion and power in Canberra, can get an exemption. To date I am not aware of the South Australian Government actually gaining any such exemption from the Commonwealth Government with respect to this matter. If it does not, the current laws will be found to be discriminatory at a Federal level and therefore overridden, and I will be taking steps to see that this matter is brought to a head once and for all, because it is intolerable in today's society that we discriminate against workers with mental injuries as against workers with physical injuries.

Therefore, I urge all members to support this legislation. As I said in my second reading speech, it has the support of the Royal College of Psychiatrists of Australia and New Zealand, the Australian Medical Association and most right thinking people in this State. I urge the support of members.

The House divided on the second reading:

AYES (9)

Atkinson, M. J.	Blevins, F. T.
Clarke, R. D. (teller)	De Laine, M. R.
Foley, K. O.	Geraghty, R. K.
Hurley, A. K.	Stevens, L.
White, P. L.	

NOES (24)

Allison, H.	Andrew, K. A.
Ashenden, E. S.	Baker, D. S.
Baker, S. J.	Bass, R. P.
Becker, H.	Brindal, M. K.
Brokenshire, R. L.	Buckby, M. R.
Caudell, C. J.	Cummins, J. G.
Greig, J. M.	Hall, J. L.
Ingerson, G. A.	Lewis, I. P.
Meier, E. J. (teller)	Olsen, J. W.
Oswald, J. K. G.	Penfold, E. M.
Scalzi, G.	Venning, I. H.
Wade, D. E.	Wotton, D. C.

PAIRS

Quirke, J.A.	Brown, D.C.
Rann, M.D	Kerin, R.G.

Majority of 15 for the Noes.
Second reading thus negatived.

GREAT AUSTRALIAN BIGHT MARINE SANCTUARY BILL

Second reading.

Ms HURLEY (Napier): I move:

That this Bill be now read a second time.

It is an appropriate time to consider this Bill because the whales are due to come into the Great Australian Bight shortly and begin their calving and breeding season. We have to ask ourselves what protection will be given to those whales. This Bill seeks to give proper protection to both the southern right whale and the rare Australian sea lion by establishing a sanctuary in the area in which they are calving and breeding. The boundaries of the proposed sanctuary and also the management provisions adopt in full the recommendations made to this Government in the draft management plan for the Great Australian Bight Marine Park dated February 1995 and prepared by the South Australian Research and Development Institute. I do not need to go into all the details of the Bill because the arguments have been canvassed fully in the media, in this place previously in debate on an earlier Bill and recently in another place, but basically we are talking about calving mothers about to come into the Bight and, therefore, the future of this group of whales rests with properly preserving their breeding grounds.

It is important that members of this Parliament vote to stick with the SARDI report and reject the poor compromise which has become the Government's approach. We know that a number of Government members would support a more comprehensive approach to preserving the breeding and calving grounds in the Great Australian Bight. Specifically, I will address the argument that these animals need only six months of protection in the Bight. It is vitally important that these animals be protected all year round. Although whales breed for possibly only six months of the year, the sea lions are present throughout the year. In the past we have hunted and caused the southern right whale particularly to be nearly extinct and now is the opportunity to make up for the errors and sins of our past and ensure that these magnificent

creatures are preserved so that the numbers continue to increase.

This is not purely a matter of doing the right thing by making sure that these animals are safe: a marine park will also assist our tourism industry and provide a focal point for this part of the world where tourists can come to a recognised sanctuary and look at these animals living in total security. We have a wonderful opportunity to ensure the continued survival of these two species of animal. Therefore, I urge all members to seize the opportunity and vote in support of the Bill. I seek leave to have the explanation of the clauses inserted in *Hansard* without my reading it.

Leave granted.

PART 1
PRELIMINARY

Clause 1: Short title

This clause sets out the short title of the measure.

Clause 2: Objects

This clause states the objects of the measure.

Clause 3: Interpretation

This clause defines various terms used in the measure.

Clause 4: Non-application of Part 4 Division 2 of the Fisheries Act 1982

This clause provides that Division 2 of Part 4 of the *Fisheries Act 1982* does not apply to or in relation to the Great Australian Bight Marine Sanctuary ("the Sanctuary") constituted by this measure.

Clause 5: Abolition of the Great Australian Bight Marine Park Whale Sanctuary constituted under the Fisheries Act 1982

This clause abolishes the Great Australian Bight Marine Park Whale Sanctuary constituted by proclamation under section 48(1) of the *Fisheries Act 1982* on 22 June 1995.

Clause 6: Native title

This clause preserves native title.

Subclause (1) provides that nothing in this measure affects the continued existence, enjoyment or exercise of rights conferred by native title in land within the Sanctuary.

Subclause (2) provides that the powers of control and administration conferred by this measure cannot be exercised so as to exclude, or limit the exercise of rights conferred by, native title in land within the Sanctuary.

PART 2
CONSTITUTION AND MANAGEMENT OF THE GREAT AUSTRALIAN BIGHT MARINE SANCTUARY

Clause 7: Constitution of the Great Australian Bight Marine Sanctuary[1]

This clause constitutes the Sanctuary.

[1] *I.e.*, The waters specified in the schedule and the land below those waters and the airspace above those waters to a height of 1 000 metres.

Clause 8: Management Plan

This clause provides that the South Australian Research and Development Institute's *Draft Management Plan for the Great Australian Bight Marine Park* (February 1995) ("the Plan") is adopted and that the adopted plan as amended from time to time applies to and in relation to the Sanctuary. It also empowers the Minister to amend the Plan in accordance with a process (that must include public consultation) to be prescribed by regulation.

Clause 9: Control and administration of the Sanctuary

This clause provides for the Minister for the Environment and Natural Resources to have the control and administration of the Sanctuary and requires the Minister's control and administration to be consistent with the Plan.

Clause 10: Prohibited activities

Subclause (1) prohibits certain activities in the Sanctuary unless authorised by a permit granted by the Chief Executive of the Department of Environment and Natural Resources. The maximum penalties are: for a first offence—division 7 fine ($2 000), for a second offence—division 6 fine ($4 000) and for a subsequent offence-division 5 fine ($8 000).

Subclause (2) provides that subclause (1) does not apply to or in relation to fishing with a rod and line or a hand line from a beach comprising part of, or that is adjacent to, the Sanctuary.

Subclause (3) defines terms used in subclause (2).

Clause 11: Permits

Subclause (1) empowers the Chief Executive to authorise a particular activity or the doing of a particular thing if, in his or her opinion, it is in accordance with the measure and the Plan. A permit may be limited to a particular period and be subject to conditions.

Subclause (2) empowers the Chief Executive to vary or revoke conditions of a permit or impose further conditions.

Subclause (3) provides that if a person contravenes or fails to comply with a condition of a permit, the Chief Executive may revoke the permit and the person concerned is guilty of an offence. The maximum penalties are: for a first offence—division 7 fine ($2 000), for a second offence—division 6 fine ($4 000) and for a subsequent offence-division 5 fine ($8 000).

Clause 12: Prospecting and mining prohibited

This clause provides that rights of entry, prospecting, exploration or mining cannot be acquired or exercised pursuant to the *Mining Act 1971*, the *Petroleum Act 1940* or the *Petroleum (Submerged Lands) Act 1982* in respect of land forming part of the Sanctuary.

PART 3
ENFORCEMENT

Clause 13: Authorised officers

This clause provides for national parks and wildlife wardens, fisheries officers and members of the police force to be authorised officers for the purposes of this measure.

Clause 14: Powers of authorised officers

This clause sets out the powers of authorised officers.

Clause 15: Offence to hinder, etc., authorised officers

This clause creates various offences.

Clause 16: Offences by authorised officers, etc.

This clause makes an offence for an authorised officer, or a person assisting an authorised officer, to address offensive language to any other person or, without lawful authority, to hinder or obstruct or use or threaten to use force in relation to any other person. The maximum penalty is a division 6 fine ($4 000).

PART 4
MISCELLANEOUS

Clause 17: Immunity from personal liability

This clause gives the Chief Executive, authorised officers and other persons engaged in the administration of the measure immunity from personal liability for an honest act or omission in the exercise or discharge, or purported exercise or discharge, of a power or duty under the measure. A liability that would otherwise lie against a person lies instead against the Crown.

Clause 18: Evidentiary provisions

This clause provides certain evidentiary aids in proceedings for an offence against the measure.

Clause 19: Service of notices

This clause specifies the manner in which notices may be served.

Clause 20: Proceedings for offences

Subclause (1) allows proceedings for an offence against the measure to be commenced at any time within 12 months after the commission of the alleged offence.

Subclause (2) provides that proceedings for such an offence must not be commenced without the consent of the Minister.

Subclause (3) is an evidentiary aid.

Clause 21: Regulations

This clause empowers the Governor to make regulations.

SCHEDULE

Great Australian Bight Marine Sanctuary

The schedule defines the boundaries of the Sanctuary.

Mrs PENFOLD (Flinders): I do not support the Bill but I do support the multi-use of the Great Australian Bight. I seek the support of members to preserve the rights of the fishermen to retain access to traditional fishing grounds in the Great Australian Bight. Whales and their future is an emotive issue and it could cloud the judgment of those making the decisions. Fishermen are prepared to participate in endeavours to protect the whales. They will agree to a multi-use marine park, provided they have rights to fish when the whales are absent. I believe that they would agree to accept a code of practice, which would cover such areas as the dumping of rubbish, old fishing gear and contaminants. I believe that most fishing vessels are now well equipped to handle their own rubbish and any contaminants of the ocean are more likely to come from international shipping than from our fishing fleet.

The southern right whale can be protected for all time at the same time as we preserve the economic well-being of fishermen who rely on this important fishing ground. The environmental lobby has argued that an exclusion zone is the only way to protect whales, but I disagree. Rather, I support seasonal closure. Seasonal closures are not an unusual tool for the management of areas frequented by whales. Hervey Bay Marine Park in Queensland is subject to a closure between 1 August and 30 November each year to ensure the protection of humpback whales.

Australia has 43 species of whales and dolphins, with 25 of these being recorded in South Australian waters. Whales and dolphins move over vast areas of ocean, and creating reserves alone will not lead to or ensure their survival. The southern right whale migrates from Antarctica each year and moves across vast areas of the southern coast of Australia, generally from east to west in late autumn, winter and spring. Since the beginning of the century the whales have been sighted from the middle of the New South Wales coast to the Western Australia/South Australian border. An exclusion zone at the head of the Bight will do no more to protect the species than declaring any other site in Australia off limits. On 26 May 1995, *Advertiser* journalist Jeff Turner wrote:

> About 700 southern right whales in a population of only 3 000 mate and breed in Australian waters, many in the Bight. The whales begin arriving about the end of May, swimming up the South Australian coast to the head of the Bight near the Western Australian border. They mate and calve, returning to Antarctic waters in October. Southern right whales do not feed when they are in the Bight. They must live off the reserves built up from feeding in the Antarctic.

From this observation we can see that only about a quarter of the world's population of southern right whales use Australian waters and that they do not feed there. Retired Curator of Mammals at the South Australian Museum, John Ling, confirms that southern right whales do not feed at all from the time they leave the krill grounds in Antarctica at the end of summer until they return to feed again on the enormous schools of krill from October onwards through summer.

Whales build enormous reserves to withstand the arduous journey each winter to the warmer Australian waters to breed and calve. On balance, the southern right whale is a very resilient, tough mammal placed in danger only because it was over-hunted by whalers. Up to 50 shore whaling stations were once in operation along the Australian coast, with the earliest reports of southern right whales in Australia occurring in 1805. An estimated 26 000 whales were taken in the period from 1826 to 1899, with more than 15 000 taken from Australian waters. In fact, it is claimed that in the 1960s large numbers of right whales were still being killed by the Russian whaling fleet, despite the mammals being internationally protected since 1935.

The International Whaling Commission, in a report in the *Australian* on 7 March 1995 into threatened species, has found that right whales, once the most threatened, are now showing the strongest recovery. At this stage an exclusion zone while the whales are present in the Great Australian Bight will not impact on any dominant fishing season. The period of May to November each year when the whales are present in the Bight is outside of many recognised fishing seasons. The Australian 1994 SARDI draft management paper reports that the behaviour of whales at present suffers from no major interferences.

Port Lincoln—and Eyre Peninsula—is home to some of the State's most valuable fisheries. Regional economic growth and employment prospects rely heavily on a well controlled local fishery. I am also concerned at the high cost of enforcement for any proposed exclusion zone. SAFIC has estimated the cost to be at least $250 000. The southern bluefin tuna fishery is the most valuable in the region, especially since the fishermen have started farming and adding value to their catch before the fish are exported to Japan. Both the southern right whale and the southern bluefin tuna have regular migratory patterns. Generally the whales go through Australian waters from east to west from May through to October, while the tuna migrate from South Africa to New Zealand in a west-east pattern.

Tuna are caught off the Great Australian Bight from December to April, outside the whale calving season. Tuna is presently the most heavily fished species in the Great Australian Bight. Catching tuna is weather dependent and, with the poor weather being experienced in this season of 1996, a significant quantity of tuna has been taken from within the Great Australian Bight. According to a representative of the Tuna Boat Owners Association, over 90 per cent of the national tuna catch quota is expected to come from the Great Australian Bight this year. The economics of tuna farming depend on intensive high summer fattening. This requires the fishermen to take tuna in December through to February when the fish are migrating through the Great Australian Bight. The technique of farming requires good weather as the boats are catching live fish. The fish also must be transferred from catching nets to towing pontoons as soon as they are caught. This work is carried out by divers in dangerous waters. So, the closer to shore the operation, the better the chance of success. The present method of catching southern bluefin tuna is the cleanest form of fishing with very minimal by-catch, with no threat to whales and especially with no habitat impact.

West Coast rock lobster fishermen also rely on access to the Bight for much of their catch. A large part of the reef used for catching rock lobster is at the head of the Bight and will be closed if a total exclusion zone is introduced. This closure will impact heavily on the livelihood of the rock lobster fishers who regularly fish this reef. Very little fishing takes place further west at the head of the Bight. Denying rock lobster fishers access to this reef will increase the pressure on the remaining fishery, thus putting it at risk. Ceduna-based accountant Geoff Mitchell has written to me, stating that it is an economic necessity that fishermen have access to the area when the whales are not in residence.

Mr Mitchell said that the Bight was the heart of the West Coast crayfishing zone, resulted in a large amount of income in the area and supported numerous families, both directly on the fishing boats and at the fish factories. Rock lobster fishing in the northern zone is permitted only between 30 November and 31 May. This is outside the dominant whale calving season, between May and November. The South Australian Fishing Industry Council indicates that up to 5 per cent of the commercial catch in the northern zone rock lobster fishery, worth $1.25 million a year, at current beach prices will be lost if fishermen are permanently excluded from the head of the Bight.

Export prices for this product are significantly higher, with Hong Kong prices about $50 per kilo, and this could result in a loss of about $2.2 million to the State's export income. The rest of the rock lobster fishery could not be expected to sustain the increased pressure by those fisheries excluded from the Great Australian Bight. The resource is so finite that, even now, a week-long closure is used to limit catches

during a seven-month fishing season. I believe that between 18 and 25 boats fish the Great Australian Bight, including one owned by constituents Anne and Graham Tapley. One-third of rock lobster taken by the Tapleys' boat is taken from the shoreline of the Great Australian Bight to about three miles offshore. The Tapleys have fished this area for 20 years. According to Anne Tapley, this area is noted for yielding bigger fish, which they have used in developing excellent markets overseas.

In addition, one Port Lincoln exporter, Steve Moriarty, Manager of Southern Waters Rock Lobsters, tells me that fish taken from in-shore shallow waters are more hardy and better suited for the live export trade.

The abalone fishery has the potential to be significantly affected by an exclusion zone, as species as yet unable to be utilised exist in large quantities within the proposed marine park. Abalone divers only rarely visit the Great Australian Bight to take green lip or black lip abalone. However, there are stocks of the *haliotis roei* in the area and divers would fish for this species if and when access is granted some time in the future.

The scale fisheries include species such as pilchards, whiting, salmon, tommy rough, redfish, leather jackets, sweep, mulloway and shark. The main species taken from in-shore waters (under 50 metres) are gummy and bronze whaler shark, sweep, mulloway, and Australian salmon. Mulloway is the major recreational fishery within the proposed park, with shore-based recreational fishermen targeting both mulloway and Australian salmon. A study revealed that fishers may travel distances of up to 950 kilometres to fish this area because of the relatively high-catch rates and the large size of the fish.

In offshore waters school shark, ocean leather jackets and deep sea trevalla are the targeted species. The majority of the catch from the Bight is made up of shark, with large mesh gill netting by far the most important method of capture. The potential loss of the shark fishery is estimated to be around $300 000. In addition to the adverse effect on the fishing industry, an exclusion zone as proposed could impact adversely on tourism. Eyre Peninsula attracts in excess of 300 000 visitors a year. Spending more visitor nights on Eyre Peninsula than are recorded for the Barossa Valley, the Flinders Ranges and Kangaroo Island combined, these visitors contribute more than $60 million to the local economy annually. Surveys indicate that 80 per cent of Eyre Peninsula visitors express their priority as fishing or a coastal experience. Whale watching at the head of the Bight from cliff tops is one of the favoured attractions. Any restrictions imposed on this area to protect whales must allow for the tourism potential to be fully developed, and this includes fishing.

As outlined, a great many people living on Eyre Peninsula depend for their economic survival on the area proposed for total exclusion. I believe that total exclusion is not an option in this day and age but that it is compatible to have both a marine park and economic activity surviving well in the same area but at different times. I support the joint usage of the Great Australian Bight, and I do not support this Bill.

Mrs HALL secured the adjournment of the debate.

EDUCATION (BASIC SKILLS TESTING) AMENDMENT BILL

Second reading.

Ms WHITE (Taylor): I move:

That this Bill be now read a second time.

This Bill has been opposed by Government members but supported by the Democrats and the Opposition in the Upper House. Although the title of the Bill includes the words 'basic skills testing', the Bill does not deal with the issue of what 'basic skills' consists of, whether it is a good thing, how it is assessed, how it is evaluated, how parents choose whether to have their children participate in basic skills testing, or other related matters. It deals merely with one aspect of how the results of basic skills tests are used, and that is the privacy aspect of the Bill. The purpose of the Bill is to prevent disclosure of the results of basic skills testing to anyone other than the Minister, the Education Department, the parents of the child, the staff and some other bodies.

Under this Bill, no-one is permitted to publish basic skills testing results so as to identify a certain child, group of children (for example, a particular class of students) or school. The aim of this Bill is to prevent the publication of league tables and such and to help prevent the misuse of the information that comes out of basic skills testing. As I said before, the Minister, the Education Department and a number of people are able to access the information that comes out of basic skills testing. The aim of this Bill is to ensure that the rights of privacy that are valued by this community are upheld and that information is not misused. Members would be aware of discussion in the community about fears that schools and teachers could be misjudged according to results that became widely known as to how children in their schools performed on these basic skills tests. The other fear the Opposition holds is that basic skills testing should not be misused to an extent where the curriculum in schools would be biased towards teaching to past tests rather than teaching to acquire certain skills.

Under a system where schools, teachers, students or groups of students are publicly judged, we know the pressure on schools will be there, and I do not think members of this Chamber would be so naive as to argue that that pressure would not be there if there was public disclosure of this sort of information. The aim of this Bill is to ensure that the information is not used improperly, comparing performances between one school and another, while ignoring other factors that are important to the decisions taken to deal with such information such as socioeconomic factors and other factors that might contribute to student performance.

All this and all the aims of this Bill are in line with what the Government and the responsible Minister have advocated in respect of basic skills testing. According to the responsible Minister, the basic skills test was never meant to be a measuring stick to compare teachers or schools' performances. By supporting the Bill, the Labor Opposition aims to ensure that that, in practice, is so. Therefore, I would not be surprised if all Government members were to vote against the Bill. The Bill is a good idea. However, I have one reservation about it, and I refer to the allocation of resources on the basis of basic skill testing results. That has already occurred, as we know, and it seems reasonable that the Parliament should be able to scrutinise those decisions. That is one aspect I place as a rider.

The Opposition supports this Bill, which we believe is a good measure to prevent what I think all members would agree would be undesirable consequences of publication of results of basic skills testing. The Bill is not about whether the basic skills test for literacy and numeracy is a good idea or is implemented properly—that is a debate for elsewhere—

but about safeguards to privacy and prevention of improper use of the results of basic skills testing.

Mr BRINDAL secured the adjournment of the debate.

GLENDI FESTIVAL

Mr BRINDAL (Unley): I move:

That this House congratulates Mr Tom Vartzokas and the organising committee of the nineteenth Glendi Festival in Adelaide, acknowledges the debt of all South Australians to those of Greek origin who have enriched our community by their endeavour in all walks of life and with their culture, and expresses its gratitude and appreciation of Mr Vartzokas for 16 years of close association with Glendi and wishes him and future committees continued success.

It is a privilege accorded to me by my Party to enable me to move this motion today, because I know several other members in this Chamber—perhaps most principally the member for Colton—would have been equally anxious to move a similar motion. I will deal with this matter in two parts. I would like, first, to address briefly that part of the motion that talks about the Greek community in South Australia and the contribution that it has made over a number of years; and, secondly, to address a few brief remarks towards Mr Vartzokas personally.

Greeks have been part of the Adelaide and South Australian community for many years, but the advent of very large numbers probably started after the First World War and followed heavily after the Second World War. Many of those people, who were new arrivals when I was growing up, together with Italians who were arriving in great numbers at the time, suffered a lot of vicissitudes at the hands of the indigenous population. As a lad growing up in those times, I think it is true to say that we were and had been a fairly insular society, largely Anglo-Saxon, protected and insulated from the rest of the world. When vast numbers of people started to arrive speaking other languages, having other cultures and practising their Christianity in a different way, many in the local population were somewhat suspicious and those people were not always treated as well as they might have been.

When I speak to Greeks and Italians of my age group, many of whom have been here most of my life and their lives, it does not give me much pride to hear some of the stories they tell about the way that they were treated at school, the names they were called, and the ridicule, and sometimes worse, to which they were subjected. As I said, it does not give me much pride, because our parents were not always to blame. I was one of the children at school at that time and I was probably as guilty as everyone else of treating with suspicion that which we did not know and understand. Yet, these people have not only survived but they have prospered, and in the process they have greatly enriched our culture.

Any Australian in 1996 who did not acknowledge the contribution that people of many nations have made to this country would be very short-sighted indeed. We enjoy an enviable lifestyle, the privilege of being Australian, a wonderful mix of cuisines and a wonderful enrichment of culture, and that has been made possible because the Greeks, the Italians and many other ethnic groups have come here, worked and flourished.

I am sure that you, Sir, every member of the House and I could name people whom we know personally and outline their success stories through their contributions to business, the professions and the Parliament. I believe that my friend and colleague the member for Colton is probably the first person of Greek origin to serve in this Parliament, and he is to be commended for that. There seems to be a progression in the way that new arrivals go through different types of occupations and professions. I think that a group is truly part of society when we can sit in the legislative chambers of the nation and see people from other cultures taking part.

In talking about the Greek contribution to Adelaide, I should like to mention the enormous contribution made by the Greek Orthodox community. I know from speaking to my own archbishop and to other heads of churches that Bishop Josef of Ariaznos is highly regarded in this State. His counsel is sought by other heads of churches and his understanding of his faith is profound. Together with other members of Parliament, I had the privilege of attending the parliamentary Christian fellowship service, which was the first time that service had been held in a Greek Orthodox Church. The service was conducted by His Grace, Bishop Josef, and he was kind enough to read to all present a message from the head of the Greek Orthodox Church in Australia. That was a privilege not only for me but for other members of Parliament who were present.

The Orthodox community in South Australia adds richly to the understanding of Christianity, to the practise of the religion and to the life of all Christians. One does not have to be Orthodox to appreciate their beliefs and practices, just as one does not have to be Anglican to appreciate what the Anglican Church does. In noting the Greek contribution to the culture of South Australia, I should like to note in particular the contribution of the Greek Orthodox Church under the leadership of Bishop Josef.

I should like to exemplify my remarks by talking a little about Mr Tom Vartzokas, who is mentioned in the motion. He is a younger Greek Australian who must have come here very early in his life. He is a successful architect, sportsman and community-minded person. He exemplifies the very best of the aspirations of those legislators who set out to encourage people from other nations and cultures to come here and make this a multicultural society. He is proud and strong in the traditions of his Greek heritage, but he is also proud and strong in his Australian traditions. In many ways, he is the best mixture of both worlds.

As I said, Tom Vartzokas is a successful architect, but he has not abandoned his cultural heritage. For 16 years he has been responsibly involved in the Glendi Festival. I do not think that anyone here would be in much doubt that Glendi is one of the most significant cultural festivals on the calendar of the City of Adelaide. Mr Vartzokas has had a number of key positions. He is just retiring as chairman of both the organising and management committees, and he has fulfilled a valuable role. After 16 years he feels that it is time to let other blood assume the reins. I and, I am sure, the Greek community and all members in this Chamber wish Mr Vartzokas every success in whatever he endeavours to do. I am sure that he is the sort of community-minded individual who, though he might no longer be involved in the Glendi, will have significant involvement in other aspects of community life.

In any society there seem to be only a certain number of people who will stand as the chair of the school council, the mayor, councillors and various other positions in public life. Such people are much prized and valued, and Mr Vartzokas is one of those people. I trust that this House will join me in wishing him every success in his endeavours. I also wish the continuance of the Glendi and its organisers every success. In asking members to support the motion, I ask them

particularly to support the significant contribution made by Greek Australians and, indeed, all Australians who were not born here and who have adopted this country and made it richer for their presence. I commend the motion to the House.

Mr CUMMINS (Norwood): I support the motion moved by the member for Unley, who has always been a very strong supporter of the Greek community not only in Unley but in South Australia. Together with the member for Unley and other members of this House, I traditionally go to the Greek Glendi. Members will recall that on 16 March this year there was a lot of wind and rain, and most of the marquees were blown down together with their contents. It is a great credit to members of the Greek community that they managed to resurrect the marquees by about lunchtime on that day. They had trouble with some of the electronic equipment at the opening of the Glendi, but they managed to overcome that, too. It is a tribute to the resilience of the Greeks that, this having happened, they managed to save the day.

Unfortunately, only about 13 000 people attended the Glendi Festival on the Saturday, but they made up the numbers on the Sunday. The 1992 attendance record of about 43 000 people was almost broken on the Sunday. I join with the member for Unley in congratulating Tom Vartzokas,who has been on the festival's organising committee for many years. He is a relatively young man. It is a great credit to him that he took on that task when he did and that he has continued with it. On the Saturday and the Sunday the Greek Ambassador attended the festival, as did the Consul-General, Spiro Aliagas. I attended the festival on the Saturday and went back on the Sunday to find that the Ambassador and the Consul-General of Greece were also there again; so, they took a real interest in the festival as one would expect—

Mr Brindal: So did you, judging from the weight you put on.

Mr CUMMINS: I am trying to lose that weight. I can attend only one Glendi per year because I tend to drink too much Greek wine, eat too much souvlaki and enjoy the food and company too much. I was at the festival on the Saturday and until the late hours on the Sunday. The art exhibition, which was held in the main tent, faithfully depicted the Greek Islands through the use of water colours. I have been to Greece (when I was a wealthy barrister) on about five or six occasions. Now that I am a poor politician I cannot afford to travel there too often, and when I am there I cannot afford to spend too much money. I am well aware of the Greek Islands, having been to many of them, and to mainland Greece in particular. I thought that the water colours were superb representations of the Greek Islands.

I congratulate the Elizabeth Downs Primary School students on the paintings they exhibited at the festival. The exhibition was also subject to the rain and to the vagaries of the weather, but despite that it was resurrected. The member for Unley paid tribute to the Greeks of Australia. As I have the opportunity through this motion, I pay tribute to Greeks in general and to the contribution they made to western society. If it were not for the Greeks we would not have the alphabet. The alphabet has its origins in Northern Syria via the Phoenicians; it then went into southern Italy and worked its way into mainland Greece in about the eighth or ninth century BC. This occurred after the Greeks lost Linear B, which is the mycenaean alphabet that they originally used.

We can also thank the Greeks for our initial knowledge of astronomy and medicine. In Alexandria in the third and fourth centuries BC the Greeks were dissecting bodies. A work on anatomy was written by a Greek called Atomica. It was not until the seventeenth century that books on anatomy were published—some 200 years after Leonardo de Vinci's death. So, we even owe the science of anatomy to the Greeks. We owe the concept of perspective to a Greek called Euclid. He also discovered how the optic nerve operates. In Alexandria they discovered how the nervous system operates; they discovered how the heart pumps; and they discovered how blood flows through the veins. It is important to remember that this all occurred in the third and fourth centuries BC. Unfortunately, the kybosh was put on some of this by Justinian in the sixth century. I will not mention what his background was and what he did. To some extent that put an end to what was occurring in Alexandria. The platonic school in Alexandria survived for something like 1 000 years before Justinian stopped it.

One can never stop learning about the Greeks and acknowledging what they have done. Of course, Greeks were working in the Middle East and in the Byzantine Empire. A lot of their work in relation to mathematics and science was translated into text by Socrates, Plato and Aristotle. Eventually, that work arrived with the crusades in Toledo, Spain where Aristotle's works were in Arabic. They were all translated into Latin and came down through Southern Italy into northern Italy and into the old universities of Bologna, Padua and Salerno, as did all the other works. In a roundabout way I want to pay a general tribute to the Greeks and the contribution they made to western society, because the Italian renaissance—

Mr Brindal: You're a noted expert.

Mr CUMMINS: The member for Unley is a noted expert. The Italian renaissance was the great rediscovery of the Greek and Roman classics. In fact, it was called 'renaissance' because it was the return of the Greek culture. From the Italian renaissance arose the general European renaissance, and from that western civilisation evolved as we know it today. The debt we owe to the Greeks is inestimable. What this society is today is because of them. Even Christianity borrowed from the Greeks in the teachings of Plato, who believed in God and the soul. Aquinas adapted Plato for the Catholic Church, although, of course, they avoided Aristotle who was agnostic. They did not want to have much to do with him.

With respect to the Glendi Festival, I point out that it was a great weekend. It exhibited to some extent the culture of the Greeks. We should all recognise the major contribution Greeks have made to this country and to western civilisation, because some people tend to forget this at times.

Mr CONDOUS (Colton): I support the comments of the previous two speakers, the member for Unley and the member for Norwood. I am proud to say that in 1977 Michael Taliangis and I actually started the Glendi Greek Festival.

The Hon. Frank Blevins interjecting:

Mr CONDOUS: It was me, Frank. At that time I was a committee member of the West Torrens Football Club. The Greek community had tried on a number of occasions (without success) to get this event started. I represented the West Torrens Football Club, and Michael Taliangis represented the Adelaide Hellenic Lions. We organised the very first Glendi Festival. Little did I know or even think that 19 years on the event would still be held, that it would be growing stronger and that it would have moved to the heart of the city. The Glendi Greek Festival is the largest ethnic festival of its kind in the Southern Hemisphere. That speaks

volumes for Adelaide which, by any stretch of the imagination, does not have the largest Greek population in the Southern Hemisphere. The Greek population in Adelaide is about 56 000 whereas in Victoria they boast a Greek population of some 300 000. Victoria has its festivals, but they are nowhere near as successful as the Glendi Festival.

The Glendi Festival has been recognised by the Greek Government as the most successful Greek festival in Australia and, therefore, it now receives funding from the Greek Government by way of moneys paid to international artists in Athens and throughout Greece and the islands to perform in Australia. It is very significant when an overseas country recognises that its people who have come to Australia as migrants and who have put on such a magnificent festival should be supported by the Government.

In congratulating Tom Vartzokas one must remember—and Tom would be the first person to acknowledge this—that this event would never have taken place without the support of some 30 or 40 dedicated people in the community. Those people are not all Greeks. There are many Australians who have visited Greece, fallen in love with the country and who have come back to play a significant role in the organisation of the Glendi Greek Festival. Tom would be the first person, as I said, to acknowledge that he alone could never do it without the support of those 40 people on the committee who are all allocated specific duties and who carry them out in such a magnificent fashion.

The one thing about which I am very pleased as an Australian of Greek parentage is that the festival itself plays a major part in the cultural education of all Australians. Glendi has now become a part of the cultural month of Greek festivities. Apart from the festival itself, throughout the whole month the areas covered include: art, food, dance, history, music and drama. It is great to see that the festival has expanded so much.

It is also worth noting at this stage that the Italian community has followed suit. I expect that the Italian Carnevale under the chairmanship of Dr Tony Cocchiaro will continue to expand. I commend the organisers of that event for having moved it to the Adelaide Oval, because I think that is an absolutely magnificent venue in which to hold the Italian festival. I was very impressed with what they did in its first year at the Adelaide Oval, and I expect that in future years that carnival will expand to become a great competitor.

We would like to see both Glendi and Carnevale become two very major events, but let us not forget the many other ethnic communities who hold events such as the Schutzenfest and the Polish and Dutch festivals, because they educate us as a community. Let us remember that there are 94 different nationalities in this city, and they all get on together absolutely famously. In fact, I think it is well known throughout the world that nowhere else does such an enormous cultural mix work side by side as well as it does in Adelaide, South Australia. Credit for that should go to the ethnic communities who have invited Anglo-Saxons to be part of their culture, to get them to enjoy and to know what they are all about and that they are right here on their very doorstep. We have all tried many different restaurants—Italian, Greek, Thai, German, Chinese and all the rest—and I think that is what has given this State so much colour. Nowhere in Australia can you find the wonderful, laid-back, easy way of life that we have in Adelaide, and that contribution has been made by ethnic communities.

I would like to congratulate everyone who has been involved in the nineteen Glendi Greek festivals to this stage. The Greek community is to be congratulated as are all other communities. As the member for Norwood, John Cummins, said, the conditions this year were adverse but still they came up with the goods. The carnival attracts over two days up to 72 000 people, and I think that is fantastic. One thing that I would like to say is that I would prefer to see politicians banned from speaking at the festival. I get quite upset with politicians who patronise and pay lip service to ethnic communities in an endeavour to win votes. I think there are other far more respected ways—that is, by serving people in their electorate—in which you can win the support of ethnic communities without attending the festival and speaking a few words in Greek.

I wish to put on the record that a certain member continually goes along to Greek festivals and talks about having stood on the green line which divides the Turkish part of Cyprus from the Greek part. That politician continues to patronise the Cypriot and Greek communities in South Australia, but the next time he is overseas, instead of going to Cyprus, let him go to London and make an appointment with the Prime Minister of the United Kingdom and say, 'Why haven't you supported the Greeks democratically by invading the Turkish side of Cyprus and giving Cyprus back to the Greeks where it deserves to be?' That does not happen because it is all too hard but, more importantly, Cyprus, a poor little island which relies on tourism because it does not have oil or mineral resources or wealth, does not really count. On the other hand, Turkey has the bases for the forces of the United States and the United Kingdom; therefore, they cannot upset them.

If you want to be fair dinkum about all this, there is only one thing to do, and that is to start preparing for the invasion of the Turkish side of Cyprus, drive the Turks out of Cyprus and give it back to Greece where it belongs. But do not as a politician go along to festivals and speak a load of garbage about the sorts of things that you can do for Greece when you really are not doing anything other than paying lip service with a lot of words which mean absolutely nothing.

Mr SCALZI (Hartley): I will not speak at length, because many members have already covered this matter and, rightly so, have congratulated Mr Tom Vartzokas and all the organisers of the Glendi Festival. I commend the member for Unley for moving this motion. It is fitting that we acknowledge the multiculturalism that exists in our community. It gives me great pleasure to support this motion because, whereas many countries of the world see differences as weaknesses, South Australia sees differences as strengths. Not only do we acknowledge those differences but we celebrate them in the full spectrum of humanity. The member for Norwood gave us some historical background about the importance of Greek culture. I assure members that I, too, understand that importance. In fact, I named my daughter Cassandra after the sister of Paris of Troy.

We are all aware of the great debt that we owe to the Ancient Greeks regarding the formation of the first democracies, although we must also acknowledge that women were not included in that. Nevertheless, it was an important start to the concept of democracy—*demos cratis*, people power—and it is important to celebrate that fact. However, as in terms of the many other festivals that exist in South Australia—members would be aware that I moved a motion about Carnevale—it is important not only to celebrate the achievements of all these festivals but also to acknowledge that they would not have been successful if it were not for the support

of the greater Australian community. There lies the real success of Glendi, the Carnevale, the Polish festival, and the Schutzenfest, all of which acknowledge the fact that we were a multicultural country from the beginning with the first German settlement.

Our real success lies in the fact that that diversity of culture in all its aspects is acknowledged, appreciated and celebrated not only by Australians with a Greek, Italian or Polish background but by all Australians. That is what sets us apart from many other places in the world. I congratulate all the people involved, and I look forward to being part of the celebrations next year.

Mr De LAINE (Price): On behalf of members of the Opposition, I am pleased to support this motion moved by the member for Unley. Over the years, Glendi festivals have been well organised and successful events. I would like to place on record our congratulations to Mr Tom Vartzokas and his organising committee for the way in which they organised and ran the nineteenth Glendi Festival in Adelaide. I applaud the Greek community at large for the way it sticks together to maintain and pass on culture and traditions to each new generation. The older European Australians could take a leaf out of their book and do something along similar lines.

I also take this opportunity to recognise and thank the large Greek community in South Australia for its enormous contribution over many years to our local communities, to the State of South Australia and to the whole Australian nation at large. Greek people were amongst the first non-English migrants to come to South Australia and, with this long association with the State, have achieved many things which have benefited not only their own Greek communities but also the whole multicultural community of South Australia. With those few words, I strongly support the motion.

Mr BECKER (Peake): I will be brief as time is getting on, and that is most unfortunate at this stage of private member's business as this is probably the last sitting day. I thank the member for Unley for bringing to the attention of the House the work done by the Glendi Festival and, in particular, the organiser and I endorse the remarks made by the members for Norwood, Hartley and Colton. The Glendi Festival has made a magnificent and significant contribution to the ethnic community, in particular to my side of the metropolitan area. For many years the Glendi Festival was held at the Thebarton oval in the electorate of Peake and it was a great disappointment that the Thebarton council sought to charge such an exorbitant fee that it the drove the festival from the Thebarton oval to another location. It was a disappointment, because it was an ideal location and the facilities and opportunity there for the organising committee made it much easier.

These people are not frightened of hard work and they certainly set out to cement relationships between all communities and ethnic groups and the Australian community. Most affectionately and strongly on our side of the city we support the Glendi Festival. I take on board the comments made by the member for Colton about the condescending remarks made by one person who always goes to these functions, and that is regrettable and unfortunate because most of us pop in and help these people wherever we can to make their life a little more comfortable and easier.

Certainly these types of festivals—Glendi, the Schutzenfest, the Italian festivals and other Greek festivals—blend towards making South Australia a great multicultural society. For that Australia will be much richer, will build eventually and will develop our own true Australian style of a multicultural nation. I hope that the Glendi Festival—and the current board, committee and organisers—will continue to go from strength to strength and build upon the successes of the past.

Mr BRINDAL (Unley): I thank all members for their contribution. Members appreciate that when anybody contributes in this House they cannot say everything that needs to be said. All members added to the debate. I am pleased that the member for Price spoke on behalf of the Opposition because, whilst the Leader is unavoidably not in the Chamber, he spoke to me privately in support of this motion and I believe it would be unfair if that was not on the public record.

In concluding, I apologise to the member for Colton. I did not realise that the member for Colton was responsible for initiating the Glendi Festival with Mr Taliangis. I am sure that no-one in this place would be surprised as the member for Colton is an excellent example of the contribution that people from Greek background have made. He was an excellent Lord Mayor and continues to be actively involved in many aspects of city life. I read in *Hansard* yesterday that he was involved in the Desert Pea Foundation. He is an excellent person and I am not surprised that he initiated the Glendi. I urge all members to support the motion.

Motion carried.

WORLD BOWLS CHAMPIONSHIP

Mr BECKER (Peake): I move:

That this House congratulates the Government, Australian Major Events, Australian Sports Commission, Bowls Australia, Royal South Australian Bowls Association, Lockleys Bowling Club and Australian Broadcasting Commission on their support, sponsorship, management organisation and broadcasting of the highly acclaimed and most successful Sensational Adelaide World Bowls Championships held at Lockleys Bowling Club from 18 to 31 March.

The eighth world bowls championships set a standard that the rest of the world will find extremely hard to follow, as the retiring World President and incoming World President have admitted. The next world bowls championships will be held in South Africa. The format we witnessed at Lockleys will not be repeated, as a smaller number of countries will be competing and will play off for a final selection region by region.

In 1988 Adelaide was awarded the world bowls championships over Western Australia. A few years after that, Adelaide was given the opportunity to represent Australia to bid for the 1998 Commonwealth Games. It was the understanding of Bowls Australia that, whichever city was given the opportunity to host the world championships, Bowls Australia would support the other city for the Commonwealth Games bid. That meant that Bowls Australia supported Perth in the bid to represent Australia for the 1988 Commonwealth Games. What happened is history: Adelaide won the right to represent Australia 18 votes to two out of 20 possible votes. The only two votes Perth got on that occasion were the bowls votes. That was the first time I met Carmen Lawrence—a very charming woman, but a very poor loser.

I could never understand that, during the bidding for the Commonwealth Games, Salisbury was being mooted as the venue for the world bowls championships. As a member of the Lockleys Bowling Club I believed that it would have made an ideal location as Lockleys had previously hosted the *Jack High* series, which was shown successfully on ABC

television. I encouraged the members of the Lockleys Bowling Club to bid for the world championships following the experience and knowledge we gained through the Commonwealth Games bid (and they followed some of that format). They did that at minimal cost and were successful.

It then followed that we needed some support at Lockleys to bring the greens, the bowls surrounds and adjacent area up to what we considered to be better than average world standard. After considerable representations to the Premier, the Minister for Tourism and the then Minister for Recreation, Sport and Racing (member for Morphett) I was able to secure a substantial sum of money from the former Minister. It was an ironic situation. I informed the club and said, 'Let's do everything we possibly can. Let's put in an ambit claim.' There was considerable toing-and-froing trying to get money out of the Government, which had not had the opportunity to budget for this request. Therefore, it was with great pleasure that on one Friday afternoon I handed an envelope from the Hon. John Oswald to the President of the Lockleys Bowling Club, Bob Peake. I was not aware of its contents but, like the 180 members present that afternoon, I was delighted that the State Government and Minister had made available $200 000.

Not only was that $200 000 well spent but it turned the Lockleys Bowling Club venue into one of the most magnificent facilities in South Australia. It is the pride and represents the look of bowls in Australia. So much so that when overseas visitors came to compete at the World Bowls Championships several kept prodding the turf because they believed it looked and felt almost like carpet. This was a wonderful tribute to the young curator, Brad Porter, who is 23 years of age and was appointed club curator in 1994 after completing an apprenticeship and tertiary course on greenkeeping. He was assisted by one of the State's most experienced bowls greenkeepers, Jack Houston.

Certainly, the whole credit must go to young Brad Porter, who did a superb job and prepared the greens to world bowls standard. This cannot be done overnight. It takes a long time to build up and prepare greens; and, once that is done, it still means a lot of work and organisation to keep greens at that standard. Greenkeeping is an exact science. We can compare the greens with the turf wickets at Adelaide Oval, and I would say that with his expertise Brad Porter has a wonderful future ahead of him. A lot of the success of the championships is due to his and Jack Houston's efforts in ensuring that there was continued stability of the greens.

Dozens of other people deserve the highest commendation for organising and making possible the success of the Sensational Adelaide World Bowls Championships. The event was managed by Bowls Event Management Limited, a subsidiary of Australian Major Events (a combination of Australian Major Events and Bowls Australia). Former Grand Prix board members had the task of organising this event and doing all the major work involved. They were able to coordinate support from the State Government in the way of sponsorship.

Much work had been done involving West Torrens council. I had asked councillors and the Mayor for their support in terms of provision for car parking and any other assistance, trying to ensure that the focus would be not on Lockleys or the West Torrens council, as the local government authority, but on Adelaide and South Australia. Everyone cooperated and played their part. The Minister for Infrastructure agreed to our request to underground power lines in Moresby Street, which runs south of the greens, so that we could give the area a better outlook and also because it was envisaged that we would have to erect grandstand seats in that location. The Minister made available through ETSA and the Undergrounding Power Line Environment Committee $65 000 to hide the power lines, and that enhanced the event.

As I said, the credit deserves to go to so many people apart from the competitors themselves. I refer to the competitors, totalling almost 400 bowlers, the managers, team managers and team supporters, all of whom made up the total number involved in the championships. Hundreds of people came from around the world to attend these games. It is significant that, although the championships extended over at least two weeks, many people arrived a week or two before they started. No wonder these championships contributed an estimated $7.5 million to $8 million to the local economy. Accommodation demands amounted to about 28 000 bed nights required from local establishments, including home hosting. Many interstate bowlers had friends or arranged through associations and clubs to be hosted privately. This made a wonderful contribution to the local economy.

An exciting feature was that most South Australian bowling clubs acted as hosts to overseas teams. Underdale Bowling Club, located in my electorate, was celebrating its 60th anniversary and hosted the Zimbabwe team. We had a wonderful opportunity to meet the Zimbabwe bowlers and reminisce on our visit to Zimbabwe during the Commonwealth Games bid. We had several friends involved with the Commonwealth Games present, and so the championships involved a two-way communication, with many countries competing from the Commonwealth of Nations whose votes and support will be essential to Adelaide whenever it makes another bid for the Commonwealth Games. I hope that will be within my lifetime, although time could well be running out in that respect.

The championships did what we thought they would do: they brought world focus to Adelaide. The national television broadcast through the ABC provided over 30 hours of live day-time broadcasting, plus highlight packages, news items and sports update reports. I noticed that other television stations followed suit locally. I understand that live telecasts and broadcasting packages from the ABC to associated countries went direct to Hong Kong, Japan, Kenya, England, South Africa and New Zealand, and part of it was for the BBC. This meant that Lockleys and Adelaide were featured throughout significant countries in the Commonwealth of Nations, as well as Japan, and this helped achieve our aim in featuring Adelaide as a wonderful location and in demonstrating our ability to host significant sporting events and prove to the world what we could do.

As I have always said, Adelaide is Australia's most beautiful city. Adelaide has never been sold more aggressively or as successfully as it has been over the past two years. I believe we will now start to see the benefits of marketing our State through sporting functions such as this. The interesting aspect is that international television has the potential to reach 700 million households, and that can be achieved by the ABC's televising the event. I place on record my appreciation of the role played by the Australian Broadcasting Commission in Adelaide. I sincerely hope the Federal Government does not touch the ABC, or that it is not affected by any attitudes the new Federal Government might take.

The Australian Broadcasting Commission in Adelaide proved not only that it could put on a wonderful and exciting program but that it could, in doing so, achieve such a superb standard and quality of broadcasting. As a lawn bowler, I learnt much from the broadcast. I am delighted to learn that

the ABC's viewer percentage for the time slot in which the series was shown increased by about 30 per cent. Many people who watched the program locally, even at 11.30 in the evening, and who I thought would not be involved or interested in bowls said how much they enjoyed it. It is a credit to the ABC; it is a credit to the organisers; and it is a credit to the sponsors who put up the money to make these championships possible. More importantly, however, it proves again to the world that Adelaide can do it—and do it extremely well. We are very proud of the achievements of everyone involved and congratulate them on the success of these championships.

Mr FOLEY (Hart): I intend to talk briefly on this motion moved by the member for Peake, congratulating those involved in hosting this bowls tournament. As shadow Minister for Recreation, Sport and Racing I attended a number of functions associated with the event, which was clearly well organised and well managed. I do not know whether or not the event was a financial success and what it ultimately cost the taxpayer, but that matter can be discussed at another time. Clearly the hosting of the event was well managed and the bowls community of South Australia can be very proud.

The member for Peake touched on the fact that a number of bowling clubs around Adelaide hosted various teams. I take this opportunity to congratulate and acknowledge the West Lakes Bowling Club. Whilst that club is not in my electorate, but in the neighbouring electorate of Lee, it is a club for which my father is the secretary and a founding member. Over a few short years the West Lakes Bowling Club has been built into a world-class bowling facility, providing significant enjoyment and recreation to many people living at West Lakes. That club hosted the New Zealand team, and did it very well. It was yet another feather in the cap for that particular bowling club.

The West Lakes Bowling Club was put forward as the venue for the Commonwealth Games bowling tournament, had South Australia been successful in its bid for the 1996 Commonwealth Games. Of course, that is now history. The West Lakes Bowling Club and the West Lakes Community Club are to be commended for the way in which they hosted the New Zealand team. My father, Jack Foley, was heavily involved with the organisation of West Lakes Bowling Club, and I will put a quick plug in for the old man.

The Hon. Frank Blevins interjecting:

Mr FOLEY: Absolutely. It is not often I can stand up in this place and acknowledge the work of my father, Jack Foley, but I unashamedly do so here and now. That is about the third time I have mentioned him. When he receives his copy of *Hansard* in about four weeks, he will enjoy seeing his name.

The Hon. Frank Blevins: Tell him, Frank said, 'Hello.'

Mr FOLEY: Yes, indeed. Seriously, it was an important tournament. It was a niche market for showing the rest of the world, or certainly large parts of the Commonwealth, what Adelaide has to offer. From memory, the weather was reasonable. There were a couple of bad days, but clearly our State was shown in a very good light around the world. My wife and I also attended the final dinner, which was a most enjoyable evening. I must say to the member for Peake that I did not realise how rowdy and merry bowlers can get at the end of a tournament. They were extremely relaxed on that evening, and the gentleman from the United Kingdom team who told jokes on the night was a very good storyteller. It was a most enjoyable occasion.

I sat at a table with the Vice Chair of the World Bowls Organisation. He was a very interesting gentleman and he talked about the next event being held in South Africa. The opening up of South Africa to world sports is a welcome sign. I support the motion.

Mr De LAINE (Price): I have much pleasure in supporting the motion as moved by the member for Peake, and I endorse his remarks, and also those of my colleague the member for Hart, indicating that the Sensational Adelaide World Bowls Championships were very successful. I was unable to attend the series due to other commitments, but I certainly saw as much as possible on television. I was extremely impressed by what I saw of the facilities and the presentation and, from the television broadcast, the achievements made in both areas were exceptional. It is just another example of the way things are done in South Australia. We have always done things well, especially with regard to major events.

The bowling series was certainly no exception. I could not believe the standard of bowling, and I pay tribute to the participants in the event, from both Australia and overseas. I bowl a little myself, but only with the parliamentary team, and I am certainly no real expert. However, I know enough about the game to appreciate the skills exhibited by the participants in the series. I commend the Australian bowlers who did very well during the championships, and I also congratulate the Lockleys Bowling Club on the way in which it conducted the series and made its facilities available. I particularly acknowledge the efforts of the greenkeepers at the Lockleys Bowling Club for the excellent way in which they turned out the greens, which enabled all competitors to bowl to such a high standard. All in all, it was a very successful series. Also the spin-off to the local economy, as mentioned by the member for Peake, of $7 million to $8 million was an extremely good result. I congratulate the member for Peake on moving this motion, and say, 'Well done!' to the Lockleys Bowling Club and South Australia in general.

Mr BASS (Florey): I support the motion moved by the member for Peake and congratulate the Australian Major Events group in presenting these Sensational Adelaide championships. At one time bowls was recognised as a sport for retirees, but it has now been taken up by many people of younger ages. I believe that the oldest player at these championships was 70 years of age and the youngest was 23 years of age. In what other sport and in what other country could the Deputy Prime Minister of the Cook Islands participate with no security measures in place? It is a great compliment to South Australia. I also congratulate the clubs throughout Adelaide that hosted the various countries, and I know that the Modbury Bowling Club played a very important part in that regard.

All in all, it was a successful competition. The Sensational Adelaide logo is now known throughout the world, not only because of the Grand Prix but because the Adelaide Major Events unit is involved and promotes the Sensational Adelaide theme. It is good advertising for South Australia. The bowls championships were very successful. As has been mentioned, Adelaide achieved 28 000 bed nights, which is nearly as much as that achieved by the Grand Prix. I con-

gratulate all those involved and also the member for Peake for moving the motion.

Motion carried.

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

PAPER TABLED

The following paper was laid on the table:

By the Minister for Tourism (Hon. G.A. Ingerson)—

Australian Formula One Grand Prix—Audited Statutory Accounts, December 1995

QUESTION TIME

FEDERAL GRANTS

The Hon. M.D. RANN (Leader of the Opposition): Does the Premier consider that both he and South Australia were misled by John Howard's pre-election assurance that the Howard Government would maintain the real value of Commonwealth funding to South Australia?

Members interjecting:

The SPEAKER: Order!

The Hon. M.D. RANN: There appear to be a few problems in the backbench, again.

The SPEAKER: Order! Just because this is the last day of sitting does not mean that members can carry on in an improper manner.

The Hon. M.D. RANN: On 23 February, prior to the election, the Deputy Premier stated that the State Government had received a firm assurance from the Coalition that South Australia would not be disadvantaged by the Howard Government in terms of funding cuts. On 19 March, the Premier gave a similar assurance to this House in relation to Commonwealth funding. Yesterday, the Prime Minister said that he had not given any guarantees to the Premier about the levels of Commonwealth funding to South Australia.

The Hon. DEAN BROWN: I assure the House that, if anyone was misled prior to the election, it was the Australian people by the Keating Government. Who failed to tell the Australian people that there was an underlying deficit of $8 billion within the Federal budget?

Members interjecting:

The SPEAKER: Order!

The Hon. DEAN BROWN: Why is the new Federal Government having to look at reducing expenditure by $8 billion? Because the previous Labor Government failed to tell the truth to the Australian people.

Members interjecting:

The SPEAKER: Order!

The Hon. DEAN BROWN: We know only too well that the former Prime Minister said that he expected a balanced budget for 1995-96. We also know that, immediately after the election, the Treasury figures themselves—not the new Government's figures—showed that there was an underlying $8 billion deficit sitting in the Federal budget. Therefore, the new Government has had to move to make sure that it rectifies that underlying deficit.

Members interjecting:

The SPEAKER: Order! The Leader has gone far enough.

The Hon. DEAN BROWN: The new Federal Liberal Government would not have to be talking about an $8 billion deficit if the former Government had managed the budget properly and if it had been frank and honest with the Australian people prior to the election. I asked John Howard whether his Government had determined what the specific purpose grants were to the States, and the answer was 'No'. It was for a very simple reason, indeed: John Howard has given a commitment to reduce the tied grants to the States and, therefore, to supplement those with additional untied grants. They are looking at a significant restructuring of activities between the Federal and State Governments. With the new Liberal Government in Canberra, there is a unique opportunity to cut out the duplication and the waste of taxpayers' money that the former Labor Government had refused to tackle.

The Hon. M.D. Rann interjecting:

The Hon. DEAN BROWN: I am delighted that the Leader of the Opposition is talking about standing up for South Australia. What happened under the former Federal Labor Government? Under the former Federal Labor Government, South Australia lost $300 million a year.

The Hon. Frank Blevins interjecting:

The Hon. DEAN BROWN: Even the member for Giles has highlighted that, with a State Labor Government and a Federal Labor Government, we lost $400 million in general purpose grants, and we got $100 million extra in the form of special purpose grants. So we lost $300 million under the former Government.

Members interjecting:

The SPEAKER: Order!

The Hon. DEAN BROWN: The former Treasurer acknowledges this. The Leader of the Opposition says, 'Stand up for South Australia,' but when he and the Labor Party were in Government we lost $300 million.

Members interjecting:

The SPEAKER: Order! I do not know whether one or two members want to start off next session by not being in the Chamber. However, if there are further interjections, firm action will be taken: members will either be removed from the question list or named. I suggest that members not test the tolerance of the Chair. There will be no further warnings.

The Hon. DEAN BROWN: If anyone failed to stand up for South Australia, it was the former Labor Government, which allowed the Federal Labor Government to allocate to South Australia $300 million less than we were getting when it came into government. It was the former Labor Government of South Australia which let this State down and made us worse off than we were under the Liberal Government when it was last in power federally. At present, there is a unique opportunity in Canberra for the States to work closely with the Federal Government to eliminate the enormous duplication of waste that has been occurring between State and Federal Governments. I had a detailed discussion with Mr John Howard as the new Prime Minister on some of the ways in which the State Governments could cooperate with the Federal Government to identify that waste and duplication and to save literally hundreds of millions of dollars across the whole of Australia.

I will give one example that the Minister for Health gave to Cabinet this morning: 1 000 people are employed by the Federal Government in the disability services area, none of whom provide that actual service. They are all involved in the administration of disabilities at the Federal level—an area where the service is delivered by a State Government. That has occurred also in education, in other areas of health, in housing and urban development, where enormous bureaucracies have been built up at the Federal level. Those bureaucracies are not delivering services; all they are doing is looking

over the shoulders of the State Governments to see how the State Governments spend their money. Of course, tied grants, with very specific conditions attached to them, add to that bureaucracy. We will see a fundamental shift of responsibilities such that the State Governments themselves will pick up additional responsibilities and be able to transfer responsibilities to the Federal Government in some areas. It will be the biggest single rationalisation of Commonwealth/State roles and responsibilities in the past 25 years.

Members interjecting:

The SPEAKER: Order! I warn the Leader of the Opposition, and I also warn the member for Peake for interjecting.

The Hon. DEAN BROWN: The people who were dudded were the South Australians under the former State Labor Government. The Leader of the Opposition knows that, because it was his Government. The member for Giles, the former Treasurer, has acknowledged that we lost $300 million under the former Labor Government. The State Premiers will be meeting in South Australia tomorrow with the specific purpose of working through these roles and responsibilities, and identifying areas where duplication occurs. The opportunity is there, and that opportunity must be seized in the next six months. It will be of benefit to South Australian taxpayers, because they will save literally hundreds of millions of dollars of taxpayers' funds.

The SPEAKER: Order! I made a mistake by warning the member for Peake; it should have been the member for Norwood.

The Hon. M.D. Rann: Did you make a mistake with me, Sir?

The SPEAKER: Order! No, I did not.

COMMONWEALTH-STATE RELATIONS

Mr BUCKBY (Light): Will the Premier advise the House of the outcome of his talks in Canberra yesterday with the Prime Minister and senior Federal Ministers on issues of importance to South Australia?

The Hon. DEAN BROWN: I had the opportunity to spend about 1½ hours with John Howard as the new Prime Minister of Australia, and we talked about a whole range of issues, including the ones that I just talked about. We talked about the need to rationalise Commonwealth/State relations and, of course, that was a prelude to the Premier's meeting that will be held in Adelaide tomorrow, at my invitation.

I also had the opportunity yesterday to see other Ministers, including Senator Robert Hill, the new Federal Minister for the Environment, Senator Vanstone, the new Minister for Education, Mr John Fahey, the new Minister for Finance, and Senator Herron, the new Minister for Aboriginal Affairs, and I went through a whole range of issues which are important to South Australia. I am able to assure the House that John Howard expects the clean-up of the Murray River to proceed in the next financial year, 1996-97. However, we need the support of all Senators from South Australia, including Labor Party and Australian Democrat Senators, to stand up for South Australia and make sure that the one-third sale of Telstra goes through. I am also able to confirm to the House that the extension of the runway will proceed, that the draft environmental impact statement is very close to being released and that we expect work on the extension of the runway to start early in 1997.

We talked at some length about the motor vehicle industry. The motor vehicle industry in South Australia faces a very buoyant future for the next few years, but the disturbing thing is whether there will be a sufficient local car industry and whether there will be sufficient support for the car industry when it comes to making the investment decisions for the model after the present models which are in the process of being released.

There has been a significant change in the structure of both tariffs and the size of the local car market. In 1988, tariff levels were 57.5 per cent, and local manufacturers had a guaranteed 80 per cent share of the Australian domestic car market. In 1996, we find that share of the domestic market has gone down from 80 per cent to 47 per cent—a very significant decline—and we know that tariff protection has dropped from 57.5 per cent to 25 per cent. The concern is that as tariffs continue to decline export facilitation, which is probably the most important single ingredient in terms of developing an export car industry in South Australia—

Mr Foley interjecting:

The Hon. DEAN BROWN: Export facilitation was an initiative put forward by the South Australian Liberal Government in 1980 to Philip Lynch, and it was adopted by Philip Lynch as the then Federal Minister. It was further picked up by the next Labor Government, but the original export facilitation was picked up by a Federal Liberal Government at the specific suggestion of the Liberal Government in South Australia. My concern is that the decline in the value of export facilitation is making it increasingly difficult and less attractive for car companies to manufacture in Australia and export to global markets.

I also raised the subject of the Submarine Corporation. In particular, I argued very strongly in favour of another two submarines to be built in South Australia for the Australian Navy. That would put an additional $1.6 billion into the South Australian economy. I also raised the issue of the Taiwanese submarines, and the Federal Government will look at that. A range of other issues was raised, such as the upgrade of the airport terminal facilities, the MFP and other ventures like that. As the Minister for Industry, Manufacturing, Small Business and Regional Development has already indicated to the House, there will be ongoing discussions between the State Government and the Federal Government on the future of the MFP.

Members interjecting:

The SPEAKER: Order! I suggest that all members be clearly aware of the consequences if they think that they are going to run the House.

MOTOR VEHICLE QUOTAS

Mr FOLEY (Hart): Did the Premier raise with the Prime Minister the issue of imposing specific import quotas on the passenger motor vehicle market in Australia, as he said he would, and what response did he obtain to the request for specific quotas? Yesterday, I asked the Minister for Industry, Manufacturing, Small Business and Regional Development whether import quotas had been raised with the Prime Minister, whether he had been consulted on the issue and whether he was concerned that international retaliation against the introduction of quotas might limit export opportunities for the Mitsubishi Magna and the Holden Commodore. I was advised by the Minister to wait for the Premier's return and that he would report on that matter.

The Hon. DEAN BROWN: I have already outlined to the House that I raised the issue of the car industry with the Prime Minister.

Members interjecting:

The SPEAKER: Order!

The Hon. DEAN BROWN: I will specifically come to that. I said that there were three ways of helping to protect the local car industry, and that the most beneficial way was to put additional value into export facilitation. The modelling of the South Australian Government has shown that export facilitation is most beneficial for the local car industry. It helps not only the local assemblers of vehicles but the components industry and it encourages the industry to get into export markets. There are two other areas where assistance could be given, but my preference—and I stress this point—has always been for export facilitation, and I have made that known publicly. I raised the issue of the decline—

The Hon. M.D. Rann interjecting:

The SPEAKER: Order! The Leader of the Opposition will cease interjecting.

The Hon. DEAN BROWN: I raised the issue of the decline in the share of the local car industry that is going to local manufacturers. I have just given the figures to the House: it dropped from 80 per cent of the local industry in 1988 to 47 per cent now. I have raised the point that another possibility is to look at quotas. They do not have to be formal quotas from the Government, because the whole of Europe and the United States of America have adopted voluntary quotas from places like Japan on the import of motor vehicles into those countries. Everyone in the developed world knows that Europe has imposed voluntary quotas on Japan and that Japan has complied with those voluntary quotas. The United States of America has done exactly the same. Therefore, quotas represent another issue.

Mr Foley interjecting:

The Hon. DEAN BROWN: Europe exports vehicles as well, and there has been no restriction on European cars going into other countries because they have imposed voluntary restrictions on Japanese cars going into Europe. I saw the honourable member's question in *Hansard* yesterday, and I do not know why he is not properly informed about what has been occurring in the motor industry in Europe. I also point out that tariffs have been talked about very widely across Australia. The former Labor Government laid the guide path for tariffs to be further reduced to 15 per cent by the year 2000.

Mr Clarke interjecting:

The SPEAKER: Order! The Deputy Leader of the Opposition is warned for the first time.

The Hon. DEAN BROWN: Both the major Parties in Canberra now have a unified approach to tariffs, and that is 15 per cent tariffs for the motor industry by the year 2000. I stressed again to John Howard that the preferred option is to increase the value of export facilitation rather than to have a declining value for export facilitation, which is occurring under the present model of export facilitation.

Mr Foley interjecting:

The Hon. DEAN BROWN: John Howard expressed very strong support for the motor vehicle industry in South Australia. That was something that we failed to get out of the former Labor Government. At no stage would the former Labor Government come out and give very strong support for the South Australian motor industry.

Members interjecting:

The Hon. DEAN BROWN: We know the extent to which that has occurred and how it has shown very little interest at all in the Australian motor vehicle industry. I could give examples of going to the former Prime Minister, Paul Keating, and asking him specifically to give better protection and support to the Australian industry, and he would not even listen to me. The people of Australia have now spoken and clearly indicated that they wanted a Government in Canberra that was prepared to listen to States like South Australia. If the honourable member does not realise, I point out that at the Federal election 57 per cent of the people in this State supported a change of Government, because of the lack of support that we got from the Keating Government.

Mr Foley interjecting:

The SPEAKER: Order! I warn the member for Hart for the first time.

The Hon. DEAN BROWN: All I ask is that both sides of the Parliament support me in making sure that we have a long-term motor vehicle industry in this State that is able to compete on export markets.

EMPLOYMENT

Mr CUMMINS (Norwood): Will the Minister for Employment, Training and Further Education report to the House the latest labour force statistics released today?

The Hon. R.B. SUCH: The figures released today are extremely encouraging. As I always point out, we need to be careful with monthly figures, because they tend to be somewhat volatile. The March figures show a reduction over February for the general unemployment rate from 9.8 per cent to 9.4 per cent, and for youth unemployment from 37.8 per cent to 34.7 per cent. We still have a long way to go. We are not saying that we are there yet. I remind members of what the figures were when we came into office. The general unemployment rate was 11.2 per cent: it is now 9.4 per cent. The youth unemployment rate when we came to office was 42.7 per cent: it is now 34.7 per cent. We still have a way to go but these figures are very encouraging, and we need to build on the momentum being developed in South Australia. It is good news for the State, considering that the general figure across Australia showed a slight increase. The developments taking place in South Australia are in the right direction, and these figures reflect that.

PETROL PRICES

The Hon. M.D. RANN (Leader of the Opposition): What progress has the Treasurer made in his investigations of the use of State consumer affairs powers to investigate the practice of oil companies deliberately increasing petrol prices over holiday periods, particularly Easter and Christmas? Last week, the Treasurer said he was aware of unusual price movements for petrol at Easter and Christmas, and he undertook to find out whether the Commissioner for Consumer Affairs in this State would examine this matter and whether the Commissioner would be involved in the current Federal inquiry into petrol pricing.

I have now been provided with a computer network message from BP Australia to a local South Australian retailer which was dated the day before the Easter holiday period began and which cynically advised all service stations to raise their pump price for unleaded petrol by 5¢ per litre. I have now written to the Chairman of the Australian Competition and Consumer Commission, Professor Alan Fels, and provided him with a copy of the oil company's computer message to assist him in investigating collusion over petrol price fixing—collusion that all motorists in this State know occurs.

The SPEAKER: Order! The honourable member is now commenting.

The Hon. S.J. BAKER: The Leader did ask me the question and I said at the time that the issue of who was examining what and whether it was better to be done at the Federal level would be pursued. I wrote to the Minister concerned, provided the *Hansard* and obviously put some points of view that had been expressed both in the House and widely across the community. I was sick and tired of seeing prices escalate at sensitive times. We mentioned Easter, Christmas and pension days as times when there seems to be unusual price movements. Everyone in this House would question the ethics of the oil companies regarding the way they market their goods and the prices that are being set.

The response I provided to the Leader at the time was that this misbehaviour, as I call it, had been taking place for the last 20 or 30 years, yet nothing had been achieved at either State or Federal level. The issue was that there is a current inquiry in Canberra. I wrote to the Minister for Consumer Affairs and raised the issue—of which he was already aware—asking him to determine what action should be taken. It was suggested that this issue be co-joined with the Federal inquiry. That action was taken immediately after the question was asked.

FLINDERS MEDICAL CENTRE

Mr EVANS (Davenport): Will the Minister for Health advise the House of any new developments in health care for people in the southern suburbs and Mitcham Hills?

The Hon. M.H. ARMITAGE: Yes, I can advise the House of some very significant plans and developments, which I was privileged to announce at Flinders Medical Centre today. I acknowledge the member for Davenport's great interest in Flinders Medical Centre. Today, I had the pleasure to announce a $50 million private hospital development at Flinders Medical Centre which will free up public beds and which will increase elective surgery. It will be funded and operated by Australia's second largest private health care provider, Ramsey Health Care Group, on land to be leased from Flinders Medical Centre. The facility will be at the northern end of the existing hospital and it will collocate with that hospital on four levels. It is a fantastic announcement for the people of the south and, indeed, for all South Australians. First, I point out that it is a win for all of us as taxpayers.

Mr Clarke: What happened to the win-win?

The Hon. M.H. ARMITAGE: I was not going to mention that, because in this instance it is a win-win-win-win, and I am about to enumerate all four of them. It is a win for all of us as taxpayers, because the private sector has contributed $12.5 million of capital, which is an opportunity saving to the public sector. That $12.5 million will provide a day surgery centre which will allow over 10 000 day cases each year—both public and private patients—to be performed. It will provide a step-down facility for healthier patients to stay overnight in a lower cost unit prior to discharge; and it will provide cardiac catheterisation facilities.

A second win is for public patients because, with the way the arrangement will occur with private patients moving from the public hospital into the private hospital, it will free up the opportunity for us to provide for the people of the south an extra 1 400 admissions on an annual ongoing basis from the waiting lists.

A third win is for employees. This project, which is one of the largest capital development projects in the south for many years, will provide hundreds of jobs during the construction phase. At the end of the phase when the hospital is commissioned there will be about 150 permanent extra staff employed on the Flinders Medical Centre campus. Clearly, it is a win also for private patients, because there will be a fully accredited 100 bed private hospital to provide a wide range of medical facilities. It is an exciting, major initiative in the provision of health care in this State and in the south in particular.

The initiative demonstrates three political realities. The Government is, indeed, correct to continue to explore opportunities for partnership with the private sector in providing health care to South Australians. The second political reality is that the Opposition is out of touch with its continued, persistent ideological opposition to private involvement in the provision of health care. The third political reality is that the State cannot afford to return to ideological bigotry and mismanagement from members opposite.

EMPLOYMENT

Mr CLARKE (Deputy Leader of the Opposition): Does the Minister for Employment, Training and Further Education agree that ABS employment data released today show that, using the Minister's preferred trend data, there has been an actual loss of jobs in South Australia since the middle of last year; and does the Minister agree that South Australia's unemployment rate remains the highest of that of any mainland State and that the youth unemployment rate remains the highest of that of any State? When will the Government's promised jobs eldorado finally eventuate?

The Hon. R.B. SUCH: As I pointed out in a previous answer, we inherited a situation of very high unemployment—some 11.2 per cent. We have now got it down to 9.4 per cent. I said that we still have a long way to go. In terms of jobs created, the former Labor Government lost 30 000 jobs in the manufacturing industry alone. Last month, we created 2 800 additional jobs. So, I do not agree with the assertions that the Deputy Leader makes.

Members interjecting:

The SPEAKER: Order! There are too many interjections.

The Hon. R.B. SUCH: We inherited a very serious situation in terms of the economy. We have started to turn it around, we are on track and we will deliver. The only employment that the Deputy Leader should worry about is his own.

Mr Foley interjecting:

The SPEAKER: Order! The member for Hart has had more than ample warning.

Members interjecting:

The SPEAKER: Order! I will toss out one or two other members if they continue to interject in that way. The member for Reynell.

FLINDERS MEDICAL CENTRE

Ms GREIG (Reynell): Does the Minister for Health consider that public patients will benefit from the private development at the Flinders Medical Centre? In answer to a question from the member for Davenport, the Minister highlighted the benefits of the development to the wider

community. The House will want to be assured that this development will benefit public patients.

The Hon. M.H. ARMITAGE: I thank the member for Reynell for her continued interest in the provision of public health care in the south. Clearly, the answer to her question is 'Yes': public patients in the south will be the major beneficiaries from this exciting redevelopment at the Flinders Medical Centre. The ways in which public patients will benefit are legion. As I indicated, there is a $50 million private hospital development at the Flinders Medical Centre, which will free up a large number of beds as private patients move from taking beds in the public sector into the private hospital. This will obviously allow us to reinvest money which we would have spent on private patients in the public patient area. We will be able to increase elective surgery. Public patients will have access to the new day surgery unit which, as I indicated, will take up to 10 000 cases per year.

Another great benefit is that people who are not particularly unwell but who still need some degree of hospital supervision will not need to be in an acute ward with high staffing levels. In fact, many of them, given the opportunity, would choose not to be there. Under the deal which I have announced today, the private sector, with a $12.5 million capital cost opportunity saving to the public sector, will provide an ambulatory patient accommodation centre which will allow overnighting to occur, and clearly they will also benefit from the improved cardiac catheterisation facilities.

Also, there is a new public ophthalmology unit which will be collocated with the Lions Ophthalmic Centre for eye patients. This will include opportunities for eye day surgery and increase opportunities for research into eye disease and for education. An extra 1 400 public patients will be admitted from the south as a result of cost savings from those private patient movements. The new private facility will purchase from the public sector radiology and pathology services. It is expected that this will boost revenue to the Flinders Medical Centre by over $1 million a year. I understand that that $1 million basically is committed to improving public infrastructure in the radiology and pathology areas. So, clearly, not only the Flinders Medical Centre but also public patients will benefit.

Clearly also, as a result of the collocation with the private sector, the public sector will benefit because of the opportunity to buy some services, such as day surgery, from the private hospital at lower than benchmark prices. So, it is of great benefit to the public patients in the south, and it aptly demonstrates the capacity of the Government to engage in and finalise developments with the private sector for the benefit of the public sector. It will continue our focus on providing innovative, effective, efficient and better health care for public patients in South Australia.

EMPLOYMENT

Mr CLARKE (Deputy Leader of the Opposition): My question is directed to the Premier. Given statistics showing the continued poor jobs growth in South Australia, why did the Premier urge the Prime Minister to get rid of a further 30 000 Commonwealth-funded jobs nationally, which could include the loss of up to 3 000 jobs in South Australia?

The Hon. DEAN BROWN: The Deputy Leader of the Opposition grossly misquotes what I said yesterday to the media in Canberra. What I pointed out was that there was enormous duplication of services between Federal and State Governments. I also pointed out that, because there had been a great deal of public comment in Canberra yesterday about the size of any reductions, if the Federal Government applied the same sort of restrictions or reductions in Government employment that had already been applied by State Governments, that would amount to about a 10 per cent reduction (more than that in South Australia) and that, in job terms, that would mean the loss of about 30 000 to 35 000 jobs across the whole of Australia. I then pointed out that it was up to the Federal Government to decide how large the reduction would be.

An honourable member interjecting:

The Hon. DEAN BROWN: I believe that the main area of overstaffing by the Federal Government has been in Canberra and that there should be a disproportionate reduction in jobs by the Federal Government in Canberra not in regional areas of the State.

Mr Clarke interjecting:

The SPEAKER: Order! I call the Deputy Leader of the Opposition for the second time.

The Hon. DEAN BROWN: I did not indicate that the Federal Government should reduce its employment by any specific amount—I said that that would be up to the new Government to determine—but I did point out that the State Governments have had to undertake radical reform already, partly because the funds that have come from Canberra to State Governments had been cut back by the former Labor Government (the Keating Government) by $300 million a year in the case of South Australia. Secondly, there are the financial disasters left in places such as Victoria, South Australia and Western Australia by former Labor Governments. It is not that we want to reduce Government employment: we have had to do this because of the financial mismanagement of Federal and State Labor Governments around Australia.

The people of Australia should realise—and I think they do—the magnitude of the loss of jobs within Government which has had to be brought about because of the financial mismanagement by Labor. Why is the Howard Government even having to look at this in Canberra? It is because, once again, it has found that it is $8 billion short on its budget—$8 billion of Labor lies by the Keating Government; $8 billion deliberately concealed by the Government prior to the Federal election on 2 March. The reduction in jobs has had to occur only because of the failures of Labor, both Federal and State. The Australian people understand that, and that is why we have a Federal Liberal Government, five State Liberal Governments and two Territory Liberal Governments in the whole of Australia. The people understand that 'Labor' now means 'financial mismanagement'.

COOPER BASIN

Mr VENNING (Custance): Will the Minister for Mines and Energy provide details of new technology being used to improve petroleum production rates from the Cooper Basin?

Mr Clarke interjecting:

The SPEAKER: Order! The Deputy Leader of the Opposition is skating on very thin ice. If he wants to be out in the cold, that is where he will go. One more interjection and I will name him.

The Hon. S.J. BAKER: I can almost see the cracks appearing.

The SPEAKER: Order! I suggest that the Minister answer the question.

The Hon. S.J. BAKER: I will be brief given the time. New techniques for drilling are being used, and those techniques will be used in the Cooper Basin. There is now a process called horizontal drilling. As members would recognise, the technology has been basically to drill vertically to a certain depth until there is a find or until a sample has been taken. It is now possible to operate in highly sensitive areas. This means that a drilling rig can be put into one locale in order to access material in another locale—up to five kilometres have been used in other jurisdictions.

This is called a vertical drilling process. It means that the drill can run on a vertical from the ground or the operator can drill down to a certain depth and then run a horizontal line. The great capacity of this process is that you do not have to do multiple drills in order to pick up pockets of gas or oil. These techniques have been well developed overseas and will now form part of the Cooper Basin exploration effort. It will give them greater capacity to bring together small finds of gas and petroleum and it will be economically efficient to do so. We welcome the innovation being shown in this regard.

SCHOOL CLOSURES

The Hon. M.D. RANN (Leader of the Opposition): Can the Premier explain to the staff, parents and children at the Sturt Street Primary School, Marion High School, South Road Primary School and Sturt Primary School why the Government will close their schools at the end of this year and say how much special funding will be available to restructure the Marion corridor schools? The Minister for Education and Children's Services has just announced the closure of four schools at the end of this year. In the case of he Sturt Street Primary School the Minister has said that he has decided not to accept the recommendation of the review of that school, namely, that this school should in fact remain open. He has rejected that.

The Hon. Dean Brown interjecting:

The Hon. M.D. RANN: So, you are going to answer the question rather than fob it off onto someone else?

The SPEAKER: Order! Ask the question.

The Hon. M.D. RANN: I have asked it.

The Hon. R.B. SUCH: I thank the Leader for a very important question. The Minister for Education and Children's Services, in making decisions relating to schools, takes into account the well-being of the students to ensure that the programs available are the very best and that we have the most efficient and effective education system possible. They will be the guiding principles in respect of those decisions, and I understand that he will be providing additional resources to ensure that all children affected are properly catered for.

WATER, OUTSOURCING

The Hon. H. ALLISON (Gordon): Will the Minister for Infrastructure advise the House of any recent benefits which may have accrued to the State of South Australia as a result of his outsourcing the water contract?

The Hon. J.W. OLSEN: Yes, I am pleased to be able to detail to the House another series of contracts that have been let as a result of the contract entered into between the Government and United Water. It is not confined to the metropolitan area of Adelaide as there are benefits flowing to regional areas of South Australia such as the district of Mount Gambier, represented by the member for Gordon. United Water has today placed orders with Mount Gambier based company South-East Fluid Control for 30 stainless steel penstocks for the Pattum Thani project in Thailand. The value of that project is $161 000—a very important boost for regional small-medium business enterprises, and it indicates the extent to which business, the economy and regional economies of South Australia can benefit from the outsourcing contract put in place.

In addition, United Water recently placed orders for the Adelaide based GAF Veith for 11 blowers for the Paiton project in Indonesia. The value of that contract is of the order of $134 000. These orders follow on from the order placed with Pope Motors on Torrens Road for in excess of $400 000 worth of motors for a project in New South Wales. Clearly the benefits of the contract are now starting to flow through to South Australia and, importantly, are creating jobs not only in Adelaide but in regional economies of South Australia such as Mount Gambier.

PUBLIC OPINION STRATEGISTS PTY LTD

The Hon. M.D. RANN (Leader of the Opposition): Will the Minister for Infrastructure tell the House who did the polling on public attitudes to the water contract, apparently for Cabinet? Public Opinion Strategists Pty Ltd was the firm contracted by Kortlang Pty Ltd to undertake the polling of public attitudes to the Government's water contract. A search of the company records held by the Australian Securities Commission has revealed that Public Opinion Strategists is not registered in Australia and there is no record of the directors of this company. Who are they or is this the Catch Tim of market research?

The SPEAKER: Order! The last part of the question is out of order.

Members interjecting:

The SPEAKER: Order! Whoever was interjecting on my right might be the first one to go out. The Leader of the Opposition knows the rules. If he wants to continue to ask questions, he should not make comments such as he did at the conclusion of his question or he will be ruled out of order.

The Hon. J.W. OLSEN: I would be more than delighted to pass on the telephone number and postal address of Kortlang, who entered into the contract, so that the Leader of the Opposition can make his own inquiries.

INDUSTRIAL POLLUTION

Mrs HALL (Coles): Will the Minister for the Environment and Natural Resources advise what efforts are being undertaken to minimise industrial pollution within the metropolitan area and in resolving conflict between industrial estates and encroaching urban development? A number of varying recent reports have highlighted levels of disharmony between industrial ventures and resident groups on issues such as noise pollution and methods of disposing of industrial waste. How can the needs of both groups be addressed?

The Hon. D.C. WOTTON: I thank the member for Coles for her question because it involves a particularly important issue that continues to be raised as a result of the encroachment of urban development into traditional industrial estates. In several areas in metropolitan Adelaide industry used to operate with significant buffer zones but now, for one reason or another, that buffer zone has made way for housing development. In South Australia tens of millions of dollars is being spent currently by industry as part of licensing

requirements to meet new environmental controls on odour, noise, waste and many other emissions.

Many of these companies have target dates of the year 2001 to reach environmental objectives. That is a goal that the EPA is strongly promoting. This can present significant difficulties for smaller firms which may not have the same level of financial resources or environmental expertise available to them as both are required. I am pleased to announce that the Environment Protection Authority in South Australia has begun a pilot program to assist small business in dealing with pollution and waste issues. In this program, managers are being encouraged to liaise with their industrial neighbours with a view to sharing the cost of recycling and waste removal and sharing resources as part of a collective environmental approach rather than each company having to respond to issues in isolation. This approach will help improve the environmental performances of groups of industries as a whole at a cheaper cost whilst at the same time promoting improved relationships with resident groups.

As an example, solvent by-products of one firm will be filtered and used as paint stripper by another firm. There is already interest in sharing the cost for the joint collection of hazardous waste on a regular basis rather than individual firms allowing the quantity to build before justifying its removal. A follow-up session will be held in October to see what cooperative steps have been put in place and how environmental practices have been improved as part of that pilot program. It is one that I will be watching closely. It is the intention for the program to be extended into other areas after the successful completion of this program. It is a good example of pro-active management by the office of the EPA in seeking improved awareness of environmental issues, particularly as they relate to industry. I will be pleased to provide more information to the House as that pilot program progresses.

ELECTRONIC SERVICES BUREAUS

Mr FOLEY (Hart): When will the Premier conclude a deal with the Integrated Systems Solutions Corporation—a joint venture of IBM and Lend Lease—for the establishment of electronic services bureaus, and will the deal still lead to the 400 jobs that he earlier promised? A press report during the Premier's visit to the United States in September last year stated that a contract with the joint venture company would lead to the introduction of electronic services bureaus for the payment of bills and the use of State Government services. As part of the deal the company was to invest in a computer centre at Technology Park for testing of new products, services and technologies. It was stated the contract would create 400 new jobs.

The Hon. DEAN BROWN: I can indicate to the House that work is progressing. The Government has split what was one contract into two contracts, and we have done it in a two-stage way. There will be an implementation phase, and that is already well under way. It will take some nine months to complete. The purpose of the implementation contract is to work systematically through all the key areas in Government that will be put out into an electronic services system.

Mr Foley: With IBM?

The Hon. DEAN BROWN: Yes; it is with IISC, and of course IBM has a 60 per cent stake in that. IBM is actually involved in the feasibility studies as IBM. Key IBM personnel are coming in from around the world to do these implementation plans. They have been working on the feasibility studies for some months and that has highlighted the opportunity in a number of key areas to progress, including motor registration, which is one of about six or seven key areas of Government that we are looking at implementing initially. When that work has been finished, what was originally to be one contract is now a two-stage contract and we will make our assessment at the end of the first stage before going into the second stage. In fact, everything announced previously is on track.

GOVERNMENT OFFICES

Mr BROKENSHIRE (Mawson): Will the Minister for State Government Services advise the House on progress to date in reducing State Government office accommodation costs?

The Hon. W.A. MATTHEW: I thank the honourable member for his question.

An honourable member: That was reported in the *Advertiser*.

The Hon. W.A. MATTHEW: I can well understand why an Opposition member might interject at this time. Many of the problems faced through surplus office accommodation in South Australia resulted from poor management not controlled under the previous Administration. On the day Ministers in this Government came into office they found in many of their agencies a situation not short of sheer chaos regarding office accommodation. From personal experience, I know the position involving the floor of the building in which my ministerial office is located. I refer to the chaos which ensued on day one as we came into office. We were exposed to the full extent of office accommodation abuses and extravagance of the previous Government. As I came out of the lift on that floor Government employees were running around and unloading cartons. I was interested to find that those employees were moving into that accommodation as a result of a directive given to them during the election period by the previous Government.

That accommodation was to be used, they thought, for Transport Department employees. Needless to say, the first telephone call I made as Minister was to the Minister for Transport advising her of what was occurring. That Minister was obviously amazed that Transport Department employees would be moving into the SGIC Building when there were multiple empty floors in the building into which she had moved, then known as STA House. That is just one example of some of the lunacy that occurred under the previous Administration. Government employees were free to choose their office accommodation throughout the city and were moving into it with no coordination, planning or management. To combat that problem for pretty obvious reasons under my predecessor, the Minister for Industrial Affairs, the sensible move was endorsed by Cabinet to set up a strategic planning body for office accommodation in this State. What came into being was the Government Office Accommodation Committee comprised of both private and public sector representation.

That group has now reduced the cost of office accommodation by $3.7 million since it was formed in late 1994. That now brings the cost of office accommodation down to $70.5 million from more than $73.7 million when we first came into office. That committee has the brief to provide information to me as the responsible Minister on the ways in which Government accommodation policies and practices can be improved in providing independent advice on all office

accommodation projects costing more than $1 million; on mediating between Government agencies to ensure that a whole of Government approach is taken into account for all office accommodation proposals; and in monitoring office accommodation costs and usages within the Public Service. At this time the group is developing an office accommodation strategy to be used by the entire Public Service which, once implemented, I am confident will further reduce costs.

In addition, Services SA is for the first time—unbelievably, for the first time—in many years undertaking an accurate office accommodation census of all of Government, so that those responsible under this Government know exactly how many employees are using office accommodation square meterage both within and without the CBD area. To complement this, new office accommodation guidelines will be distributed to all Government agencies for them to follow in seeking accommodation that closely reflects the occupational standards of the private sector.

The sad reality is that the floor space occupied by Government employees is significantly greater than the private sector standard. Even with these new standards in place, even as agencies move to make sure that their accommodation needs are matched with those of the private sector, this Government will still be left with some longstanding contractual arrangements entered into by the previous Government as we have empty floor space surplus to our needs which is still being paid for by the taxpayer and which ultimately needs to have new tenants attracted into it. I look forward to advising the House on future occasions on the continuing drop in the cost of office accommodation to the South Australian taxpayer.

ORACLE CONTRACT

Mr FOLEY (Hart): Can the Premier advise the House when the reported deal with the South Australian Government and the software company Oracle will be concluded? In a press report of 30 August it was stated that the Oracle company was to invest up to $20 million in a research and development centre at Technology Park leading to the collocation of associated firms and the creation of up to 1 000 jobs. The report continued that the Premier was very confident that the project would go ahead and that a centre would be operational within seven months. It is now eight months since that announcement.

The Hon. DEAN BROWN: First, it was Oracle which made that statement—it was not a statement made by the South Australian Government. Oracle put out that statement on its own volition. I indicate to the House that I understand that talks are still proceeding with Oracle and, as part of this proposal, two broad issues are to be covered. One is the spatial information system where tenders are still being assessed. Oracle is part of each of the four bids put in. In other words, Oracle has worked with all four bidders who will form the common database. I can also indicate that tied in with this was the decision as to whether the Government was going to mandate any particular software package for data management. The Government has not made any final decision on that matter, but I understand that talks are still progressing with Oracle.

SCHOOL CLOSURES

Mr CAUDELL (Mitchell): Has the Minister for Employment, Training and Further Education any further information on the closure of three schools in the Marion Road/South Road corridor?

The Hon. R.B. SUCH: I thank the member for Mitchell for his interest, because I know of his strong support for education and young people generally. The Minister for Education and Children's Services has advised that the $5 million, which will be obtained from the sale of Marion High School, will be returned totally to the school system. The two schools in that area to be closed, Sturt Primary School and South Road Primary School, will find their students allocated to other schools. Students will have the opportunity to attend other schools and the schools they will be attending, along with other regional schools, will receive a significant increase in resources as a result of the money obtained from the sale of Marion High School.

I point out to members that the recommendation came from local school principals and council chairpersons to close three schools in the Marion corridor region. In late 1995, the review team reported to the Minister that three of the seven schools in the Marion corridor should be closed, but the report did not indicate which three schools should be closed. That decision was left to the Minister, and the Minister accordingly has closed the schools I have just mentioned. In addition, the Minister has advised that the Daws Road High School will have a significant addition in that it will acquire a new middle school from next year, catering for years 7 to 13; and the Hamilton Senior Secondary School will have a middle school from 1998.

Students will make significant gains by having better resources, facilities and a better educational curriculum. In respect of the city, the Sturt Street Primary School will close and its students will be allocated to the Gilles Street School. The Minister points out that currently only 20 local students attend Sturt Street School. Other students attend the school for special programs, but they will also be relocated to the Gilles Street School. No decision has been made about the future of the site at Sturt Street; indeed, it may be retained for professional development within the Minister's department. It is a further indication that, when this Government must rationalise schools due to declining numbers, it is prepared to put that money into advancing the education of our young people.

GAMBLERS REHABILITATION FUND

Ms STEVENS (Elizabeth): Will the Minister for Family and Community Services guarantee to distribute by 30 June the $3.5 million that has been paid into the Gamblers Rehabilitation Fund in the past two years? The Gamblers Rehabilitation Fund received $1.5 million in 1994-95 and a further $2 million in 1995-96. A note dated 22 December 1995 from the Minister's office shows that, of the total $3.5 million allocation approved by the Minister to December 1995, allocations amounted to only $1.237 million.

The Hon. S.J. BAKER: I rise on a point of order, Sir. I am looking at the *Hansard* of 10 April (yesterday), which shows that this is the same question asked by the member for Elizabeth then.

The SPEAKER: I do not currently have the *Hansard* in front of me—

Members interjecting:

The SPEAKER: Order! The Chair will examine the question.

TOURISM, FUNDING

Ms WHITE (Taylor): Has the Minister for Tourism received any assurance from the Federal Tourism Minister that current or future funding to South Australia under the Regional Tourism Development Program will not be cut as part of the Howard Liberal Government's $8 million fiscal tightening? The Regional Tourism Development Program is providing a substantial part of the funding for important regional tourism projects in South Australia, such as the Visitor Centre at Seal Bay, Kangaroo Island, opened by the Premier and the then Federal Labor Minister, Michael Lee, last year; the Barossa Visitors and Wine Interpretation Centre; the Australian Arid Land Botanic Gardens at Port Augusta; and the integrated tourism strategy for the Fleurieu region.

The Hon. G.A. INGERSON: The Federal Liberal Government has made sure that tourism has a high profile. For the first time tourism has been included in the industry portfolio. It has been recognised as one of the most important growth opportunities by the Federal Government, and the honourable member opposite can assume that, given that sort of status, very important tourism money will be made available by the Federal Government.

NATIONAL ELECTRICITY MARKET

Mr WADE (Elder): Will the Minister for Infrastructure report on progress being made on the establishment of the National Electricity Market and South Australia's current stance on this important issue?

The Hon. J.W. OLSEN: Since the announcement of the recommendations of the Hilmer report in August 1993, and the subsequent competition policy agreed to by all States in April 1995, the State Government has been actively seeking ways of conforming with the requirements of the National Electricity Market. In June 1995 a director was appointed to the Electricity Sector Reform Unit to lead and direct the South Australian reform process. We must be a part of that reform process not only to ensure competition payments to South Australia but importantly to ensure that for residential, commercial and industrial purposes we have the cheapest electricity of any State in Australia.

South Australia has appointed representatives to all relevant committees and bodies, including the National Electricity Market Management Company and the National Electricity Code Administrator, to ensure a consistent and constant voice in setting the national code of conduct for systems control, and to discuss market arrangements on the basis that we believe South Australia ought to be a participant in those discussions in an effort to ensure that the regional economy of South Australia is adequately taken into account in any final decisions about systems control and management. Difficulties are being experienced in establishing a true national electricity grid.

Several weeks ago Queensland initially withdrew, but I note that a report in today's *Financial Review* refers to the fact that Queensland is now retreating somewhat from the Eastlink proposal of establishing an interconnector between New South Wales and Queensland. A system has not yet been designed to oversee the management and control of the national grid which was planned to begin in July but which is now set for October this year and, on recent advice, looks set to be operative in July 1997 as a true National Electricity Market. Meanwhile, an interim market has been proposed to begin in October this year.

South Australia needs to be convinced that entering an interim market, that is, with New South Wales and Victoria only, is in South Australia's interest, with little cost and benefits to flow to South Australia before we will be a participant in the interim market. The interim market, as we understand advice to date, would rely on improvised trading rules and systems, an increased regional emphasis and difficulties for interstate trading. We want those matters resolved with clarity prior to entering into any interim National Electricity Market. I want to underscore the point that South Australia will participate in a true National Electricity Market, which requires approval of a code of conduct authorised by the ACCC, and when joint venture systems have been developed and proven.

Legislative and institutional matters need to be concluded for the national market. South Australia is working towards drafting these requirements and plans to introduce them in the May/June sittings. South Australia is preparing for and looking forward to being a member of NEMMCO and NECA. We are seeking, in terms of the interconnector agreement with Victoria—which is a commercial agreement—clear understanding and protection of South Australian interests and rights in that interconnector agreement. We will be insisting also that any new interconnector be adopted and funded through the national market and must have the support of host jurisdictions before they are put in place.

The South Australian Government also is considering what future structure for ETSA will be necessary to comply with the COAG requirements for competition. The Industry Commission report will be available shortly. I emphasise to the House, and particularly for the benefit of the member for Hart, as I have said on numerous occasions, the privatisation of ETSA is not on the agenda. It is not on the agenda and has not been considered by this Government. I guess we will see with the electricity industry what we saw with the water industry: do not worry about the truth of the matter, just go out and repeat the lie to the community at large.

I will say again, in clear and concise terms, as the Premier said prior to meeting with the Prime Minister: privatisation has not been and is not on the agenda as it relates to the Electricity Trust of South Australia. We want to be a participant in this national market; benefits can and will flow to South Australia, particularly to the manufacturing industry, in having access to power costs commensurate with those that apply interstate.

It will be important for the future of South Australia. Earlier today the position as it relates to the interim market was communicated to the Chairman of the National Grid Management Council, Mr John Landels, indicating that we want greater clarity. Prior to South Australia's entering into the interim market, we want the full market and a clear benefit flowing to South Australia by participation in the full National Electricity Market.

The SPEAKER: Order! I have examined the question of the member for Elizabeth, and the Chair is of the view that it is in order.

GAMBLERS REHABILITATION FUND

Ms STEVENS (Elizabeth): Will the Minister guarantee to distribute by 30 June the $3.5 million that has been paid into the Gamblers Rehabilitation Fund in the past two years?

The Hon. D.C. WOTTON: The question may not be the same as the question asked by the honourable member yesterday but the answer is the same.

GRIEVANCE DEBATE

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

The Hon. M.D. RANN (Leader of the Opposition): Yesterday in Parliament I raised the issue of petrol price fixing. For years oil companies have been taking motorists for a ride. Every motorist in this State knows that there is a rip off. Every motorist in this State knows that there is active collusion between and amongst oil companies to fix petrol prices. Every motorist in this State knows that there is no genuine competition. The petrol companies prey on motorists, on families and on ordinary people when they are most vulnerable: at holiday times, such as Christmas, Easter and school vacations; and even at pension time—they are as cynical as that.

Yesterday, I was given a leaked petrol company document that ordered retailers to impose a 5¢ per litre price hike two days before Easter. We have been supplied with the document which appears to be a computer network message from British Petroleum instructing petrol stations to lift the pump price of unleaded from 69.9¢ a litre to 74.9¢ at 9.31 a.m. on 3 April—just as we predicted last week. It appears that the oil company was set to make an extra 4.5¢ a litre out of the increase, with the petrol station proprietor picking up the extra .5¢.

South Australians are rightly angry about the regular holiday petrol price hike. It has always been denied that there is collusion, but everyone knows that there is collusion. We all suspect that there is active collusion between and amongst the oil companies at the worst time for customers in terms of increased prices. I have written to Professor Fells, who heads the Federal inquiry into petrol price fixing, now being run by the Australian Competition and Consumer Commission. I have sent him a copy of this network message that purports to come from British Petroleum (Australia).

I want to know why the company needed to lift the price of petrol by this much at this time. Did the other big petrol companies issue similar instructions to their outlets for a similar increase at about the same time? Motorists have every right to be suspicious about these cynical price hikes. It is about time that there was action at national level, and I hope that the South Australian Commissioner for Consumer Affairs is given full support to look into the matter, if the Minister directs him to do so, and to work actively with Professor Fells. It is about time the truth about petrol price fixing was revealed publicly and dealt with. There is no competition, but there is collusion, and everyone knows it.

Today I also want to talk about some issues that the Premier apparently did not raise in Canberra. We are told that he did not raise the Alice Springs to Darwin rail link. Three years ago, I attended a function in Strathalbyn and heard Alexander Downer tell the people that, if a Federal Liberal Government was elected, 'You would be able to get the train from Strathalbyn to Darwin.' I was the only person that day who laughed because basically they did not know at the time that they were being conned. There has been no talk about the Alice Springs to Darwin rail line since the change of Government.

I remember the Neville Wran report, commissioned by the Northern Territory Country Liberal Party Government and by the Federal Government to get the former Premier of New South Wales (Neville Wran) to conduct a study into issues surrounding the future of Darwin, because of that city's unique positioning in terms of access to South-East Asia. That report showed that a Darwin to Alice Springs rail line would be economically viable at the turn of the century. We need a project of outstanding national importance that will unify Australians—a Snowy Mountain scheme equivalent, 50 years on. It would create 2 000 jobs, half of them in South Australia, Spencer Gulf being the principal recipient; and it would take steel from Whyalla and concrete from Port Augusta. I would like to see a concerted effort. The Government would have the South Australian Opposition's strong support. I would like to see a concerted effort by all MHRs and Senators, regardless of Party—Liberal, Labor or Democrat—to try to adopt this project to commemorate the centenary of Federation.

Mr CAUDELL (Mitchell): As Chairman of the Select Committee on Petrol Multisite Franchising, I request the Leader of the Opposition to provide the committee with a copy of the letter he has provided to the ACCC, because that document meets some of the issues we have raised before the committee associated with collusion and anti-competitive activity by members of the oil industry. The oil industry has made certain statements to us that these things do not happen. However, as a former employee of the oil industry, I have raised publicly, both in this House and in other places, what occurs when petrol prices rise. I am amazed that a document actually exists from BP, advising its dealers to raise the price of petrol. Normally, the night before the rise you will receive a phone call from the oil company telling you that the price of petrol is to go up in the morning, that the price will be increased by oil company X, and that they expect you to move your price an hour after that other oil company.

You are also told who will be the last oil company to raise the price. That is an ongoing practice in the oil industry. As I said, I am surprised to hear that an oil company has sent out a fax advising its dealers to raise the price. I am keen to investigate this document from the Leader of the Opposition, to place it before the committee and include it in the information that has been given to the committee.

As well, it must be pointed out that in November BP sent the committee a letter stating that it was not heading down the line of multisite franchising. We are advised that the company held a meeting of its service station dealers in March this year to advise them that it is now heading towards multisite franchising. Basically, we are forced into a situation where up to 20 service station dealers in Adelaide will control over 300 service stations in the metropolitan area of Adelaide, and that is a concern to the committee.

I refer to the question that was asked previously about schools in the Marion Road/South Road corridor and the answer provided by the Minister for Employment, Training and Further Education. When the Leader of the Opposition asked the Minister what benefits will be forthcoming to the residents, children and teachers in the Marion Road corridor, I thought the question was a bit of a dorothy dixer. He must have read the Minister's press release.

Parents, children, teachers and principals in all seven schools in the Marion Road corridor were involved in a consultation process which went on for two years. As a result of that consultation process, members of the community recommended to the Minister that three of the seven schools in the Marion Road corridor should close in the interests of the education curriculum for all students. Consequently, the Minister decided to close Sturt Primary School, South Road Primary School and Marion High School.

In 1997 we shall see the implementation of a middle school program in the Marion Road-South Road corridor, which will see the establishment of years 7 to 13 at Daws Road High; and in 1998 we shall see the establishment of a middle school program not only at Daws Road High but at Hamilton High, where there will be years 7 to 13 as well as adult re-entry. The community recommended years 6 to 13, but the Minister believed that possibly year 6 was a little early to be put in with the high school. The sale of those three schools is expected to generate $5 million. Those funds will be used by the community in the south-western suburbs to upgrade the schools in that area, with the majority of the funds being used for the schools in the corridor.

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

Ms HURLEY (Napier): I obtained a copy of the April issue of the *Adelaide Review*, because I had been told that there was a letter in it from the Minister for Housing, Urban Development and Local Government Relations outlining the initiatives that he has undertaken. As these initiatives had escaped my notice, I read it with great interest. The letter was in response to articles by Peter Ward and Paul Chapman on the State Government's policy directions for the Housing Trust. In part of the reply, when the Minister gets to his own initiatives, he states:

> Mr Chapman, who appears to be, in the words of that song, *Living in the 70s*, has misunderstood the policy directions of the Government. The State Government is committed to achieving a better mix of public housing in the community through the redevelopment of older areas, such as The Parks. The Housing Trust is working with the private sector to build houses under the design and construct program and integrate new public housing into areas such as Golden Grove, Seaford and Regent Gardens . . .

I am a very new member, but I understood that it was a Labor Government initiative which built Golden Grove. In fact, the Minister, as a local member at that time, spoke on the indenture Bill and expressed concern about putting public housing in the Golden Grove estate. Similarly, I understood that Seaford was a Labor Government initiative, and Regent Gardens was certainly begun under a Labor Government. We then get to the point where he talks about what his Government is doing:

> . . . whereas the previous Labor Governments expanded such public housing areas as Christie Downs and Salisbury North.

I also find this difficult to comprehend. I wonder whether the Minister has been to Salisbury North. It is the double unit Housing Trust housing that was commonly built in the 1950s and 1960s at Elizabeth and Munno Para and is now badly in need of upgrading. It is scarcely the initiative of a previous Labor Government. I find the reference to Christie Downs also surprising. I am not so familiar with the area, but the tone is very critical. I wonder whether the Minister thinks it was poor policy to build in Christie Downs. It is a very strange letter. It goes on:

> I am proud to have implemented three initiatives since my appointment as Minister to assist South Australians either gain home ownership or have additional rental opportunities.

He then refers to the sweat equity scheme, which is a very nice scheme, and I am happy to support it, but I will quote the Minister's words regarding that scheme. He states:

> Prospective owners will contribute a minimum of 20 hours per week in labour towards the building of their own home.

This means that working people have to put in 10 hours on Saturday and 10 hours on Sunday for some considerable period while the house is built and then help the other cooperative members of the scheme to build their homes. There is nothing wrong with that. If one has the skills and the time, it is a good way to own your own home, but it will scarcely provide the fillip that the housing industry in this State so badly needs.

The Minister's second initiative is 'a whole-of-Government support for tenants with disabilities'. Many of my tenants with disabilities have not noticed this, but I believe it is in place. The letter continues:

> The cooperation between the Housing Trust, the SA Mental Health Services and the Options Coordination Agencies establishes a clear referral system to access services for people with a disability. . .

I understood that was an initiative of the previous Minister for Housing, but I will give the present Minister the benefit of the doubt. The third example that he gives is 'the direct debit of rental to the trust from the Department of Social Security'. This scheme has been in for some time. It was a Labor Government initiative which allowed people in receipt of pensions to deduct their Housing Trust rent directly from their income. The State Labor Government negotiated with the Federal Government for some time to extend that to other benefits, and it has only just been approved.

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

Mrs PENFOLD (Flinders): I wish to place on the public record my concern about the decision taken in another place to disallow a series of regulations aimed at protecting the State's fishery resources, especially as the Legislative Review Committee had voted in favour of the regulations after extensive consultation specifically on the subject. Following this decision the Government rightly reacted immediately and reintroduced the regulations to counter this decision. The actions of the Opposition and the Democrats truly show who really has the conservation ethic in South Australia and which Party in this State has the courage to make tough decisions to protect the living resources of the sea.

The regulations thrown out by the irresponsible actions of the Opposition and the Democrats related to an increase in the legal minimum size limit for King George whiting, bans on the use of gill nets by recreational fishers and extensive commercial netting closures in several regions of the State. All these regulations were introduced by the Liberal Government to help protect the resource and to share it with more people in the community.

I will explain the regulations in respect of the King George whiting fishery. The best available data that have been presented by the State's senior marine scientists show that breeding stocks of King George whiting are presently at 4 per cent—a potentially disastrous and dangerously low level. An internationally recognised figure that fishery managers aim for is at least 20 per cent of original breeding stock. If our

scientists are only half right and stocks are at, say, 8 per cent, the fishery is still in crisis.

Increasing the minimum size limit to 30 centimetres last year and increasing it again to 32 centimetres in a year's time, along with the introduction of more severe bag and boat limits for recreational fishers, is aimed at increasing the number of King George whiting that escape to breed in deep water. The aim is to increase the level of the breeding stock as soon as possible. Why did this strategy not have the support of the Democrats? Commercial netting bans in certain strategic nursery areas around the State were also aimed at achieving the same result, that is, allowing more fish to escape nursery areas to breed.

In relation to recreational netting, I remind members that this practice was restricted in South Australia many years ago when no more licences were granted. In 1995, only a relative handful of South Australians retained the right to possess a recreational net licence. Queensland banned recreational netting over 100 years ago, and all other Australian States have either banned the practice or imposed severe restrictions, such as shorter nets and closed areas. Opposition to recreational netting is based on the national policy for recreational fishing released in 1994. All Australian States agreed with two key principles opposing netting. These recommendations (6 and 8) of the key principles set out an indisputable argument against allowing recreational nets. Recommendation 6 states:

> Recreational fishing methods where the fisher is actively involved, or which are selective in the species and quantity caught should be given preference over less discriminate methods such as unattended nets or set lines.

This was given total Australia wide support. Recommendation 8 states:

> Recreational fishers are entitled to a fair and reasonable share of Australian fish resources taking into account long-term sustainable yields, the rights and entitlements of others, and the need to optimise community returns from available stocks.

It is not a fair and reasonable sharing of the resource to allow only 6 000 South Australians access to recreational netting. The Labor Party and the Democrats would either allow these very privileged few who have net licences to continue or they would open the resource to hundreds of thousands. Then, the resource would collapse. The South Australian Opposition and the Democrats are at odds with the rest of the nation, but that should be no surprise to anyone. They clearly do not understand that Governments must take a precautionary approach to conserving fish stocks. There are four clear laws in the Fisheries Act in South Australia which give the Minister or the Director very clear and precise instructions to preserve and protect the living resources of the sea. This Government's action goes further than just protecting the living resources of the sea: the present Government is also about sharing the resource fairly over the long term.

Mr CLARKE (Deputy Leader of the Opposition): I advise the House of the particularly unscrupulous business behaviour of a particular employer in South Australia. His name is Mr Gary Lockwood. Mr Lockwood is the proprietor of a company called Lenlock Pty Ltd, trading as Luvaware and Vision Lingerie of Stepney in South Australia. This company is both a manufacturer and distributor of women's lingerie. It goes about its business of selling its products of women's lingerie and adult toys on a party plan scheme. It requires its consultants and their accompanying male strippers, in addition to doing their Adelaide shows, also to travel to regional South Australia and interstate. I have received a number of complaints from employees and former employees of that company with respect to the underpayment of its employees and that person's treatment of employees.

I do not complain about the products it sells. It is a person's own business as to what they do. However, I do take exception to the manner in which this person treats his employees. The issue has been raised by those employees with organisations such as the Employee Ombudsman. There have been discussions with the Working Women's Centre and with inspectors of the Department of Industrial Affairs. I will provide some examples of what is occurring.

The consultants—and they are paid on a commission basis depending on what they sell—travel interstate for periods of up to two weeks. A car is supplied and petrol is paid for. The three persons, normally two women and the male stripper, are accommodated in the one motel room to save expenses. Often, the employer leaves the consultants stranded interstate without any resources to find their way home. There was an example of two women who were left stranded in Townsville without any resources to find their way home. When they do find their way home and seek to have moneys paid to them on commission for the goods they have sold, the fact is that the employer basically cheats them. The employer does not show them the reconciliation statements indicating the goods that have supposedly been returned from the sales. The employer deducts costs for the use of the promotional material distributed, and often one finds that the expenses, so-called, incurred in the course of their employment total more than they receive by way of commission.

There have been examples where unroadworthy vehicles have been supplied to these consultants to the extent that one consultant complained to me that the brakes did not work in a company car. The consultant informed me that the brakes were metal on metal and that a crash in that vehicle resulted after a 13 hour drive because of the failure of the brakes. Employees have had to attend the Industrial Relations Commission regarding underpayment of wages. Indeed, one of those employees was awarded an out of court settlement worth $8 000 as a result of court action. Mr Lockwood was supposed to have paid $3 000 of that $8 000 by instalment by 31 March this year. That has not been paid, and Mr Lockwood was supposed to have paid the balance by the end of April. I doubt whether that will be paid.

Mr Lockwood has sold his house at 350 Greenhill Road and I am aware that he seeks to move overseas. I fear that these employees and former employees will never see their right returns with respect to the work they have done. Mr Lockwood is in arrears with respect to the superannuation payments he is supposed to have made regarding this company. His conduct has been thoroughly reprehensible. That can be readily ascertained by anyone who has had the misfortune of business dealings with that person. Because of the type of behaviour he has displayed, he no longer deserves to be an employer in this State or, indeed, anywhere whatsoever.

Mr SCALZI (Hartley): I refer to the editorial of the *Advertiser* of Monday 8 April entitled 'Creating a wealthy new State' regarding the assessment of the South Australian economy by Dr Richard Blandy, Executive of the South Australian Development Council. The article states:

> The message he is spreading to a series of public forums stands some current assumptions on their head. In particular, he challenges the view of South Australia as a rust bucket State. Depiction of the

local economy as a decaying industrial wasteland ignores the factual evidence.

I agree with him that South Australia is not what some people see it as. We have had difficulties in the past—and everyone is aware of that—but I believe that we are on track. The article reminded me of a speech I delivered shortly after I entered this place in which I referred to South Australia becoming the Switzerland of the south. It was this phrase specifically that led me to refer to the South Australian economy today. The editorial continues:

. . . Dr Blandy believes the State will grow more rapidly over the next 15 to 20 years than the past 15 to 20 years . . . cities like Geneva in Switzerland have had very little population growth and an ageing population for a very long time and are smaller than Adelaide, but offer a rich lifestyle.

I believe, as I believed then, that South Australia can be compared to Switzerland. We have a diverse and small population but an excellent tradition in health, education, niche markets and all those things for which Switzerland is recognised.

As I said previously, Switzerland is a very respected State. It is also a Federation, which we support, and it supports an excellent lifestyle. As a person with an Italian background, I well remember as a young boy people talking about going to Switzerland for medical treatment. The member for Taylor might be puzzled by that comment, but Switzerland has that reputation. South Australia is now the place to which a lot of people come from South-East Asia for operations. The cranio-facial unit is much respected worldwide, and I believe that in these areas we have a future. It is about time that the people who keep knocking this State, who keep telling us that we are a backwater, got their facts straight. We are on track; we are getting this State going again.

The State Government's economic strategy to remove the underlying budget deficit is starting to reap rewards for the South Australian economy and is reducing the State debt even sooner than promised during the 1993 election campaign. It is estimated that the 1995-96 budget deficit of $140 million will become a $5 million budget surplus by the end of the 1997-98 financial year with the revised forecast of the net real debt for South Australia showing a $256 million improvement on the figure released in the 1995 State budget.

I believe we have an excellent future, and that is because of our strengths in specific areas. Take, for example, the development of the University of South Australia's City West Campus which will bring thousands of new students into our State. Of course, the other two universities attract students from overseas, not only undergraduates but people doing post-graduate degrees. We are helping countries such as Malaysia and Indonesia in terms of providing post-graduate studies in nursing and management. We are attracting those people here, and I believe that South Australia has an excellent future.

STATUTES AMENDMENT (COMMUNITY TITLES) BILL

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

BANK MERGER (BANKSA AND ADVANCE BANK) BILL

The Hon. S.J. BAKER (Deputy Premier) obtained leave and introduced a Bill for an Act to provide for the merger of the Bank of South Australia with the Advance Bank; and for other purposes. Read a first time.

The Hon. S.J. BAKER: I move:

That this Bill be now read a second time.

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

Leave granted.

By amendments made by this Parliament to the State Bank of South Australia Act (1983), the preparation for sale and the sale of the Bank were sanctioned. The State Bank (Corporatisation) Act 1994, with complementary legislation in other relevant States and Territories, effected the transfer of assets and liabilities from the former State Bank to Bank of South Australia Limited leaving some residual assets and liabilities in the former entity which was renamed South Australian Asset Management Corporation.

It was the new entity, known as BankSA, that was the subject of sale under a process controlled by a Sale Committee which reported to me.

The sale process and the sale itself was effected successfully in a manner which not only achieved a most satisfactory financial result for the State but was regarded most favourably in terms of both outcome and process by the Australian financial community.

Furthermore, the process complied with undertakings given by the then Labor Government of this State to Federal Treasury to sell the Bank, but at the same time met with an important condition of that undertaking, namely, that the sale would be effected at a time consistent with obtaining a fair price. Indeed, the price obtained was not only fair but it was maximised in the process.

An important factor in maximising the price was protection of the very strong banking franchise enjoyed by BankSA in this State. I and the Sale Committee were concerned that as a result of the policy of Federal Treasury, as administered by the Reserve Bank of Australia, banks are not permitted to operate under more than one banking authorisation granted under the Commonwealth Banking Legislation.

In March, 1994 I advised this House in a Ministerial Statement that the Sale Committee had been successful in a change in Federal Treasury Policy which now permits acquired Banks to continue to trade under existing name or names and with their existing logos or trademarks.

Thus, while an acquired Bank must, within a reasonable transitional period surrender its banking authorisation, the name can remain.

The way by in which the banking authorisation is surrendered is by merging the acquired bank with the acquiring parent. The Bill before this House is to effect such a merger.

The Bank Merger (BankSA and Advance Bank) Bill 1996 will operate to transfer assets and liabilities, except those excluded for Federal Taxation or structural reasons, to Advance Bank Australia Limited thus permitting that legal entity to operate the banking business of BankSA under Advance's banking authorisation, but under the name BankSA or Bank of South Australia and the now familiar and, I would say, well regarded Sturt's Desert Pea logo.

Customers of the Bank will see no difference in the way the bank operates except reference to the Banks parent on documentation as required by the Reserve Bank of Australia. Furthermore, there will be no change to the obligations of BankSA subsequent to merger. More importantly there will be no change to the commitment of BankSA to this State and to furthering its economic development.

Of course, this is what one would except given that Advance paid almost $300 million in goodwill for the BankSA franchise—not a sum that it would wish to put at risk. Nevertheless, both the Premier and I have personally meet with the Chairman of Advance Bank to discuss the operations of BankSA. From these discussion and ongoing dialogue between Government officials and senior bank management, it is pleased to note not only that Advance is pleased with its acquisition (as well it should), but that its strategies are to increase its banking activities particularly in the area of Business Banking. The fact that BankSA is now part of what is currently the fifth largest banking group in Australia gives it renewed capability and confidence.

In this context and most importantly Advance will retain a Chief Executive Officer of the BankSA operations as well as expanding

the membership of an Advisory Board of Directors to include more South Australian resident Directors. The continuation of local input to decision making has been an important consideration for Government and the Premier and I are pleased that the Chairman of Advance, in his own right, has the same commitment.

I am also pleased to inform Honourable members that some of the strategic reasons behind Advance's acquisition of BankSA will see some benefits to the State. In particular BankSA's well regarded data processing capability are such that the Advance Group will move to an upgraded version of BankSA's primary computing platform with the development of this being driven out of Adelaide and BankSA's sophisticated computing centre at Kidman Park. Similarly BankSA sees an expansion of telebanking associated changing delivery channels with customer preferences and non bank competition placing greater emphasis on technology than traditional over the counter transactions. It is also worthwhile noting that BankSA brought to Advance leadership in electronic banking with, not only a large network of merchant and EFTPOS customers, but experience in credit cards and smart cards.

The Bill itself is conventional in that it follows the form required for Bank mergers, all of which in the past and, I would say a number in the future based on current market activity, are effected by legislation because of the number of accounts and such like requiring to be transferred.

I draw members attention to Section 11 of the Bill which continues the provision for the progressive run down of guaranteed liabilities BankSA inherited from the former State Bank and in accordance with the State Bank (Corporatisation) Act 1994. I also point out Section 12 of the Bill deals with the transfer of staff. As with assets and liabilities of the Bank there has to be a mechanism for transferring staff to the Group employer. Section 12 permits the Chief Executive Officer of Advance Bank to effect the transfer of all staff within 12 months of the day in which the act is proclaimed to be effective. It is important to note that the Bill specifically protects employees and is accordingly uncontroversial in this regard. However, as new industrial agreements may have to be negotiated adequate time had to be provided to enable a proper process to be followed—as intended by the Bill and without the rights of employer or employee being impinged upon.

I commend the Bill to the House.

Explanation of Clauses

PART 1

PRELIMINARY

Clause 1: Short title

Clause 1 is formal.

Clause 2: Commencement

Clause 2 provides for the commencement of the new Act on a date to be fixed by proclamation. It is possible (but not likely) that this date will be more than 2 years after the date of assent. Subclause (2) therefore excludes the operation of the provision of the *Acts Interpretation Act 1915* providing for automatic commencement of an Act 2 years after assent.

Clause 3: Interpretation

Clause 3 contains the definitions necessary for the purposes of the new Act.

Clause 4: Act to bind the Crown

Clause 4 provides that the new Act will bind the Crown not only in right of the State but (so far as the legislative power of the State extends) in all its other capacities.

Clause 5: Extra-territorial application

Clause 5 provides for the extra-territorial application of the new Act.

PART 2

VESTING OF BSAL's UNDERTAKING IN ABAL

Clause 6: Vesting of undertaking

Clause 6 provides for the vesting of BSAL's undertaking in ABAL on the appointed day (*ie* a date to be fixed by proclamation for the purposes of the new Act).

Clause 7: Conditions of transfer

Clause 7 provides that the CEO may, by order in writing, fix terms on which BSAL's undertaking is transferred. The terms of transfer may create, and define the extent of, rights and liabilities.

Clause 8: Transitional provisions

Clause 8 contains a series of transitional provisions consequential on the transfer of BSAL's undertaking to ABAL.

Clause 9: Direct payment orders to accounts transferred to BSAL

Clause 9 provides that an instruction, order or mandate for payments to be made to an account at BSAL is, if the account at BSAL is transferred to ABAL under the new Act, taken to be an instruction, order of mandate for the payments to be made to the account at ABAL.

Clause 10: Registration of title etc.

Clause 10 provides for registration of the transfer of assets and liabilities by the Registrar-General and other registering authorities.

Clause 11: Exclusion of obligation to enquire

Clause 11 excludes any obligation on the part of a person dealing with BSAL or ABAL after the appointed day to enquire whether a particular asset is or is not an excluded asset.

PART 3

GOVERNMENT GUARANTEE

Clause 12: Government guarantee

Clause 12 continues the operation of the present provisions of the *State Bank (Corporatisation) Act 1994* for government guarantee of liabilities (so far as relevant) to liabilities transferred under the new Act to ABAL.

PART 4

STAFF

Division 1—Transfer of staff

Clause 13: Transfer of staff

Clause 13 empowers the CEO of ABAL to make an order transferring all employees of BSAL to ABAL or an ABAL subsidiary.

Clause 14: Directors, secretaries and auditors

However, a director, secretary or auditor of BSAL does not become a director, secretary or auditor of ABAL by virtue of a transfer of employment under Part 4.

Division 2—Superannuation

Clause 15: Definitions

Clause 16: Preservation of superannuation rights

Clauses 15 and 16 provide for the preservation of superannuation rights despite a transfer of employment under the new Act.

PART 5

MISCELLANEOUS

Clause 17: Stamp duty and other taxes

Clause 17 excludes transfers under the new Act from stamp duty and other State taxation.

Clause 18: Evidence

Clause 18 enables the CEO to issue certificates about whether an asset or liability is, or is not, a transferred liability. A certificate is *prima facie* evidence of the matters certified in legal proceedings. This clause also provides that the transfer does not affect the evidentiary value of banking records.

Clause 19: Act overrides other laws

Clause 19 provides that the new Act has effect despite the *Real Property Act 1886* and other laws.

Clause 20: Effect of things done or allowed under Act

Clause 20 provides that action taken under the new Act does not give rise to liability for a tort or a criminal offence, nor does it have other adverse legal consequences.

Clause 21: Name in which ABAL carries on business

Clause 21 authorises ABAL to carry on business in the State under any of the following names:

(a) its own name;

(b) Bank of South Australia;

(c) BankSA;

(d) any other name registered under the *Business Names Act 1963*.

Clause 22: Regulations and proclamations

Clause 22 empowers the Governor to make regulations and proclamations for the purposes of the new Act.

SCHEDULE

Excluded Assets and Liabilities

The Schedule contains a list of the assets and liabilities excluded from the transfer.

Mr ATKINSON secured the adjournment of the debate.

WILLS (EFFECT OF TERMINATION OF MARRIAGE) AMENDMENT BILL

Second reading.

The Hon. S.J. BAKER (Deputy Premier): I move:

That this Bill be now read a second time.

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

Leave granted.

Section 22 of the *Wills Act, 1936* currently provides that a will may only be revoked in one of four ways: by marriage, by another will or codicil, by express revocation in a subsequent testamentary instrument or by destruction.

Numerous law reform bodies, both in Australia and overseas have reviewed the effect of divorce upon wills. The general consensus is that in the majority of cases testators would not wish to benefit their ex-spouses as generously once they are divorced, as would be the case if the marriage were still subsisting.

This was the finding of the Ontario Law Reform Commission in 1977, the Law Reform Committee of South Australia in 1977 and was affirmed by the New South Wales Law Reform Commission in 1985.

This Bill amends section 22 of the *Wills Act, 1936* to provide that upon the date of the termination of a marriage (whether by divorce, annulment or declaration that the marriage is void)—

(a) any beneficial gift in favour of the former spouse is revoked;

(b) any power of appointment conferred on a former spouse is revoked;

(c) any appointment under the will of the former spouse is revoked,

unless a contrary intention appears from the terms of the will or a subsequent will or codicil confirms the testator's original intention.

Instead, any property is to pass as if the former spouse had predeceased the testator.

New South Wales, Victoria and Queensland have all enacted similar provisions to the amending provisions of this Bill.

Tasmania is the only State to enact legislation which provides for the revocation of the entire will upon dissolution of the marriage.

Revocation of the entire will is not considered to be an appropriate option because:

- it would substitute the rules of intestate succession for all of the testamentary provisions contained in the will
- most gifts in favour of the members of the divorced spouses' family will be intended (generally being to children of the testator)
- gifts to deserving friends and charities will generally remain intended
- it would strike down a new will made after separation and before divorce, even where no provision was made to the former spouse.

The revocation of all dispositions, powers of appointment and appointments to the former spouse will not affect any rights of the former spouse under the *Inheritance (Family Provision) Act, 1972*, nor any debt or liability payable to the former spouse by the testator.

I commend this Bill to the House.

Explanation of Clauses

Clause 1: Short title

This clause is formal.

Clause 2: Commencement

The measure is to be brought into operation by proclamation.

Clause 3: Insertion of s. 20A

Proposed new section 20A deals with the effect of termination of marriage on a will.

Subclause (1) provides that if, after making a will, the testator's marriage is terminated—

- a disposition of a beneficial interest in property by the will in favour of the testator's former spouse is revoked
- an appointment by the will of the testator's former spouse as executor, trustee or guardian is revoked
- a grant by the will of a power of appointment exercisable by or in favour of the testator's former spouse is revoked
- the will is to have effect with respect of the revocation of such a disposition, appointment or grant of a power as if the former spouse had died on the date of termination of the marriage.

A disposition or grant of a power will not be revoked if made in accordance with a contract between the testator and the former spouse under which the testator is or was bound to dispose of property by will in a particular way.

A disposition, appointment or grant of a power will not be revoked if the testator intended that the disposition, grant or power would have effect despite the termination of the marriage. Under the clause, such an intention would be required to be expressed in the will.

A disposition, appointment or grant of a power will not be revoked if the will is re-executed, or a codicil is made to the will, after termination of the marriage and the will or codicil shows no intention of the testator to revoke the disposition, appointment or grant.

The clause makes it clear that nothing contained in the clause will affect the right of a former spouse to make a claim under the *Inheritance (Family Provision) Act 1972*.

Termination of marriage will include, for the purposes of this provision, a decree of nullity in respect of a purported marriage and a divorce or annulment under a foreign law that is recognised in Australia under the *Family Law Act 1975* of the Commonwealth.

Clause 4: Amendment of s. 22—In what cases wills may be revoked

This clause makes a consequential amendment only.

Clause 5: Application

Under this clause, the amendments contained in the Bill will apply to a will of a person dying after the passage and commencement of the provisions whether the will was made or the marriage terminated before or after the commencement.

Mr ATKINSON secured the adjournment of the debate.

STATUTES AMENDMENT (MEDIATION, ARBITRATION AND REFERRAL) BILL

Second reading.

The Hon. S.J. BAKER (Deputy Premier): I move:

That this Bill be now read a second time.

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

Leave granted.

This Bill makes miscellaneous amendments to the *District Court Act 1991*, the *Supreme Court Act 1935* and the *Magistrates Court Act 1991* to provide for Court Annexed Mediation and consistency between the *Court Acts* with respect to: Mediation, Inquiries and Trials by Arbitrators and Referrals for Report.

The enactment of consistent court annexed mediation provisions in the *District Court Act 1991*, the *Supreme Court Act 1935* and the *Magistrates Court Act 1991* has been recommended by the respective Courts for a number of years.

More recently the Law Council of Australia has produced draft model legalisation and rules with respect to court annexed mediation. This draft legislation and the recommendations of the respective Courts form the basis of the provisions of this Bill.

The salient features of the Bill in respect of Mediation are as follows:

- The Bill empowers the District Court, the Supreme Court and the Magistrates Court to refer the whole or any part of a civil proceeding for mediation with or without the consent of the parties.
- Mediators appointed under these provisions are accorded the same privileges and immunities as a Judge and have such powers as the Court may delegate.
- Evidence of anything said or done during the mediation is not subsequently admissible in the proceedings. Nor is a mediator required to disclose any information unless it is required by law.
- a Judge, Master, Magistrate or other judicial officer who takes part in attempt to settle an action is not disqualified from continuing to sit for the purpose of hearing and determining the matter.

In relation to Inquiries and Trials by Arbitrators the Bill empowers all Courts to:

- refer any matter (other than criminal trials) to trial by an arbitrator, with or without the consent of the parties.

In relation to Referrals for Report the Bill provides for:

- the referral of any question for report by an expert in the relevant field.

The Bill also repeals the *Conciliation Act, 1929*. The *Conciliation Act, 1929* provides for a court to conciliate between the parties to a dispute in an endeavour to achieve a resolution of the proceedings. Conciliation may be undertaken with or without the consent of the parties. The conciliation provisions are now duplicated in the *Court Acts* as amended by this Bill.

The *Conciliation Act, 1929* also provides for the establishment of conciliation courts by proclamation. I am advised that no conciliation courts have been established since the Act was enacted in 1929.

I commend this Bill to the House.

Explanation of Clauses

PART 1

PRELIMINARY

Clause 1: Short title

Clause 2: Commencement

These clauses are formal.

Clause 3: Interpretation

This clause is standard for a statutes amendment Bill.

PART 2

AMENDMENT OF DISTRICT COURT ACT 1991

Clause 4: Amendment of s. 32—Mediation and conciliation

This clause amends section 32 of the District Court Act as follows:

- subsection (1) is replaced with a new subsection which (subject to any rules of court) allows a Judge to refer a civil matter to mediation whether or not the parties to the matter consent. A Master or the Registrar may also refer matters to mediation, but in this case the parties must consent;
- a new subsection is inserted providing for confidentiality of information disclosed to a mediator;
- subsection (4) is replaced with new subsections (2b) and (2c) which make it clear that the Court may itself attempt to negotiate a settlement of a matter and such negotiations will not result in disqualification of the Judge or Master hearing the matter, unless they take the form of a formally constituted mediation in accordance with the section.

Clause 5: Amendment of s. 34—Expert reports

This clause amends the power to refer questions for investigation and report by an expert in the relevant field so that it is no longer confined to questions of a technical nature.

Clause 6: Amendment of s. 51—Rules of Court

This clause amends section 51 to make it clear that the Court can make rules with respect to the referral of matters for mediation or arbitration or expert report.

PART 3

AMENDMENT OF MAGISTRATES COURT ACT 1991

Clause 7: Amendment of s. 27—Mediation and conciliation

This clause makes the same amendments to section 27 of the *Magistrates Court Act 1991* as clause 4 makes to section 32 of the *District Court Act 1991*.

Clause 8: Amendment of s. 29—Expert reports

This clause makes the same amendments to section 29 of the *Magistrates Court Act 1991* as clause 5 makes to section 34 of the *District Court Act 1991*.

Clause 9: Amendment of s. 49—Rules of Court

This clause makes the same amendments to section 49 of the *Magistrates Court Act 1991* as clause 6 makes to section 51 of the *District Court Act 1991*.

PART 4

AMENDMENT OF SUPREME COURT ACT 1935

Clause 10: Substitution of ss. 65 to 70

This clause replaces the current provisions in the *Supreme Court Act 1935* dealing with mediation, arbitration and referral for expert report to ensure that the provisions match the provisions contained in the *District Court Act 1991* and the *Magistrates Court Act 1991* (as amended by this Bill).

Clause 11: Amendment of s. 72—Rules of court

This clause (like clauses 6 and 9 in relation to the other Acts amended) amends section 51 of the *Supreme Court Act 1935* to make it clear that the court can make rules with respect to the referral of matters for mediation or arbitration or expert report.

PART 5

REPEAL OF CONCILIATION ACT 1929

Clause 12: Repeal of Conciliation Act 1929

This clause repeals the *Conciliation Act 1929*.

Mr ATKINSON secured the adjournment of the debate.

WITNESS PROTECTION BILL

Consideration in Committee of the Legislative Council's amendments:

No. 1. Page 2 (clause 3)—After line 9 insert new definition as follows:
'Deputy Commissioner' means the person for the time being holding, or acting in, the office of Deputy Commissioner of Police under the Police Act 1952;'

No. 2. Page 4, lines 2 and 3 (clause 5)—Leave out 'or as a means of persuading or encouraging the witness to give evidence or make a statement'.

No. 3. Page 8 (clause 10)—After line 14 insert new subparagraph as follows:
'(iiia) allow a sample of his or her blood to be taken for DNA analysis; or'.

No. 4. Page 12, line 5 (clause 15)—Leave out 'Commissioner' and insert 'Deputy Commissioner'.

No. 5. Page 12, line 8 (clause 15)—Leave out 'Commissioner' and insert 'Deputy Commissioner'.

No. 6. Page 12, line 8 (clause 15)—Leave out 'knowingly'.

No. 7. Page 12, line 9 (clause 15)—Leave out 'that is' and insert 'knowing that it is'.

No. 8. Page 12, line 11 (clause 15)—Leave out 'Commissioner' and insert 'Deputy Commissioner'.

No. 9. Page 12, line 19 (clause 15)—Leave out 'Commissioner' and insert 'Deputy Commissioner'

No. 10. Page 12, line 21 (clause 15)—Leave out 'Commissioner' and insert 'Deputy Commissioner'.

No. 11. Page 12, lines 23 to 26 (clause 15)—Leave out subclause (2) and insert new subclauses as follow:
'(2) If the Deputy Commissioner makes a decision under subsection (l)(b) that protection and assistance provided under the Program to a participant be terminated, the Deputy Commissioner must—
(a) take reasonable steps to notify the participant of the decision; and
(b) notify the relevant approved authority (if any) of the decision.
(3) A participant may, within 28 days after receiving a notice under subsection (2), apply in writing to the Commissioner for a review of the decision of the Deputy Commissioner.
(4) If an application is made under subsection (3), the Commissioner must review the decision and may confirm, vary or reverse it.
(5) Before the Commissioner determines an application under subsection (3), the Commissioner must give the participant a reasonable opportunity to state his or her case.
(6) The Commissioner must inform the participant in writing of his or her decision on a review.
(7) Subject to subsection (8), a decision of a Deputy Commissioner under subsection (l)(b) takes effect—
(a) at the end of the period of 28 days after the participant receives notice of the decision; or
(b) if the participant's whereabouts are unknown and the Deputy Commissioner has taken reasonable steps to notify the participant of the decision but has been unable to do so—at the end of the period of 28 days after those steps were commenced.
(8) If the participant applies for a review of the decision of the Deputy Commissioner in accordance with subsection (3), the decision takes effect as follows:
(a) if the Commissioner notifies the participant that he or she has confirmed the decision—the decision takes effect when the Commissioner notifies the participant of the decision on the review;
(b) if the Commissioner notifies the participant that he or she has varied the decision—the decision takes effect on the day specified by the Commissioner in the notice;
(c) if the Commissioner notifies the participant that he or she has reversed the decision—the decision has no effect.'

No. 12. Page 13, line 13 (clause 17)—Leave out 'An order under this section may only be made for the purpose of—' and insert 'The Court may make such orders as it considers necessary for the purpose of—'.

No. 13. Page 13, line 17 (clause 17)—Leave out 'An order under this section may require' and insert 'For example, the Court may make an order requiring'.

No. 14. Page 13, line 19 (clause 17)—Before 'issue' insert 'to'.

No. 15. Page 13, line 25 (clause 17)—Leave out 'the Program' and insert 'the witness protection program'.

No. 16. Page 13, lines 30 and 31 (clause 17)—Leave out paragraph (b) and insert new paragraph as follows:
'(b) the witness has entered into a memorandum of understanding under section 10 or the corres-

ponding provision of a complementary witness protection law; and'.

No. 17. Page 14, lines 1 to 3 (clause 17)—Leave out subclause (6) and insert new subclause as follows:

'(6) The Court must not make an order for the purpose referred to in subsection (2)(b) unless satisfied that protection and assistance to the witness under the relevant witness protection program has been terminated.'

No. 18. Page 14, line 30 (clause 18)—Leave out 'If' and insert 'Subject to section 23, if'.

No. 19. Page 14, line 33 (clause 18)—After 'only identity' insert 'and to deny his or her participation in a witness protection program'.

No. 20. Page 15—After line 5 insert new clause as follows:

'Payments under the Program not able to be confiscated

19A. (1) The Commissioner may certify in writing that an amount held by a participant represents payments made to the participant under the Program.

(2) An amount certified under subsection (1) cannot be forfeited or made subject to a restraining order under the Crimes (Confiscation of Profits) Act 1986.'

No. 21. Page 15, line 27 (clause 20)—After 'with' insert ', or is authorised by,'.

No. 22. Page 15, lines 28 to 33 and page 16, lines 1 and 2 (clause 20)—Leave out subclause (4) and insert new subclause as follows:

'(4) A person must not, either directly or indirectly, make a record of, disclose or communicate to another person any information relating to action under section 17 to establish a new identity for a person or restore a person's former identity—

(a) unless authorised to do so by an order of the Supreme Court; or

(b) unless it is necessary to do so

(i) for the purposes of this Act; or

(ii) for the purposes of an investigation by the Police Complaints Authority under Part 4 of the Police (Complaints and Disciplinary Proceedings) Act 1985; or

(iii) to comply with an order of the Court.

Maximum penalty: Imprisonment for 10 years.'

No. 23. Page 17, lines 13 to 17 (clause 22)—Leave out subclause (3) and insert new subclause as follows:

'(3) If it is essential to the determination of legal proceedings under or in relation to a law of this State that the judicial officer presiding over the proceedings be advised of—

(a) the fact that a person is a participant in a witness protection program; or

(b) the location and circumstances of a participant in a witness protection program,

a person referred to in subsection (l) or (2) must disclose the relevant information to the judicial officer in chambers, but the person must not disclose the information if any person other than the judicial officer and the judicial officer's associate or clerk is present.

No. 24. Page 17, lines 24 to 35 (clause 23)—Leave out the clause and insert new clause as follows:

'Disclosure of information where participant becomes a witness in criminal proceedings

23. (1) If—

(a) a person is to be a witness in criminal proceedings for an indictable offence or a summary offence punishable by imprisonment ('the prospective witness'); and

(b) —

(i) the person is a participant in a witness protection program; or

(ii) the person is a former participant in a witness protection program and retains a new identity provided under the program; or

(iii) steps have been taken with a view to including the person in a witness protection program,

the information specified in subsection (2) must be disclosed to the Director of Public Prosecutions by the prospective witness and, if the Commissioner is aware of the matters referred to in paragraphs (a) and (b), by the Commissioner.

(2) The information required to be disclosed under subsection (1) is as follows:

(a) the fact that the prospective witness is a participant or former participant in a witness protection program or that steps have been taken with a view to including the prospective witness in a witness protection program; and

(b) if the prospective witness is a participant or former participant in a witness protection program—whether he or she has a new identity provided under the program; and

(c) if the prospective witness has a new identity provided under a witness protection program—whether he or she is to give evidence under his or her former identity or under the new identity; and

(d) if the prospective witness is to give evidence under a new identity and he or she has a criminal record under his or her former identity—details of that criminal record.

(3) If the Director of Public Prosecutions is provided with information under subsection (1) or otherwise becomes aware of the matters referred to in subsection (l)(a) and (b) in relation to the prospective witness, the Director may, by notice in writing given to the prospective witness, require him or her to disclose any further information as specified in the notice that the Director may reasonably require relating to the prospective witness and his or her participation or possible participation in the witness protection program that may be relevant to the prospective witness's credibility as a witness in the proceedings.

(4) If the prospective witness fails to comply with subsection (1) or a requirement of the Director of Public Prosecutions under subsection (3), he or she is guilty of an offence.

Maximum penalty: $5 000.

(5) The Director of Public Prosecutions must disclose to the Supreme Court—

(a) the information provided to the Director under this section; and

(b) any other information within the knowledge of the Director relating to the prospective witness and his or her participation or possible participation in the witness protection program that may be relevant to—

(i) the prospective witness's credibility as a witness in the proceedings; or

(ii) the protection of the prospective witness's safety and the integrity of the witness protection program.

(6) If the Court requires any further information relevant to the matters referred to in subsection (5)(b), the Director of Public Prosecutions must institute any necessary enquiries and disclose the results of the enquiries to the Court.

(7) Any enquiries instituted by the Director of Public Prosecutions under subsection (6) may include enquiries directed to—

(a) the prospective witness by notice or further notice under subsection (3); or

(b) the Commissioner (and for that purpose the Director is to be afforded all reasonable assistance and co-operation by the Commissioner).

(8) The Court must be constituted of a judge in chambers for the purposes of this section and any disclosures under this section must be made by the Director of Public Prosecutions personally to the judge in the absence of any person other than the judge and the judge's associate.

(9) If the Court is of the opinion that non-disclosure of any information provided by the Director of Public Prosecutions under this section might prejudice the fair trial of a defendant in the proceedings, the Court may make such orders relating to the disclosure of the

information to the defendant or the defendant's legal representative and the use of the information as the Court considers necessary in the circumstances of the case, taking into account the need to protect the prospective witness's safety and the integrity of the witness protection program.

(10) No appeal lies against an order under this section or a decision of the Court not to make an order under this section.

(11) In this section—

'Director of Public Prosecutions' includes a person acting in the position of Director of Public Prosecutions, the Deputy Director of Public Prosecutions or the Crown Counsel.'

No. 25. Page 18 (clause 24)—After line 10 insert new subclause as follows:

'(2) In this section—

'participant' includes a person who—

(a) was provided with a new identity under a witness protection program; and

(b) is no longer a participant but retains that identity.'

The Hon. S.J. BAKER: I move:

That the Legislative Council's amendments be agreed to.

In moving this motion, I inform the Committee that when the Bill left this place its provisions were somewhat different from those we have before us today. One of the issues that was quite perplexing was the extent to which witness protection should prevail in the courts; what information should be made available; whether, in fact, there could be a meeting of minds, as it were, regarding the protection of the witness as well as protecting the rights of the person accused of the offence concerning which the witness may be required; and the extent to which the competing needs of both witness and defendant could be met.

The amendments before us represent a compromise in terms of those two principles. From a witness's point of view, it could not be seen to be satisfactory in terms of the absolute protection previously available. Now that we have made these changes to the law and they are under the scrutiny of both legislators and lawyers alike, it is quite apparent that some of the procedures that have been accepted in the past may not be the procedures that will have to prevail in the future. A number of amendments have been made in a spirit of compromise to meet those competing needs. By and large, the Government accepts those amendments. However, I issue a word of warning. I note that most of the amendments are reasonably procedural in nature, but I refer members to the disclosure of information provision where participants become a witness in criminal proceedings (new clause 23). The jeopardy situation arises if a particular person does not reveal his or her details to the prosecutor. This could ultimately prejudice the case, because the details in question are now deemed an essential part of this witness protection program.

I am not a lawyer; I have simply read the amendments from another place. The matters of concern raised by the Attorney, on the one hand, and the police, on the other, reflect the two areas of concern. Police obviously want complete discretion on what is made available to the courts. From an Attorney's view there was the issue of justice and how it could best be met, given that witnesses under a protection program may be deemed to have some benefit arising from that witness protection program and could possibly prejudice themselves as witnesses in the process.

The issue has been satisfied to a large degree by a new process, which means that the prosecutor must be apprised of the witness's relationship to the witness protection program. The Director of Prosecutions has to make that knowledge available to a judge in a restricted situation and the judge then has to make up his or her mind on whatever information becomes available. This is a compromise. It does give more equal weight to the competing principles, whereas previously we had attempted to give greater protection to the witness. So, I suggest that this area may be under scrutiny. Presumably there will not be a significant number of cases arising but they could be critical and serious matters as they involve a witness protection program and likely to relate to the more serious offences relating murder, drugs and the like.

The amendments made in another place seem to satisfy the competing needs. However, they may place future cases at some risk because of the process that has to be followed. If not followed strictly, or if someone does not tell the whole truth about his or her participation in the witness protection program, it may nullify an important piece of evidence to be given by someone involved in the witness protection program. I recommend that the amendments be agreed to but have reservations about the new insertions and will be interested to see how these changes will work for the benefit of everyone concerned.

Mr ATKINSON: The Bill before us is a good example of cooperation between the Government and the Opposition. The Opposition raised difficulties with the original version of the Bill and caused the Government to consult more widely than it otherwise would have. The Government then returned to Parliament accepting the Opposition's suggestions and they will now become law. I commend the amendments to the Committee.

Motion carried.

EDUCATION (TEACHING SERVICE) AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 3 April. Page 1394.)

Ms WHITE (Taylor): The Opposition supports the second reading. The Bill is a consequence of the 1989 curriculum guarantee agreement between the South Australian Institute of Teachers and a former Labor Minister. This Bill supports in legislation that agreement with the slight amendment moved in another place and accepted by all Parties. The Bill allows for additional leadership positions within the teaching profession and for advanced skills teacher classifications which recognise and value excellence in teachers. The Opposition supports the Bill.

Mr BRINDAL (Unley): I rise to commend the Minister for the introduction of this Bill and to commend the Opposition for supporting it. I did not hear all of the comments as I was seeking to see the Minister, but in its support the Opposition would be aware that there was a distinct understanding that people within the Education Department could apply for positions and that, after the conclusion of their tenure at the end of, say, five years, if they failed to rewin that position or another position at a higher level, they would revert in essence to a safety net level. In the classic case of a deputy principal who applies to become a principal class A and wins that position for a five year period, that person is eligible to reapply for a position A or for any other position or to be reappointed as a principal A; and, if they win that, they continue to be paid at that level. However, if they lose in the competitive selection process the understanding was

that they reverted to a substantive level, which generally was deputy principal status.

That was the understanding under the previous Government and the way the system was set up. However, although I am not sure whether legal opinion was first obtained by this or the previous Minister, it indicated that the wording was not sufficiently tight and that, even though they did not occupy the position of principal, some employees could claim that salary for the rest of their teaching career. Obviously in a system that is moving—I believe with the encouragement of the teaching profession and I hope both sides of this House—to merit based selection and having the best people in the best job (if we can get the processes right), it is untenable to say that people who are unable to win a position should continue to be paid at that level. In such a situation we lock in the entrenched type of system that we are trying to overcome, and all members would be aware of the limitation of a system in which everybody was promoted and, once promoted, you could never be demoted and everybody stayed at that level. Those systems become very crowded and inefficient and often do not give rise to the greatest level of professionalism, whether in teaching or anything else.

The legal advice was that, despite the intention of this system, the way in which it was couched might not have been supported in law and, if there was a challenge, people who had once attained the position of principal A might be required to earn that salary for the rest of their working life. That is untenable for the Government and also, I would hope, for the profession. It would suit nobody except the lucky recipient of a job in the classroom for life, paid at the level of a principal class A. That is not conducive to the good workings of Government or the Education Department. Hence the Bill comes to this place. I note that it is supported by the Opposition, and I believe the Minister would wish me, as his parliamentary secretary, to thank the Opposition for its support and, through the Minister acting on this matter, to commend the Bill to the House.

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

COMPETITION POLICY REFORM (SOUTH AUSTRALIA) BILL

Adjourned debate on second reading.

(Continued from 27 March. Page 1277.)

Mr ATKINSON: Mr Speaker, I draw your attention to the state of the House.

A quorum having been formed:

Mr FOLEY (Hart): As I am not the lead speaker, can I have the clock, Sir?

Members interjecting:

Mr FOLEY: Our lead speaker has a pair from the Parliament today to attend a function elsewhere.

Members interjecting:

Mr FOLEY: He is in Sydney. For the information of the House, the lead speaker on the Bill is the shadow Treasurer, the member for Playford, who is presently in transit to Sydney to attend the funeral of Mick Young. Today we are addressing the Bill introduced by the Premier in recent weeks. The Government has allowed the Opposition to commence debate on the Bill today by way of a second reading contribution. It will allow us the opportunity to further consider the Bill until we resume in June. The Bill was only recently brought before Parliament. It is a complex Bill that requires significant scrutiny and further briefings for the Opposition. There are many elements of the Bill and, as I said, parts of the Bill do require much consideration. Competition policy is a national issue that has been with us for some time. The former Labor Government was part of the process in the beginning before losing office, and many of the initiatives that have been put forward by the former Federal Labor Government have been continued by the Federal Liberal Government.

As it has done with many issues of economic reform in this State, the Opposition has taken a very constructive and responsible position. As I indicated earlier to the House, we have supported Government initiatives in areas such as the corporatisation of ETSA and the EWS, just as we have with other issues to do with the economic well being of the State and the sale of assets such as the State Bank, SGIC, the Pipelines Authority and recently the Meat Corporation. The other matter that makes it difficult for the Opposition to proceed to the Committee stage at this time is that a major portion of the Bill addresses the issue of electricity generation in this nation and issues to do with the national grid and with competition amongst electricity companies throughout Australia. Indeed, the Minister's second reading explanation talks about the structural reform of public monopolies. At this stage ETSA is very much in the gun in terms of structural reform.

The competition policy already agreed to makes it clear that before privatising or introducing competition to a public monopoly the Government is obliged to conduct a review into its structure. As the second reading explanation states, it must separate regulatory responsibilities from the public monopolies and consider whether another structure would deliver benefits by enhancing competition. The Government then requested an Industry Commission report.

Members interjecting:

Mr FOLEY: I am distracted by my colleague to my left. I am not sure whether he is in pain or whether he is having an epileptic fit, but he seems to be making all sorts of funny movements. The Government asked the Industry Commission to conduct a major inquiry into ETSA, and that has been completed. The Industry Commission inquiry is presently before the Government. The Opposition has not yet had the opportunity to see that report.

Mr Brindal: Why not?

Mr FOLEY: Because the Government has not yet released it. It is a secret report, and at this stage the Government is refusing to provide it to the Opposition. Put simply, we are unable to proceed beyond the second reading stage until we see the Industry Commission report and understand its recommendations and its considered views about the structural reform that it considers appropriate for ETSA here in South Australia. I read with great interest the Government submission to that inquiry put forward by ETSA. It argued for the retention of ETSA in much the same form it is in currently. It argues against the need for disaggregation. In that review process many submissions were received from a number of other organisations throughout the nation. I have read each of those reports or submissions to the commission and, as one could predict, the recommendations or views of organisations in the Eastern States are strongly weighted towards the disaggregation of ETSA.

Mr Brindal interjecting:

Mr FOLEY: If you do not like what I am saying, please leave, as it would do me and many others a great service. For someone under great threat in terms of preselection, you

should do more worrying about your numbers than my contribution here this afternoon.

Mr Brindal interjecting:

Mr FOLEY: For 18 months. I am sorry, Sir, I am distracted yet again by the member for Unley and the member for Custance. The submissions put forward by interstate organisations argue very much for disaggregation, and many commentators from other parts of the nation are also arguing for privatisation of electricity generation assets.

Mr Brindal: Will you speak English? What does 'disaggregation' mean?

Mr FOLEY: Those who are economically literate understand what disaggregation of electricity means. That word is used about 28 times in the Government's own second reading explanation.

Mr Brindal: Some of us just speak English.

The DEPUTY SPEAKER: If the member for Unley does not cease interjecting, the House will be disaggregated of his presence.

Mr FOLEY: Thank you for your protection, Sir. The member for Unley is therefore very critical of the Premier's own second reading explanation, in which he uses the word 'disaggregation'. In this instance I am happy to defend the Premier's use of the word 'disaggregation'. The issue of the future of our electricity interstate is extremely important and needs more consideration than simply dealing with the Bill today. In terms of the competitive nature of our infrastructure, I was interested to read only in recent days the 128th edition of the publication put out by the Business Council of Australia.

A section of that publication reviews the 1995-96 New South Wales budget, which comments on the issue of the implementation of the national competition policy. As one would expect, the Business Council of Australia is very keen to see that policy implemented and implemented quickly. I draw the attention of members to a very interesting chart in respect of the competitive performance of State infrastructure around the nation. The chart analyses the competitive nature of South Australia's infrastructure over the past three or four years. The chart indicates—and this is a credit to the former Government and, I acknowledge, the work undertaken presently by this Government—that the publicly-owned infrastructure in this State stacks up pretty well.

Following a review of the two main indicators of price performance, the South Australian public infrastructure is slightly behind that of Victoria and well ahead of New South Wales, Queensland and Western Australia. In fact, South Australia's public infrastructure is almost twice as price competitive as those in other States. When one looks at the issue of productivity performance one sees that South Australia is third in the national averages, only just behind Queensland and Victoria, but substantially more productivity competitive than Western Australia and well ahead of New South Wales.

That simply means that the electricity and water infrastructure in this State under public ownership and control is far more price and productivity competitive than that of counterpart States, and it is particularly important when compared with the State of New South Wales. Before coming into the Chamber for Question Time I had a short debate on the radio about this very issue with the former Premier of New South Wales, Nick Greiner. I said that, whilst the former Premier is entitled to his view, it is a somewhat easier view for him to have as a businessman than as a Premier, as his performance as Premier would indicate.

He is now firmly of the view that electricity and water should be privatised, and that Governments should be getting out of providing these sorts of services. As I said, New South Wales, under the former Liberal Fahey and Greiner Governments, is lagging well behind the performance of this State. Of course, the public utilities of Pacific Power and Sydney Water—the two largest public utilities in the nation—were never touched. There was no talk about privatising or outsourcing those two public utilities under the former Greiner Government. I make the point that, whilst I acknowledge the right of Nick Greiner to have those views, his record as Premier of New South Wales does not support his present views as a business person.

This is a very complex Bill; it is an issue the Labor Party will need to debate. I acknowledge that competition policy is delivering a degree of pain in the community. It is important that we closely look at the impact of competition policy in this State to ensure that we do not forfeit our rights and endure unnecessary pain that is ill-proportioned to the size of our State and the burden it must carry. I also acknowledge that a newly elected conservative Government in Queensland was very quick to give its views on Hilmer and national competition policy. It withdrew its support for Eastlink, the national electricity grid, within weeks of being elected to Government.

A Coalition Liberal and National Government has basically thumbed its nose at national competition policy. Concern has been expressed by the States and, as I said, very much so with respect to the conservative Government in Queensland. It is only right and proper that the Labor Opposition in this State scrutinises this Bill very closely to assess what we consider to be the negative impacts on this State. At this stage we reserve our position but, if need be, we will make further comment and move amendments, if that is possible, but, for the most part, I understand that the Bill is complementary to national legislation.

There may not be scope to amend the Bill, but certainly there needs to be solid consideration by the Labor Party and particularly this Parliament in Committee. The whole future of our nation in respect of this matter will be very interesting. In my opinion there is no doubt that competition policy has led to benefits for this nation. However, it must also be acknowledged that South Australia has some unique considerations and problems. South Australia is a large State geographically with a very small population base. South Australia does not have the scale of economies of New South Wales and Victoria; it does not have the natural market pull of Victoria and New South Wales; and one simply cannot translate the recipe appropriate to New South Wales to South Australia.

The fear I have with respect to the national competition policy as it relates to electricity is that I suspect that, at the end of the day, we could forfeit our sovereign right, close down our electricity industry in this State, plug into the national grid and the lights would still go on, but what we will have done is question our whole existence as a State. We must be very careful that, at the end of this complex and detailed process, we have a viable, publicly owned electricity entity in the State whose paramount purpose is to provide —

Mr Brindal interjecting:

Mr FOLEY: —a viable and significant electricity generation and supply capacity to this State. As the shadow Minister for Infrastructure I will not tolerate a position where our ability to maintain that structure is in any way impeded, be it through competition or privatisation policy, outsourcing,

or whatever. In conclusion, the Opposition will consider this Bill in more detail over the course of the next few weeks and give it the scrutiny it requires. The shadow Treasurer, as the Opposition lead speaker and shadow Minister responsible for this Bill, will provide a more detailed contribution when we return in June, and we will ensure that this Bill is given the appropriate scrutiny and passage through this Parliament.

Mr CUMMINS (Norwood): I was amused by the member for Hart saying that he is worried about the possibility of national competition legislation and the complementary State legislation affecting the sovereignty of the State because, as we know, this legislation is the child of Keating, the former Labor Prime Minister. Fundamentally the Bill gives a licence to free enterprise to, in a sense, take over control of this economy. It is probably the best example of microeconomic reform in the history of this country. I support this legislation with some reluctance because of the effects I perceive this legislation might have.

Only parts 1 and 7 of this legislation are being implemented and, because of the time constraints, the Government will have enough time to consider the ramifications of this legislation. Of course, the Federal legislation has been passed. The Commonwealth Government needed the States to pass complementary legislation, because under the Constitution there is power only in relation to corporations or businesses involved in interstate trade and commerce, hence the necessity for us to pass complementary State legislation.

This legislation amends part 4 of the Trade Practices Act, which deals with anti-competition agreements, price discrimination, misuse of market power, resale price maintenance, and mergers and acquisitions. The proposed changes to part 4 of the Trade Practices Act take away the shield of the Crown in relation to Government business enterprises, so Government business enterprises can no longer claim the shield of the Crown and basically then become part of the whole national economy. The shield of the Crown occurs where the States, when they have an organisation that is part of Government, can claim protection from Federal legislation by saying they are part of the Crown and the separate sovereignty of the State protects them.

These changes are significant. I was interested in the member for Hart's talking about the fact that he did not want ETSA impeded. In his saying that, he does not quite understand how the competition policy principles will operate. The reality is that, if ETSA is not broken up into its component parts and is not made competitive, it will simply cease to exist. The reason it will cease to exist is that part of the amendments to the Trade Practices Act allow competitors access to essential facilities and the infrastructures of natural monopolies. ETSA in South Australia is a natural monopoly. If ETSA, under these principles, does not become competitive, it can be wiped out simply by an interstate competitor coming in and saying, 'I want access to your wires, etc. and we can provide you with electricity at a lower price.' They can simply come over here and fundamentally take over the business of ETSA. I am a bit surprised that the member for Hart should say that he did not want ETSA impeded, because the nature of competition policy is such that, if you do not become efficient, you do not survive. That is the reality of it.

Members interjecting:

Mr CUMMINS: When the national grid comes into operation, and when we want other people to use our facilities, the honourable member will find out whether it is efficient. All I am saying is that, to protect ETSA, we must make it as efficient as possible. If we do not do that, it will eventually cease to exist. That is the point. I want to deal with some of the ramifications of the national competition policy, because the impact is extremely broad.

Mr Foley interjecting:

Mr CUMMINS: Once again, the member for Hart shows his ignorance about lawyers in South Australia: he does not realise that the restrictions that are applied to barristers in South Australia are not the same as those applied to barristers in Victoria, New South Wales and Queensland. In addition, there is no monopoly in relation to conveyancing in South Australia as there is in Victoria, Queensland, Tasmania and the ACT. I can tell the member for Hart that the impact of Hilmer on lawyers in this State will be nil. The reason is that we have land brokers who do conveyancing, and we do not have the restrictions placed on the independent bar that apply in Victoria, New South Wales and Queensland. Once again, it shows the ignorance of the member for Hart in relation to the impact of Hilmer on South Australia, but that does not surprise me, given his previous comments.

Of course, dentists will be affected, because the amendment to part 4 of the Trade Practices Act applies not only to a corporation but to any form of business in South Australia. It will cover non-incorporated bodies and all professions. If this legislation is applied in full, it will allow dental technicians to operate. Their not operating would be anti-competitive. It is estimated that the direct impact of that will be a reduction in dentistry costs of about 4.35 per cent. As I said, it will not affect the legal profession in South Australia, but it will certainly affect the profession interstate. Some people are suggesting cost reductions in the region of 50 per cent in relation to conveyancing in Victoria, Queensland, Tasmania and the ACT, and that is probably about the mark. However, I doubt whether that will be the case with barristers. They say that the cost will be a reduction of 50 per cent. I think that is fatuous, because barristers basically are paid according to what the market demands, and market forces will determine that.

With regard to the medical profession, the competition policy is such that it will probably remove restriction of entry to specialist professions, and this will possibly reduce the costs of medical specialists to some extent. Regarding optometrists, it will remove the restrictions on consulting services to optical dispensers and allow one-stop shopping in optometry and the dispensing of optometry articles. It is estimated this will result in a reduction of between 10 and 20 per cent.

This legislation will also affect pharmacies: the Government can obtain, by procedures under the Act, an exemption in relation to these professions, but I will deal with that in due course, because it is not a simple process. It will remove the geographic monopoly enjoyed by the existing pharmacies and the other restricted trade practices on which the pharmacists have traditionally relied. In fact, it is estimated that it will reduce the cost of pharmaceutical items by about 15 per cent. It is pretty obvious that these impacts in terms of microeconomic reform are vast. It will also affect newsagents, reducing the margin on the newspapers sold to households by about 30 per cent and removing private sector monopoly taxes.

The Hon. Frank Blevins: No, it won't.

Mr CUMMINS: It will, unless there is an exemption.

The Hon. Frank Blevins interjecting:

Mr CUMMINS: Yes, but there is provision for exemption. That is why I am saying it is very important that this legislation lie in this House—

The Hon. Frank Blevins interjecting:

Mr CUMMINS: I agree; that is one of the problems of this legislation. One has to admire Keating: he is a cunning old rascal. He obviously wanted this legislation for his wealthy mates in the Eastern States, and he has imposed all the political pain on the States, because the States go through all the micro-economic reform and, of course, the Commonwealth Government does not. Most of the Commonwealth Government instrumentalities are exempt. I might also say that the trade union movement was exempt as well. I do not think the trade union movement should have been exempt. If you are going to apply a competition policy to business, you should also apply it to the restricted trade practices of the trade union movement. I understand that Keating once again bluffed the States in relation to that, and the legislation does not apply to the trade union movement.

The matters I have raised illustrate, to some extent, the impact of competition policy. Perhaps I should mention the issue of the water contract. I have always found it amusing that the Opposition in this House constantly questions and criticises the water contract when, because of the national competition policy—Labor Party policy—it was absolutely inevitable that something would have to be done about water and electricity. We have done it, and we probably ensured, under national competition policy, that our water industry will be a strong and growing one. I must say that I share this view. A lot of people do not like the idea of losing, to some extent, the security control over water and electricity. However, from what I know of the provisions of the water contract, the people of South Australia have been well and truly protected. We heard today the Minister's saying that electricity will not be privatised. In a contract you can, if you need to, control those sorts of resources so they cannot be taken over by private enterprise and basically stitch up taxpayers.

Another aspect of the legislation which concerns me is how we weigh up criteria such as community service obligations and adjust the operating costs of a particular Government business enterprise. It is unclear to me how that is to be done. In addition, when one looks at a Government business enterprise, how does one weigh up the cost of applying a sound environmental policy? Obviously that sort of thing must be done. It will be very difficult in a Government business enterprise to weigh up the costs of those things and say, 'This Government business enterprise is or is not operating in a position of neutrality,' because the legislation requires that such an enterprise should operate in an economically neutral situation. In fact, it means that it should have no advantage over private companies. I see that as a major problem that has not been adequately dealt with in the legislation.

When we look at the concept of competitive neutrality, we wonder what sort of information we get and how we get it in relation to an appropriate commercial dividend that notionally a Government business enterprise is supposed to pay. Obviously, it must pay a dividend. Also, what happens when a Government business enterprise needs to restructure to compete? Can a Government business enterprise retire the debt early, as private enterprise would do? If it retires the debt early, we would normally expect it to pass the cost of that retirement onto the consumer, and that would result in increased prices. The nature of private enterprise is that it makes money for its shareholders. I have great problems with the concept of a Government business enterprise being perceived as competitive in the way that a normal private or public company would be.

What do we do about the concept of monopoly rents? We know that many Government business enterprises have what is called a monopoly rent; that is, they are over-staffed or they invest excessively for various reasons. Under competition policies, the concept of monopoly rent has to go. How do we work out what a monopoly rent is and where it is operating, and how do we truly make a Government business enterprise competitive? I think there are major problems with this and it will be very difficult to resolve them. I believe it will be very difficult to say that Government business enterprises will operate in the same way as a private company in the normal market place operates.

I have mentioned certain criteria in relation to organisations under the competition principles agreement which was signed by the States and the Commonwealth Government. I am glad to see that, according to the agreement, when looking at the concepts of competition policy as they apply to Government business enterprises, we have to look at social welfare and equity considerations, including community service obligations, occupational health and safety, industrial relations, access and equity, economic and regional development, interests of consumers generally, and so on. In terms of looking at Government business enterprises, I am glad that we can weigh in those factors as costs and therefore not say that such enterprises do not apply proper occupational health and safety criteria and criteria that protect the environment. In those circumstances, no-one can say, 'I am going to the Competition Commission because you are not being competitive.' I am happy that those important provisions are in the competition principles agreement which, by the way, was signed on 11 April 1994.

I turn now to the national grid. The member for Hart talked about it to some extent and mentioned disaggregation. For the benefit of the member for Unley, that means breaking down into component parts. In relation to ETSA, it would mean that the component parts which are broken down are transmission, generation and distribution. The Minister for Infrastructure has talked about that today as well.

Eventually we shall be going into the national grid with New South Wales and Victoria. As regards economies of scale, I have always been suspicious about the motives regarding this legislation. I have always held the view that Keating supported this legislation to help his mates in the Eastern States. I am glad that South Australia is trying to be competitive, because we shall have a battle with these guys in Victoria and New South Wales, so we want to make sure that we are ready to fight. The attitude of the member for Hart concerns me, because he seems to be saying that we should not be doing anything to ETSA. I suggest that, if he looks at this legislation, he might change his mind if he is really interested in the welfare of South Australia.

One of the problems in Western Australia is that Western Power is not operating well. That is because it is a statutory corporation and there is Government interference in the method of calculating costs, which has turned out to be a major problem in Western Australia. Apparently the Government there is insisting on various reporting measures in relation to consultants and travel, and I understand it is also interfering in the day-to-day activities and requiring that the Government business enterprise report on those rather than

being involved in the overall strategic planning of Western Power.

That concerns me because, whatever proposal we have in this State in relation to electricity, it will be a statutory corporate body that will be broken down into its component parts of transmission, generation and distribution. It is important when that is done that we are clear as to what role, if any, the Government should play in that structure. As it will be a statutory incorporated body, the Government will have to play some role. However, we should give that body the flexibility to operate in real terms in a competitive market. It appears, from articles I have read relating to Western Power, that has not happened in Western Australia. Basically, there is interference there in the day-to-day running of that company and there are breaches of confidentiality.

Another thing that has always amused me about the Opposition in relation to the water contract is its baulking at the concept of confidentiality. One of the difficulties for Western Power is that it is not able to enter into agreements with people because there is no confidentiality as it is a Government corporate body. I see that as a major problem and we shall have to be very careful about it. I know that we have given a commitment not to make ETSA a public company, a private company or whatever, but down the track we may have to look at that again and reconsider our position.

That is as much as I want to say about this legislation, which is difficult to understand and which will be even more difficult to implement, so we shall need a lot of time to consider its ramifications.

The Hon. FRANK BLEVINS (Giles): Like the member for Norwood, in my heart I, too, oppose this legislation. Nothing has been said about this legislation since it was first mooted to persuade me that there is anything in it at all for South Australia, particularly the part that I represent, and that is country South Australia. Legislation such as this has the potential to be a complete disaster. Therefore, I look forward to my fellow country members of Parliament supporting me in my stand. There are a number of reasons why I think this legislation is a theoretician's idea and does not have much relevance on the ground, particularly in South Australia. It is one of these grand visions that was cooked up in think tanks such as the Industry Commission from time to time.

Mr Cummins interjecting:

The Hon. FRANK BLEVINS: Yes, econometric models of this, that and the other. For 10 or 15 years we have heard them all in this country. It is sad that we tend to be 10, 15 and, in some cases, 20 years behind the rest of the world. Europe, North America, Japan and some of the so-called Asian tigers are not interested in this kind of stuff. They grew out of Economics 1 a couple of decades ago. Essentially, those systems look after themselves. Given that the States are likely to continue, I think that South Australia ought to do the same. Our Federal system is not necessarily the system I would wish to continue. If we started again and set up a specific structure for Australia, it is probably not the system we would use again; but it is here. For all the fantasising of some people who think that the States eventually will disappear, I point out that the Federal system is here, and it will stay here.

Therefore, we have to deal with the reality. The reality for South Australia is this. South Australia is a small State with a very large land mass. It is poor compared to a number of the other States in terms of natural resources and, of course, it has a very small population. If the theoreticians' views are adhered to, South Australia will have to meet the market in Australia; if it cannot, it will go under. That is the simple, fundamental, ideological underpinning of this legislation. My guess is that, if market forces prevail, South Australia will initially have unemployment of 30 or 40 per cent and then, of course, depopulation will follow that. That is what the market will provide. If those people who slavishly follow markets do not accept that that is not just a possibility but is highly probable, they ought to stand up and say so. If they do not suggest that the outcome of this competition policy will be that South Australia will go under or that its standard of living will be cut by tens of percentages, they are not really being honest.

I believe that this was recognised 30 or 40 years ago by Sir Thomas Playford, who saw that this State would always be populated by a handful of people—probably wheat growers on the West Coast in certain good seasons would be able to make a living. I think now that Roxby Downs would survive under any competition policy. I am not quite sure what else would. I hope that people who support this kind of legislation will tell me what in open competition, without severely devaluing our standard of living, will survive in South Australia. To date, none of them have been prepared to do so. They waffle on about these things. Premiers and Prime Ministers—Labor and Liberal—like to wheel these things into the Parliament and act as though they are statespersons. What a nonsense. A statesperson who saw the reality of South Australia was Sir Thomas Playford. I know what he would have done with this kind of legislation, not because he was an old reactionary or anything such as that but simply because of the relative wealth of South Australia *vis-a-vis* the other States.

The other States are quite happy for South Australia to disappear. They could not care less, and neither could Federal Governments, which have this rather peculiar view on life. I would much rather they came out and said that. I would much rather they came out and said that, if South Australia cannot hack it on the level playing field, it should go under and everyone should move to Sydney, Western Australia, Queensland or wherever—those areas that can hack it. Let them say so; let them tell us, and we can have that debate in Australia. If they win that debate, so be it. Until they come out and promote the debate, they will not have my support for nonsense such as this.

I have met Hilmer, who was a very nice gentleman. We are all nice gentlemen, except for the ladies, and they are nice ladies. I thought that Hilmer was off the planet. I thought he had no understanding of what we were dealing with and what Governments are dealing with—particularly the politics of these things. I am not sure whether the Premier is game to stand up and say that this will result in a significant lowering of our living standard and a significant reduction in our population; but, nevertheless, it will serve the Economics 1 textbook. The ideologues in the Federal Government will be happy, but he will not say that. But the consequences of doing this, without saying everything is an exception, are very severe for South Australia.

I was interested, as mentioned by the member for Hart, to note that, immediately after the good old National Party, the agrarian socialists, came to power in Queensland that Mr Borbidge said, 'We are not impressed by any of this stuff. We are not conceding our electricity industry to anyone. This State is able to stand on its own feet. We will have our own base load. We are not interested in getting mixed up with the other States to the detriment of Queensland, and you can all

go jump.' I think he was quite correct to come to that view. I suggest that the other States that will be adversely affected will eventually have to say the same thing, unless they level with their people and say that the population and the standard of living will decline. I think we have the National Party to thank not for much but for a little realism being brought into this debate. I believe that more and more of it will be brought into the debate with the Deputy Prime Minister, Mr Fischer, calling a lot of the shots.

The Liberals at the moment say that they have a majority in their own right—and they do—but how many times since Federation have they had a majority in their own right? Not very often. The National Party will always be in a position to tell the Liberals exactly what to do. They have done so prior to Mr Fischer, and I respect the strength of their view. Once you start any of this nonsense around some of the statutory marketing authorities, they will let you know all about it. The National Party will let you know all about the Australian Wheat Board and the monopolies there with single selling desks. They are not interested in any of the Hilmer nonsense. I know that the member for Custance, the member for Flinders, the member for Goyder and a number of other members in the cereal growing areas of this State are not interested in the free marketing of grain—certainly not in the marketing of wheat and, to some extent, barley. I agree with them; I support them.

I am not interested in Hilmer or the free market. I am with the member for Custance and all the other rural members in saying that all this competition is nonsense—all this free enterprise is absolute rubbish—and that we are for a very strong centralised system, and anyone who goes outside that system will be whacked severely around the ears. In fact, they will not be permitted to go against it. The National Farmers Federation, while calling for free market forces in industry—

Mr Foley interjecting:

The Hon. FRANK BLEVINS: Yes, the National Farmers Federation is on the hind legs in terms of deregulating the labour market. What about wheat? The National Farmers Federation is as much a socialist as I am, when it suits it to be so. Telecommunications is another one. They are not too keen in the bush for the sale of Telstra. One of my constituents is very nervous because they are being subsidised by the city left, right and centre. They are scared of private enterprise going in there and saying, 'Here's the marketplace, and the marketplace demands that you pay a fortune for your telecommunications, water and electricity and many other things.' My constituents are not interested in that. They are not interested in free enterprise or the marketplace; they are interested in maintaining their subsidies. The member for Custance, the member for Flinders, the member for Goyder and all other rural members are right up there with me saying, 'Free enterprise is a nonsense; subsidies and protection for our industries are everything'—and I am shoulder to shoulder with them.

I note that even the delivery of a newspaper got caught up in the Hilmer report. Mr Fischer, the Deputy Prime Minister, said, 'Don't talk about your competition policy here; there'll be no competition in delivering a newspaper.' I was not quite sure why this was so important, but clearly it was. It was sufficiently important to occupy the now Deputy Prime Minister's mind during the election campaign. He came out with a strong statement that he would not allow any future Coalition Government to deregulate the delivery of newspapers. When you can get down to that sort of detail there is a lot of hope for us regulators yet. Anything that the Nationals do not like they will have excluded. I would like to think that the country Liberals in this place feel the same, but I fear that on the evidence of the past couple of years they seem to be somewhat spineless, because they have allowed this Government—never mind the Federal Government—to walk over country people in respect of everything from employment in country areas to daylight saving.

The country Liberals in this State have allowed the Government to walk over everything. They could not even protect them from additional daylight saving. In two years I have not been able to get any support whatsoever from any Liberal member opposite who represents a country seat to protect country people from these lunatic free marketeers on the front bench opposite. I still live in hope. I have only another 18 months or so to go in this place, and I will serve right to the end so that members opposite, particularly country members, will one day give me the satisfaction of their supporting country people—but they have not, to date, shown any indication to do that.

I do not have much of a problem with some of this legislation in minor ways. I have nothing against uniform standards for the professions, etc. I think that is commonsense, that whether you are a fitter and turner or a lawyer the standards ought to be the same throughout Australia and that that is a sensible thing to do. So, I have no argument with bits and pieces of this legislation on that level, but I do have a severe problem with the underpinning ideology. One thing that does concern me and of which I think all South Australians ought to be very wary relates to the second reading explanation, which states:

> The Government's request to the Industry Commission for advice on the structure of ETSA Corporation complies with this principle, since it ensures that the Government will have advice on these questions before it makes its final decision.

What is occurring is a softening up process—there is absolutely no question about that. I know what the Industry Commission will say about ETSA.

Mr Caudell interjecting:

The Hon. FRANK BLEVINS: Exactly. It will say, 'Break it up and then sell it.' The Government asked the Industry Commission the question knowing full well what the answer would be. So, again, I say to my country colleagues, irrespective of which Party they are in, that we should get together on these issues so that country people are not disadvantaged, because there is a hell of a subsidy on power going to country areas at the moment—and so it should. My only complaint is that it is not big enough. We should all get together, irrespective of Party, to try to stop some of the more severe excesses of this Government. However, I will say this about some of these monopolies, whether it be ETSA, Telstra or whatever: they seem to think on occasions that their infrastructure belongs to them. It does not: it belongs to every person in Australia. I always object when I see Telstra telling us what we can and cannot do with its wires. Those wires are ours; they are not Telstra's. If we choose—and I certainly would not—to allow Optus to use our wires, then I do not want an argument from people employed by Telstra saying that that is an outrage. They are there to do our bidding and to use our property as we wish, not as they wish.

However, that is not to suggest that I would let in any of these private pirates, but that would be our choice, not the choice of the people who, for example, run Telstra on our behalf. Probably the only decent thing about this legislation is that I believe it will prove in the end to be ineffective. I think you can drive a bus through the loopholes, to coin a

phrase. If anything gets the least bit touchy for any Government in Australia, they will claim an exemption, they will knock up a case, and the political imperative will ensure that, for example, we retain in this State our base power producing facilities. Irrespective of whether, initially, power can be bought cheaper from Victoria and other places at certain times, it is in the interests of this State to have some control over our own baseload producing power. That is just an example. I am not terribly frightened about this legislation. I think the bulk of it is nonsense. It simply allows Premiers and Prime Ministers to strut the stage, and that is usually fairly harmless. However, I warn all country members of Parliament that there are severe dangers in it for us, and I appeal to them to join with me in resisting some of the worst excesses of these manic free marketeers.

Mr VENNING (Custance): I agree with much but certainly not all of what the member for Giles has said. This is an important Bill, probably one of the most important to be debated in this place for many years, which brings about a critical change to State policy regarding the maintenance of State Government business enterprises. All members should be fully aware of the implications of a Bill such as this, as the member for Giles has just said, particularly in relation to maintaining services across our State. As the honourable member said, I am fully aware that many of our country services are subsidised by Government, particularly water and more so power, because the cost to provide services to country South Australia, by necessity because of the geographics of our State, is very expensive.

If we had full cost recovery, those services would be unaffordable. I support this Bill with the reservation that, by complying with the national competition policy, it should facilitate greater streamlining and cooperation throughout the nation. In this modern day and age we have to think more of Australia because Australia is a nation. Often we are restrained by lines on maps called State borders or boundaries. We must determine to what degree we wish to be restrained by these boundaries and protect our State and sovereign rights by staying within our boundaries or whether we should look at the national area and think of Australia. It will also assist our economy by encouraging best practice, whether or not it is a Government business enterprise.

More particularly, all institutions both industrial and personal are providers of services. It would appear that, should we choose not to go along with national competition policy or make significant modifications to our legislation at a later date which contravene the basic principles of a national policy, we could find ourselves out on a limb and disqualified from the rights of a participating jurisdiction under the Competition Policy Reform Act.

We know where this all comes from, and this part concerns me because, if we do not wish to go along, will we be shut out? Do we have a choice in this matter? I read the Hilmer report with great interest and, as the members for Giles and Norwood both said—and to a certain degree so did the member for Hart—it depends on economics driving our country. Economics are not the only thing to be considered in the policies of a country. We have always had these boffin-style people with all their theories telling us how to do things economically, but in the end it does not work because their theories do not stand up in the light of day. If we were disqualified, I can only assume that this would have an impact on South Australia's ability to compete in the national or interstate arenas.

Even though we will maintain the availability of these services in our State—and we must realise that South Australia is a small State and we protect our facilities jealously—I am concerned about ETSA and the position in respect of its power generators. We know well the history of how power generation came into Government hands in this State. It was Playford—a Liberal Premier—who took over State ownership of the Adelaide Power Supply Company. History proved that what he did was the correct move. Power supplies in those days were vital. Do we ensure that South Australia always has the capacity to generate electricity or do we become reliant on other States, particularly Victoria, to provide it for us? That concerns me greatly because, while we might be all very cooperative at the moment and Victoria is keen to sell us power, the situation might change if it becomes more expensive to generate power or Victoria has problems producing enough power for itself. What would happen to us if we had to rely on Victoria in that situation?

I know that the Hilmer report says that we have to be nationally competitive, but as a person living in regional South Australia I am concerned that the subsidies provided for country people will not stand up under this policy. I agree conditionally with the various elements of national competition and the policy outlined in this Bill. It will be most interesting to see how things unfold in coming years, particularly in respect of Government monopolies. As the member for Giles said—and I have difficulty agreeing with much of what he says—Governments in various areas of policy will always find a reason to exempt certain things. I am confident in the end that, as the State Government bit by bit considers what it will do with its institutions as they are individually brought before this House for modification, in future there will be good reasons to provide exemptions. It will be a big move to allow for the opening up of this because it could be the end of many of the services that we supply in this State.

National waterfront reform comes to mind. I am very much in favour of this because this part of the Australian economy needs closer scrutiny. If we do it on an Australia wide basis I am sure that we will all enjoy the economies that result. It is important that reviews are conducted to ensure that benefits to the community justify the down sides. There will always be down sides. Competition for competition's sake is not always the way to go. I note that there are important protections in the competition principles agreement in balancing a range of policy considerations. Ecologically sustainable development, social welfare and equity considerations, the interests of consumers and economic and regional development are all issues that affect me and my electorate in regional South Australia. I assume that safety and quality controls come under these areas. It will be of no benefit to the community if competition revolves around the cheapest quote without consideration being given to the social factors or the quality of the service.

As the policy is implemented in the many facets of industry and service providers, it will be interesting to see what happens. Not all monopolies are bad or necessarily inefficient and, as the member for Giles said (and I also had a note to speak about it), the Australian Wheat Board is not State based—it is an Australian organisation with all States belonging to it. However, it does have monopolistic powers and enjoys the power to acquire all the Australian wheat for export overseas, and it has worked very well. I would never support the abolition of the powers of the Australian Wheat Board which, in the industry, is known as orderly marketing,

and it has worked very well. If members doubt that, they have only to ask our competitors overseas who will be the first to tell them that the Australian wheat grower has an unfair advantage because they have single desk selling and orderly marketing. It is not always right to open it up and destroy monopolies that are doing the right thing.

Mr Cummins interjecting:

Mr VENNING: Certainly it is in breach of competition policy, but it works well. The Wheat Board was owned by the Australian wheat growers, and they put in the money through the wheat industry fund. It is their organisation and they choose to give their organisation the power to compulsorily acquire and sell for them, not on the domestic market but on the overseas market. I agree with the member for Giles in that I would protect that approach. I am aware that that makes me and others a little inconsistent, but I hope that as we go through this whole policy area we assess each part of it on its merits.

I note that many other areas were cited by the member for Giles, including daylight saving. I indicate that I was annoyed when daylight saving was extended. I never have and never will support moving to eastern standard time, which is advocated by the member for Giles. He has said on several occasions that we should move to eastern standard time but, hypocritically, he then says that we should not have daylight saving. I am in favour of daylight saving but I do not agree with its being extended into March—certainly not in non-festival years, anyway. I am opposed to extending it into March next year. I am highlighting the hypocrisy of the member for Giles. He is a political opportunist. He has only 18 months left here, but I am sure he will use every minute of it to try to divide the Liberal Government. I assure members that he is wasting his time because it simply consolidates us into a tighter unit and highlights his hypocrisy as he does not have a genuine reason to support his approach.

As we implement the new legislation I will watch what happens to many other essential State services such as the power generated by ETSA, the water supply and our roads. I remind the House that it was a Liberal Premier who established ETSA. He did the right thing, as time has proved. I believe the Government should have the power in respect of quality control and assessment so that we can be sure that we receive what we pay for through regular Government monitoring. The big question is whether our small State will be better served by this policy. I believe that will be the case and that it will probably be the case in most areas. However, I believe that there will be some areas where it will not be so well served. Will those areas be swamped by the Eastern States? South Australia is both isolated and centralised. Indeed, we are the most centralised State in Australia, and putting services in country areas will always require some form of subsidy.

Mr Foley interjecting:

Mr VENNING: I have been accused of being an agrarian socialist, but I believe every issue should be treated in isolation and on its merits. I will never be so rigid not to realise that each policy has to be considered on its merits. I support the legislation because I believe in looking at the larger picture. This policy will help our businesses to maintain their competitiveness. I am concerned because the Eastern States have larger populations than South Australia. Victoria can generate power much more cheaply than South Australia because it has better quality coal and does not have to cope with the restrictions that we face.

I recall with great pride what Playford did. Members can go home this evening and switch on the light and draw power generated in Port Augusta or Adelaide. Under the Playford Administration there was tremendous cross subsidisation of the power lines strung across South Australia. That would never be possible under competition policy or cost recovery, because services were delivered to the people irrespective of cost. That cost could never be passed on to the consumer because the installation costs were so huge. That situation applies in respect of the provision of power, telephones, roads and water. Subject to my expressed reservations, I support the second reading of the Bill.

Mr CLARKE secured the adjournment of the debate.

COUNTRY FIRES (AUDIT REQUIREMENTS) AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 26 March. Page 1238.)

Mr CLARKE (Deputy Leader of the Opposition): The Opposition has carefully studied the legislation and has consulted exhaustively with its affiliates. I have no doubt that the shadow Minister has contacted each of the 450 CFS organisations subject to the Bill. The Opposition supports the proposal by the Minister as being eminently sensible, that the board be responsible for the audit of the 450 CFS units rather than the Auditor-General. Of course, the Auditor-General will remain responsible for the auditing of the CFS itself but not the individual components, as it should be. This is one of the rare occasions that I congratulate the Minister on his forward thinking with respect to legislation. I trust that the Bill will receive speedy assent, without it being necessary for the member for Custance to give us the benefit of his thoughts on it.

Mr VENNING (Custance): I will give the House the benefit of my thoughts on this matter, as the member for Ross Smith has just challenged me to do. I intended to speak briefly to the Bill anyway, because I asked the Minister relevant questions about the Bill when he was formulating it. After making inquiries and receiving positive answers, I support the Bill. Initially, I believed that the change should incorporate a requirement for the accounts of the CFS board to be audited by the Auditor-General as well as the accounts of the next tier down, that is, the CFS regional offices, which receive and distribute Government funds and which are staffed by public servants. I was keen to ensure that audit provisions would remain in place in those areas. Following my inquiries from the Minister and his staff, I have been assured that adequate audit provisions will definitely prevail.

Clause 12 of the Bill requires that all CFS organisations maintain records as prescribed by the board. The regulations under the Act contain provisions for the accounts to be maintained and for those accounts to be audited but not necessarily by the Auditor-General. Doubtless, he will undertake spot audits at this level. Regulation 20(b) provides:

> A copy of the audited operating accounts of the organisations for the preceding financial year must be delivered to the board on or before 31 August in each year.

Accordingly, mechanisms are in place in respect of the accountability of the CFS organisation right down the line. I am very happy to support the Bill. I am pleased with the work done by the CFS. I congratulate the CFS, its board of

management and the volunteers who serve our State so well, especially in recent days when we had two serious fires at Kapunda. I refer to the effort put in by the CFS and the MFS. I commend those organisations. We would be lost without them, and they have done well without Government interference. I support the Bill because the money that goes in has to be watched so that we can ensure our organisations are protected from any accusation of malpractice. The best way to do that is to make sure that the umpire looks at them regularly, and in this instance the umpire is the Auditor-General. I have much pleasure in supporting the Bill.

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

[Sitting suspended from 5.19 to 8.48 p.m.]

FRUIT AND PLANT PROTECTION (ENFORCEMENT) AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 27 March. Page 1282.)

Mr CLARKE (Deputy Leader of the Opposition): The Opposition has scrutinised this Bill with a great deal of care and it will probably be the subject of further refinement in another place as a result of our shadow Minister in that place studying it far more carefully than I. However—

The Hon. R.G. Kerin interjecting:

Mr CLARKE: The Minister may well interject and, of course, we have the member for Custance, who I have absolutely no doubt will be on his feet very shortly after I conclude to again show us all the benefit of his breadth of knowledge on agricultural matters, far surpassing that of the Minister himself in this matter, and showing to all of us and all and sundry how he should have been the Minister rather than the incumbent. I digress.

Dealing more specifically with this legislation, we are prepared to give the second reading of this Bill our qualified support. We have some concerns in relation to it, which will be enumerated in more detail in another place. However, for the benefit of the Minister, we have concerns—not so much concerns but questions—about giving the Police Department an inspectorial role under the Act because, as I understand the principal Act, police officers would then be vested with powers to search the boot of any car anywhere in South Australia.

I understand the Government's intention with respect to this legislation. Our fruit growing industry is a very valuable industry to South Australia and we should do everything we can to protect it against fruit fly. We therefore want to ensure that any possibility of illegal carriage of fruit across our State's borders is detected, but issues of civil liberties are involved because, as I understand it, at the moment inspectors under the principal Act have the right to inspect motor vehicles at particular stops—

Mr Lewis: Anywhere.

Mr CLARKE: If that is the case—

An honourable member: He would be right.

Mr CLARKE: The member for Ridley may well be right. He is the parliamentary secretary to the Minister on these matters, and who am I to argue with such an august person, particularly when there is a full moon. What I do say is that this will extend the role of police officers in the area of stopping and searching motor vehicles on the pretence that they are acting as inspectors under the Act. They could potentially seek to stop and randomly search any vehicle for transgressions with respect to not just fruit that is illegally brought into our State but other substances as well.

Mr Brokenshire: So they should—

The SPEAKER: Order!

Mr CLARKE: We have this mad dog member for Mawson frothing at the mouth on this issue saying, 'So they should.' Whilst that may be appropriate in one sense, in that we all want to stop any illicit trade in drugs, narcotics and things of that nature, we also want to ensure that ordinary citizens travelling in motor vehicles, and who are presumed to be innocent until proven guilty, are not harassed unless there is reasonable cause on the part of the police to believe they are carrying out some illegal act. The member for Mawson may well believe in a police state where ordinary citizens can be stopped at any time of the day or night to have their vehicles inspected on any pretence, and I believe the majority of the population in this State would not believe that that is appropriate.

Where there is reasonable cause to believe some illegal activity is occurring, by all means, but not simply because a police officer believes that he or she is acting as a fruit fly inspector, alleging a peach is in the boot of a car, saying, 'We want you to open up', and harassing people. They are the issues about which we have some concerns. As I say, generally speaking, the Opposition would support the Minister's Bill but we do have concerns in these areas. Unless these issues of concern are sensibly addressed—as I know the Minister would address them—obviously my shadow Minister, who will be the Minister in 18 months, will perhaps want to consider amending the Government's Bill in this area.

Without further ado, the Opposition indicates its qualified support for the Bill at this stage. We would ask the Minister to address the concerns I have put to him. I almost forgot to mention the famous Oodlawirra Station. I think I have pronounced it correctly, although I doubt that I could spell it. No doubt the member for Custance could because he wishes to be the Minister for Primary Industries. The Minister is keen on stopping fruit fly entering South Australia for reasons with which I and the Opposition totally agree. We have a strange situation at Oodlawirra, such that the station that would inspect vehicles closes at 10 p.m.

The Hon. R.G. Kerin: Some of the time.

Mr CLARKE: I would suspect that, on 365 days of the year, it is closed most of the time. A good deal of fruit is transported from other States into South Australia through that checkpoint: someone would only have to turn up at 11 o'clock at night or midnight and on most occasions it would not be staffed. Whilst we are giving police all these extra powers and the like, we have a very simple remedy: the Minister could make sure that that checkpoint is staffed for much more of the time than it is at present. That does point out the hypocrisy of this Government and this Minister in particular. I know that the member for Custance has risen to his defence and is now seeking to give him an answer to this point.

This Minister has created a great deal of publicity on fruit fly infestation in South Australia. Yet, on the issue of Oodlawirra (which I dare say is no doubt the litmus test of this Minister's commitment to agriculture) he is not prepared to expend the funds from within his budget to provide for that checkpoint to be adequately staffed to ensure that the fruit coming from interstate is removed from vehicles. Through this Bill, essentially the Minister wants to say, 'Never mind the quality, feel the width. We are making all the police

officers inspectors under the Act, giving them these wide-ranging powers and the like, all to stop this terrible fruit fly infestation in South Australia.' If this Minister were prepared to argue adequately with his Cabinet colleagues, he could provide the necessary resources to ensure that those check-points are staffed most of the time. It would not need to be for 365 days of the year, but in November and February each year when the problem is at its worst. With those closing remarks, we look forward to the Minister's contribution—

The Hon. R.G. Kerin: Stick around!

Mr CLARKE: I will stick around on this point. Unfortunately, we will probably have to put up with 20 minutes from the member for Custance first. Since his appointment as a parliamentary secretary, there has not been one debate in this House, whether it be on the Antarctic station or on issues involving agriculture, mines and energy, Treasury—the entire gamut of Government activity—when the member for Custance has not given us the benefit of his advice. In the area of agriculture—

Members interjecting:

Mr Lewis: Why don't you speak to the Bill?

The SPEAKER: Order!

Mr CLARKE: I am addressing the Bill. If only the member for Ridley would take a Valium, he would understand this.

The SPEAKER: Order!

Mr LEWIS: I rise on a point of order, Mr Speaker. I do not mind how inane the honourable member wants to be about himself and other things and how much he wishes to divert, but I take exception to his implying that I should take a Valium. That impugns my reputation, and I respectfully request that the remark be withdrawn.

Mr CLARKE: I will do so, Sir.

Mr LEWIS: On a further point of order, Mr Speaker, I question the relevance of the remarks made by the honourable Deputy Leader where they relate to what he believes are the aspirations and attitudes of the member for Custance. His comments have no relevance to this measure whatsoever.

The SPEAKER: The Chair upholds the point of order. The Deputy Leader should link his remarks to the Bill.

Mr CLARKE: I will do so, Sir, and, of course, I will try to work out the relevance of the member for Ridley being Parliamentary Secretary to the Minister for Primary Industries. I will conclude on this note. We look forward to the Minister's response on these issues. I also look forward, as ever, to the contribution by the member for Custance on this matter, because he is the only person in this House who can teach me more about agriculture than anyone else in this entire Parliament, including yourself, Sir, with respect.

Mr LEWIS (Ridley): I trust that my contribution will be somewhat more relevant in terms of facts than that of the member for Ross Smith, who is on a short-time fuse with regard to his continuation in the office of Deputy Leader of the Opposition. I doubt whether he will still be Deputy Leader when I leave this place.

Let me disabuse the member for Ross Smith of a couple of things. For three years after I finished a stint of shearing I was a fruit inspector in the Department of Agriculture involved in the inspection not only of outgoing fruit for export but also of incoming fruit and plants and parts of plants, including timber, to ensure that we were protected from diseases of the kind to which this measure directs our attention. Equally, during the course of my time at Roseworthy, I chose to major in horticulture. Unfortunately, I was unable to continue that study, having graduated, by undertaking a second diploma because I needed scholarships to remain there. Nonetheless, I guess they felt sorry for me at the time I graduated because they gave me the award which has ever since been given to people of far greater merit than I, I am sure—the Rudi Buring Memorial Prize.

If the member for Ross Smith thinks that to be quaint and irrelevant to my commitment to serve in whatever way the Minister wishes me to serve as his parliamentary secretary, I beg the House's indulgence to discover by what intellectual merit the member for Ross Smith comes to such a conclusion, and I leave the public to make their own judgment of that also.

In consequence of having rebutted at least that much of the inanities presented to the House as reasons for qualified support given by the Deputy Leader, I point out that the police already have the power to do that work, as you would know, Sir, when there is any reason to suspect that a vehicle may be either unroadworthy or used in connection with the trafficking of substances otherwise described in law as narcotics. It has nothing to do with civil liberties whatsoever; it has everything to do with protecting society from the consequences of allowing criminals to get away with criminal behaviour.

I know that the member for Ross Smith may feel some personal empathy with such people or other miscreants who at the time may not have been convicted of any criminal offence but who in due course will be in consequence of their misdemeanours; but I do not feel such empathy. I do not have any sympathy or fond regard for such idiots. I think it is important that we should have the capacity in law to discover such people as may choose to bring into this State those things which are likely to introduce disease: not only social disease but, more particularly here, disease of our horticultural crops of the kind to which this measure addresses itself. We have only to reflect upon the consequences of the introduction of white fly, which arrived here less than three years ago, to realise how serious it is.

After all, each time there is a fruit fly outbreak it costs us on average over $120 000 to try to clean it up. Each recurrent outbreak does enormous damage to our capacity to claim that our horticultural production areas are free of this pest in those places where we have the best possible prospects of market development. That means jobs, and that means prosperity in South Australia. For the member for Ross Smith to take such a trifling view of the seriousness to which this legislation addresses our attention, to my mind, gives us an indication of the measure of regard he has for his responsibilities as a citizen of South Australia entrusted with the substantial responsibility of being a member of this place to make laws which advance the best interests of the people who live in this State and the industries in which they work and the benefits they can otherwise derive from what South Australia has to offer them and the rest of the world if it is able to continue doing so without the incumbent consequence of increased numbers of diseases in our horticultural crops or, indeed, any of our fruit and plant industry crops.

Tragic though it is, I have to tell the member for Ross Smith that his qualified support is unwarranted, and it is trifling to the point where, without question, it is cause for him to feel shame. He ought to take himself either more seriously or in hand, one way or the other, to ensure that he disabuses himself of the consequences. For example, let me tell the member for Ross Smith and all members of the House that the loss of the citrus market to the United States and to

New Zealand would amount to more than $22 million a year right now. There is no question in my mind that it would be well in excess of $50 million when I look at the potential markets we have for citrus. I know from discussions that I have had in recent days that we could sell as much citrus in Korea, if we could satisfy the Korean Government that our citrus producing areas are fruit fly free, as we are already selling in all other markets, including the Australian market.

When you realise that on the streets of Seoul in their kerbside markets they sell decent sized oranges—and I am not talking about large oranges; I am just talking about counts of 140 to the bushel, to give people an indication of size—for about $A4 each. That is the enormity of the market; that is the benefit we could derive from it; and that is the kind of income we could expect if we applied ourselves to entering those markets, and I am determined to do so.

We will never succeed in doing that unless we can convince the authorities in Korea doing the job which I used to do as a plant and fruit inspector in South Australia that our horticultural areas are fruit fly free. If we can do that it will mean that the citrus industry will never again be in difficulty in this State. It will be able to sell more than double its current production into that market. In my judgment it is therefore quite inappropriate for the member for Ross Smith to gratuitously insult the Minister, who has been there only a few weeks, by asking what has he done about Oodlawirra. The member for Ross Smith should have gone on to ask the Minister what he has done about the fruit fly roadblocks at Pinnaroo and Yamba.

I can tell you, Mr Speaker, if you did not already know, that it was not this Minister who did anything about that. It was Ministers of the Deputy Leader's political persuasion. It was Ministers of his ilk, who did not give a damn about plant and fruit industries and their viability and the markets they had open to them in this State. They were Ministers of ALP Governments over the past 25 years, other than Gabe Bywaters. Since that time, they have sought to run down funding for not only extension and research but also quarantine services in South Australia which we have used in an endeavour to isolate ourselves from the consequences of these plant diseases for both the viability of our production by controlling the effect on yield and our access to markets.

I reassure the House that my remarks will be restricted to points entirely relevant to the legislation. I make plain that this is no trifling matter. There are thousands of jobs at stake as well as a substantial enduring export income, which we currently have or have in prospect but which we are likely to lose if we allow the kind of actions which should have been taken but which were not taken in addressing the issue and other actions which were taken but which should not have been taken where they removed surveillance of the practices of irresponsible Labor voters from, for instance, the western suburbs.

The places where you find these outbreaks are the areas that elect people such as the member for Ross Smith. They are all in Labor electorates. They are the kinds of people who do not give a fig about the consequences for anyone else: it is all about me—not me too, just me. They bring in lousy, rotten, infested fruit, find it to be so in their selfish indifference to the consequences, chuck it out and let those insects or other forms of disease, such as fungi or arachnids (eight-legged monsters such as the member for Ross Smith in political terms) infest our remaining healthy plants and crops.

I believe that the sooner we get on with this the better. It is about time that we had expiation fees—there is no question about that. I only regret that the scale of fees at $55, $105 and $210 does not recognise the seriousness of the offence. It ought to be more like $550, $1 000 and $2 000, because the consequences are enormous. I have mentioned that to try to clean up each outbreak of fruit fly if we get to it quickly enough costs about $120 000. To my mind, getting away with a $55 fine as an expiation fee is insufficient penalty for the consequences to South Australia.

Mr Clarke: Bring back the death penalty!

Mr LEWIS: The death penalty for white fly and fruit fly and anything or anyone else who wants to do something that destroys markets or production yields from horticultural crops to my mind is legitimate. The member for Ross Smith interjects out of his place, and we all know that he takes this matter with a pinch of salt and treats it trivially. I want the public of South Australia who will read this speech to recognise just how irresponsible the future leadership or aspiring leadership of the Labor Party in this place is in comparison with the irresponsible attitudes taken by the Deputy Leader's peers during the past two decades. We have this problem in consequence of the way in which his colleagues and forebears in the Labor Party (in political terms) behaved. They did not care, and they ran it down. They let the quarantine service fail in its capacity to keep out pests.

Perhaps the public of South Australia ought to know that the electors of Ross Smith have failed in their duty to keep pests out of the political system. The member for Ross Smith represents as much a blight on this House as fruit fly does on the fruit producing industries of South Australia. I therefore commend the Minister for the courage that he has shown and the commonsense that this measure brings to the problem and trust that it will have swift passage in spite of the inane views expressed by the member for Ross Smith on behalf of the Labor Party and anyone else in this Parliament who shares that witless indifference to the problem by claiming that it might in some way or another infringe civil liberties. How can it possibly?

What about the civil liberties of those people who have invested their time and their family's time and money in establishing a crop of trees to produce peaches or citrus? What about that? What about their civil liberties? They are put at risk by the kind of behaviour that the member for Ross Smith advocates as being acceptable. I do not and the tragedy of his view is that it confirms for all of us that the Labor Party does not care now and has not cared for the past 25 years, otherwise it would have done something more than it has. It would have put money into the quarantine service and into public education and it would not now be necessary to use some stick to reinforce the public education program that we must now embark upon to secure the future of our horticultural industries and the future access we have for their products in markets overseas.

Mr BROKENSHIRE (Mawson): I will be brief as a fair bit has been said on this issue and more will be said before the night is out. I am pleased to support the Minister and congratulate him on his initiative of bringing the Bill before the Parliament. Fairly quickly after we had some major outbreaks, soon after he became a Minister of the Crown, he got on with the job. I must record my disappointment in the Deputy Leader of the Opposition and in the way that he again has illustrated the true picture the Labor Party has of the Police Department. He is like his colleague, the previous Federal member for Kingston, Gordon Bilney, who told

police officers who tried to remove him from an Australia Day ceremony that it was a police state.

I will get it back on the record again that the Deputy Leader of the Opposition insinuated that we are creating a police state. That disappoints me immensely but reinforces the fact that the Liberal Government stands by the Police Department in this State and realises the wonderful job that it does. We made sure that the police got a fair and equitable increase in their salaries, which they deserved, and we looked at all the other conditions at the time.

But here we have the Opposition in this debate saying that it does not believe that the Police Department should have the right to protect one of the most fundamental and growing opportunities this State has for economic recovery, that is, the horticultural industry. It is an indictment on the Labor Party, particularly on the Deputy Leader. I am pleased to support the Bill as I have faith in the police and why should not the police have the right to look in somebody's boot? If you are going along the road doing the right thing, you have nothing to fear. It is nothing to do with being a police state. If you abide by the law as a citizen of this State, as do 99 per cent of the population, you have nothing to fear.

Let us look at Oodlawirra. Last year coming back from the Flinders Ranges with my family I was stopped by an efficient quarantine inspector at Oodlawirra—a place that I know very well from when I was a young lad and spent some time at Peterborough. He did a marvellous job. He checked us out, he made sure we had no fruit and we passed on. It only took a minute or two, but they were protecting a vital industry.

After the $3 500 million debacle left to us as a legacy of Labor, we cannot have a 24 hour service, but we have a 24 hour police service. I know that many members of the highway patrol are out there patrolling day and night in those areas and they would have dearly loved the opportunity to pull up suspects with regard to fruit fly but did not have the police powers. Our Minister has seen that it is an important thing that has to be corrected in law and he has done it, and I support him.

I will talk about a few other issues with respect to this amendment. Recently in Victor Harbor, not far out of my electorate and home town, we had an infestation of fruit fly. That was just two months before the start of the great harvest in my electorate of McLaren Vale. This year in my electorate at farm gate price alone—where we take the grapes off the vine—there will be $30 million worth of income to my region. Value added, that will be $270 million and it is growing. There was a very real threat recently that, had they not got on with the job of combating that breakdown in Victor Harbor, it could easily have spread through the Fleurieu Peninsula and stopped the important vintage in my area. That is how critical it is because hundreds of jobs are at stake.

The Bill is about giving police more powers and about increasing fines, which should be the case because, like my colleague who spoke earlier, I believe it is time that we reviewed expiation fees and general fines to make sure they increase to a figure that will be a real deterrent. I am disappointed that Opposition members, who do not mind indulging in a bit of fine wine, were not prepared to comment on the phylloxera aspect. That involves another aspect that is so important to our State as we have so much growth in the wine industry. The Bill's provisions apply to fresh produce, which constitutes a fruit fly host, and grapes, which are the host to phylloxera. One thing we do not need in South Australia now, as we recover from the Labor debacle of the 1980s and the early 1990s, is phylloxera coming into South Australia. The legislation will tighten powers under the Fruit and Plant Protection Act 1992 and ensure that we protect that most important industry. The Minister knows how important the industry is to the State and I commend him on making sure that phylloxera is covered in the Bill.

Finally, as has already been said, we have the ongoing cost. I would much rather see Minister Kerin putting $120 000 into the Mawson electorate and giving us the horticultural officer that we badly and urgently need to get through the extension services and the research being done by primary industries in South Australia than spending $120 000 on an almost worthless (in one sense) exercise of cleaning up after people who have not thought about bringing back fruit into South Australia. That $120 000 would employ in our region the officer I have been calling for for two years in this Parliament for probably three years to enhance and increase the economic wealth and job opportunities for my electorate and the better enhancement of economic wealth and job opportunities for South Australians.

Someone referred to the people bringing back fruit as criminals. Generally, I do not believe they are criminals: it is just that they do not think, and that is why we need to reinforce and protect this industry through education, legal avenues, the police and other aspects. While the Minister is listening to the debate, I ask him again to remember how important it is to get a horticultural officer into the McLaren Vale region.

I have great pleasure in supporting the Bill because I know that through the Minister's initiatives there will be future savings which I am confident he will put into the electorate of Mawson to enhance our economic wealth and job opportunities. I commend the Bill to the Parliament.

Mr VENNING (Custance): I support this important Bill, which attempts to tighten the noose even further to prevent the entry of plant diseases and pests into South Australia. I want to make a brief comment on the Deputy Leader's contribution, because I do not agree with the dramatic point of view he expressed about being searched. I believe the Deputy Leader was being over dramatic and I do not see such a search as a breach of civil liberties or anything else. I see such a search as the protection of a vital industry in South Australia. Certainly, I want to thank the Deputy Leader and his Party for their support of the Bill.

As to Oodlawirra station, it was the Labor Party which some years ago closed down the roadblock at Cockburn and moved it to Oodlawirra. The then Labor Minister restricted the hours to 10 o'clock. The then member for Eyre, you, Sir, made strenuous representations to the Minister but your appeal was knocked back by the Labor Minister. I remind the member for Ross Smith that it was not the Liberal Government that imposed those hours. Certainly, I do not support those hours because I believe it is wrong that the roadblock should close at 10 o'clock. If that is to be the case, there should be random hours applying and the roadblock should not regularly close at 10 o'clock.

If it is to be closed people should not know when it is to be closed: it should be closed in a random fashion. I note the comments made by the member for Ross Smith in relation to my position in this House, and I put on the record my support for the Minister for Primary Industries, the Hon. Rob Kerin. I have known the gentleman for a long time, and I am very happy to work with him and for agriculture in South Australia. Whilst I appreciate the member for Ross Smith's

comments in this regard, I welcome the opportunity to have it on the record that I have known the member for Frome for a long time and am only too happy to work under his stewardship.

I was interested to note that the phylloxera aphid, to which the member for Mawson referred, was mentioned along with fruit fly as a major concern to South Australia. We often hear of spasmodic outbreaks of fruit fly in this State but I believe we can safely say that we are phylloxera free at this stage. I certainly hope we are because, unlike fruit fly, which can be sprayed out and eradicated, phylloxera certainly cannot be: once we have it, we have it forever. I certainly hope South Australia remains phylloxera free.

Fruit fly has been kept out of South Australia and I congratulate the Department of Primary Industries and its staff on their work in this regard. They work all hours at the fruit inspection blocks on the roads. Outbreaks of fruit fly are detected easily with snares and traps and are very effectively controlled. The staff do a fantastic job. I know that we have learnt to live with these fruit fly blocks in South Australia, and most members would have been through them. I know that members of my family have often been stopped at fruit blocks, and we have eaten the fruit we might have and then handed over the apple cores and any fruit we did not eat. We must live with these blocks. If a person stops at a block with a car full of fruit and loses it, it is his or her own fault because they ought to have known better.

Having been to Victoria in January and seen at first hand the devastating effect the phylloxera aphid has on grape-growing regions, we can be truly thankful it has not crossed the border into our own State, and hopefully it never will. The phylloxera aphid has been resident in Victoria for over 100 years and has been isolated in several quarantine areas in central Victoria and southern New South Wales. In the past couple of years outbreaks have occurred in the King Valley, in Victoria, which is a very picturesque area with beautiful vineyards. It is a crying shame to know that the area has this diabolical aphid, which will infect and ruin all the vineyards there. They will have to be replanted, which will take many years.

During a session at the Rutherglen Research Station, I was able to view the various forms of the phylloxera aphid and the total destruction it causes to the roots of grapevines. There is no cure. The aphid attacks the roots of vines, scarring and rupturing them. Viewing the damage through a microscope revealed quite dramatic effects. Eventually a fungus sets in and the vine withers away. It can be as dramatic as losing production from six tonnes a hectare before infestation—and one can calculate the price of shiraz grapes today, which I understand is approximately $2 300 a tonne—down to two tonnes in the second year of the outbreak and then half a tonne in the third year.

One can work out the loss not only to the growers but to the wineries and to the economy of South Australia. That is a massive loss. Any measure we can take at this stage certainly would be welcomed, because this pest would make our wine-growing industry quite uneconomic. The only solution is to pull out the vines and plant new vines on resistant root stock, which is a very long and expensive exercise. The phylloxera will be in the soil forever, but the resistant root stock can tolerate it. It concerns me greatly that apparently only 20 per cent of the vines in the Barossa Valley are planted on root stock. The Minister was with me a few weeks ago when we inspected at first hand the vines growing on root stocks.

We met Mr Leo Pech, who has been trying to convince growers, should we ever experience phylloxera, to plant at least a portion of their vineyards on root stocks. Mr Pech, a Barossa vigneron, accompanied me to Victoria. He has been advocating for years that growers plant at least one-third of their vines on root stock as insurance in case South Australia is unfortunate enough to succumb to this pest. The phylloxera aphid loves damp and humid conditions and heavy cracking soils. The Coonawarra area would be very concerned about that. The phylloxera aphid dislikes sand, and that will be good news for many in the Barossa.

Mr Andrew interjecting:

Mr VENNING: The member for Chaffey is speaking up. He would be happy to know that the phylloxera dislikes sand, and in some areas of the Riverland I would think it would be very difficult for the phylloxera to take hold. However, it would take hold in certain areas. Not a lot is known about how the aphid spreads, but it crawls up to 25 metres a year and can glide in very windy and stormy conditions. The most popular theory is that they are spread inadvertently by man on pickers' clothes and boots, grape bins, tools, grape-picking machines, contractors using pole borers, visiting country reps, etc. The problem is that you can be in an infested vineyard but the symptoms may not be obvious for up to three or four years.

This is another reason why our inspectors at the blocks when looking for fruit fly should also look for grape-picking machinery and grape pickers' clothes and ask people whether they have been anywhere near a phylloxera area. No doubt our inspectors will be educated to know what to look for, particularly in relation to what can harbor the phylloxera aphid. It is comforting to know that the aphid is easily destroyed in warm air and dry conditions. It dehydrates very quickly and dies after an hour in the hot sun, less in a hot car. This is probably the single most important reason why it has not spread to South Australia, but we must be very vigilant.

It could be brought in on pieces of vine or root material, especially when a new vineyard is being planted. Many people have in their homes an ornamental vine with a piece of root material, which would be the ideal harbor for the phylloxera aphid. There was a recent dispute in Victoria where one large wine company had a permit to move grapes in bins and trucked them out of a phylloxera quarantine area through a clean, uninfected area. The permit was withdrawn, and I was involved in that matter. As a result of the dispute, all material must now be processed and put into tankers before it can be moved out of a phylloxera area. A special processing plant at Moyhu is available to do this.

We must encourage the strictest quarantine on all grape material coming into South Australia from the Eastern States, educate people to the dangers of this aphid, and adequately signpost all roads entering the State. As I said, the income loss to South Australia, should we ever have a full-blown outbreak of phylloxera, does not bear thinking about. It would be a massive disaster. The wine-growing areas in my electorate are worth an annual income to South Australia of more than $300 million, and that would be a very conservative figure. I have become very aware of what this aphid can do.

I also support the tightening of controls on the entry of fruit or, for that matter, any host of a disease we do not have or want in South Australia. I also support a revitalised education program so that people will know why we have these fruit blocks in position; they will know why we take this matter so seriously; and they will know what the

consequences are for South Australia if we do not remain vigilant. That is why we rely on the cooperation of the people of South Australia to assist our industries. I support an increase in the powers of inspectors to ask to inspect inside a car boot, a box or a caravan—in fact, to search at random any vehicle the inspector might suspect is carrying fruit or any other questionable material.

Existing law has been a little soft. We have much to protect and the innocent have nothing to worry about. Everyone entering South Australia may be subjected to a random search for any fruit. Australia, particularly South Australia, has a world reputation for being a reliable source of clean, disease free, colourful and wonderful tasting fruit.

That is a reputation that is worth fighting to keep, and it is worth a lot to our business conducted overseas, because marketing is difficult enough in this very competitive world. We have an environmental and disease free edge, and we must protect that at all times. We must keep South Australia fruit fly free, and particularly phylloxera free. I certainly support this Bill, as it tightens the control mechanisms already in place. I hope the other House will agree to pass this Bill and give extra teeth to a very important role that our inspectors carry out. I support the Bill.

Mr ANDREW (Chaffey): I am also pleased to rise to support this Bill. Of course, this Bill is of fundamental importance not just to my electorate and the industry it will help to protect with the improved enforced measures but also to the total State economy, as has been so well espoused by all my colleagues who preceded me this evening. This Bill is a very positive, progressive and required outcome of the review of the existing enforcement processes contained in the Fruit and Plant Protection Act. The amendments are primarily concerned with improving protection against fruit fly species and against the phylloxera aphid, which attacks the roots of grapevines.

I firmly believe that providing police officers with the power to inspect fruit and plants will be a legitimate extension of their role in upholding the law. Outbreaks of phylloxera and fruit fly have the potential to threaten the livelihood of almost countless horticulturists and vegetable growers, and the damage that could be caused to the prosperity of those industries would be significant in this State. In the Riverland, along with other regions in the State, particularly those regions growing horticultural produce and the grape or wine growing regions, industry confidence has grown with regard to investment dollars, and money has been spent, in not only the establishment but also the redevelopment of properties, on items such as irrigation infrastructure and rehabilitation. A feature of the growth of these industries is their multiplier effect. Employment is generated by vine growing and wine production. Businesses are keen to add value, which they do, and significant associated service industries also benefit from this multiplier effect. The transport industry would be just one example to benefit in this process.

To take advantage of opportunities foreseen over the next few years, horticulturists and associated industries are showing faith in the viability of the wine industry and in the horticultural industry and, justifiably, they feel extremely vulnerable when exposed to risks beyond their control, as in the case, for example, from fruit fly and phylloxera. I want to mention briefly the role of the Fruit and Plant Protection Act as it is operating in safeguarding, for example, the citrus and grape industries. In November 1994, the Phylloxera and Grape Industry Bill was introduced by this Government—a Bill with which I felt pleased to be involved personally and one in whose final outcome I had a strong input. This resulted from a review of the Phylloxera Act which looked at the worth of the Phylloxera Board, which is a statutory organisation in South Australia.

There was significant endorsement by the industry of the Act's expansion to include grape diseases other than phylloxera, with the Phylloxera Board to be responsible for all policy matters relating to protection against disease in general. Another practical outcome of the review and the consultative process was the widespread support of powers for protection offered by the Phylloxera and Grape Industry Act to continue to be applied solely under the Fruit and Plant Protection Act.

I also want to outline why the grape industry has put considerable effort into ensuring that the industry in South Australia continues to be free of the potential and devastating effect of this vine-destroying insect, phylloxera. Although this matter has been well espoused by the member for Custance, I want to put on the record that it is important to reiterate that the wine industry is in a period of absolute prime expansion, of changing technology. Under these circumstances, there is increased potential for the disease to be transferred, whether it be through the trade of plant material or equipment moving between grape-growing regions or the transport of uncrushed grapes from one region to another.

It is within this context that I note the Premier's comments in late March when he referred to about 3 000 hectares of new plantings in the last year in South Australia alone, which represents more than half the increase in plantings throughout the whole nation, and plantings of up to perhaps a further 8 000 hectares are planned in the next year or two. Bearing in mind that it costs about $10 000 per hectare to establish a vineyard, this illustrates the considerable capital investment that is being injected.

In terms of export revenue, the national target of $1 billion for wine exports for the year 2000 continues to be realistic. To achieve this target the industry will require continued national investment of about $600 million in vineyards, $460 million in inventory and $150 million in wine processing facilities. This State produces more than 50 per cent of Australia's wine grapes and is responsible for about 70 per cent of the export sales. The Government in this State—and I am proud to say it—has fostered and encouraged this industry with research, extension services and TAFE education specific services to the wine industry. Over and above this, I refer to this Government's current package of financial incentives for value added and export oriented industries; for example, our measure introduced an offer of payroll deduction for industries involved in value adding and exporting. In addition, State Government policies relating to water resources are providing considerable incentives for this industry to be invested in and to expand.

This summary of the State's wine industry shows the existence of widespread commitment to the future. Therefore, we should appreciate how industry confidence would be threatened by phylloxera—this devastating pest which destroys the vine vitality by attacking the roots—if it was to enter the State. Similarly, I want to refer to the potential impact of fruit fly infestation and what that would do in creating uncertainty among growers of produce capable of hosting the fly. In fact, it would have far reaching consequences on other industries, in particular, the citrus industry. The most widely publicised outbreak this summer was that of a Mediterranean fruit fly outbreak in the northern suburbs

of Adelaide. The circumstances surrounding this case and issues that it raised alone warranted a review of the procedures and programs. I will reiterate that the fact that this was Mediterranean fruit fly means that it could have come in only from Western Australia, presumably transported by road, and that further illustrates the need for the police power being provided in this Bill.

Unlike the Queensland fruit fly, which is the variety isolated in the majority of outbreaks in this State, in the case of the Mediterranean fruit fly infestations official responses are less well developed and documented. A draft national code of management has been developed for the Queensland variety but not for the Mediterranean fruit fly. Therefore, this indicates that there is a lack of uniform quarantine practices across Australia, to the extent that different States require different quarantine zones. It is important to note that our international markets do not always distinguish between outbreaks in suburban backyards and nearby production regions. I can assure the House that fruit fly free regions in this State are certainly not at all keen to receive produce from quarantine areas that are not acceptable in other marketplaces.

Department of Primary Industries (PISA) figures clearly indicate that the average number of outbreaks per year is about five and that the source of these fruit fly outbreaks more often than not is from produce from interstate backyard gardens. This would be transported into the State presumably in a vehicle by reckless people or individuals who are completely unaware—or, if they are aware of the consequences, they certainly do not take them seriously.

The average cost of dealing with each outbreak in South Australia is documented to be about $120 000. Therefore, thorough and extensive measures to detect and deal with outbreaks are necessary to preserve this important fruit fly free status. South Australia is the only mainland State that is free of this pest, which is of fundamental significance in terms of the impact and importance of exports to this State. This gives us a valuable marketing advantage, enabling the citrus industry in the Riverland particularly to export to the United States of America and New Zealand. The present value of those export markets, dependent on this fruit fly free status, is about $22 million a year, and it is growing significantly. For example, citrus exports to the United States have just about doubled each year over the past three years since those exports were first approved and initiated.

The member for Ridley earlier appropriately and adequately indicated the further potential for citrus exports throughout our Asian markets and how any further reduction of our fruit fly free status would impact on that significant export opportunity. Against this background we have the irresponsibility of members of the public who either ignore or choose not to comply with the quarantine directions at our borders. I reiterate that considerable harm can and will be done to those individuals who have put considerable personal investment into horticulture and industries at large if growers are not protected from irresponsible and careless activities.

Up to mid-March this year there were 51 interceptions of fruit fly at the four road blocks compared with only 33 last year or the year before. I believe that this should be viewed with alarm and concern, because this is despite a great deal of effort towards heightening public awareness of the threat of fruit fly on behalf of the industry and of the Department of Primary Industries. I do not believe that those figures in any way reflect upon the performance, attitude or strong level of commitment by the Department of Primary Industries quarantine inspection service. I commend all staff involved in that area, particularly those involved at the road blocks. From personal experience, I can assure the House that they have a loyal commitment to their job.

The amendments to upgrade quarantine enforcement proposed in the Bill are, I believe, appropriate and consistent with the current community awareness program. The extension of the operation of some road blocks and the greater surveillance that is already in force, thanks to the commitment and renewed effort by Minister Kerin, particularly with respect to rail and air travellers, will help in this regard.

Some members may be aware of the most recent initiative launched by PISA in conjunction with the industry on 19 March. About 100 fruit carrying semi-trailers are to be used as mobile billboards, sponsored by the fruit packing and citrus industries, featuring on their rear panels a motif called 'Fang the Fruit Fly.' Such strategies reinforce the ongoing message to the public that our fruit fly free status must be protected. More importantly, it helps to reiterate the example of the fine contribution and cooperation that is taking place between the Department of Primary Industries and the industry at large in getting this message across. These measures result from a review of the procedures that followed the Salisbury outbreak, to which I referred earlier, which happened in January.

In addition, the Minister for Primary Industries has announced that he will introduce on-the-spot fines for people bringing small quantities of fruit into the State in amounts of less than one kilogram. This legislation provides for the introduction of regulations which set a scale of fines reflecting the quantity of produce being brought in illicitly. Arguably the amounts proposed of $55, $105 and $155 could be greater. However, once they are operative and enforced and the public start to appreciate that they must abide by them, I believe they will have a direct impact on fostering a community attitude to supporting the very strong campaign that must be waged against fruit fly.

It is proposed that police on highway patrol duties should have the power to apprehend those breaking the law. With training to be provided by PISA staff, I believe those officers will, in the normal course of their work, be able to enhance the existing provisions of the Fruit and Plant Protection Act. In the light of the risks associated with fruit fly and phylloxera and any other potential threats of disease or pest that might arise, the Bill is certainly a very responsible and appropriate approach to improving quarantine measures in this State. I fully support the police being coopted to protect this important industry and the economy of South Australia.

I commend the Minister for his initiative and continued cooperation with the industry, which I know has been appreciated by the industry. Since becoming Minister, he has been only too willing to meet and talk to representatives of the industry to work out the best options, which have been incorporated in this Bill, and to continue this strong campaign against fruit fly.

In the interests of the impact on the horticulture industry in the Riverland and throughout the whole State and on the wine producing industry and on the economy of the whole State, I am very pleased to support the Bill and to commend my colleagues for the fine contributions that they have made in support of it.

Mr BRINDAL (Unley): I was attracted to the Chamber by the contributions made by so many of my rural colleagues and because I felt that it would be appropriate for at least one

member with a city electorate to contribute seriously to the debate.

Mr Clarke: I did.

Mr BRINDAL: The member for Ross Smith said that he considered it seriously. Having heard his remarks, I would hardly say that it was a serious contribution. He was talking about strip searches and all sorts of things, and I thought he was off in cloud cuckoo land. As has been amply illustrated by my rural colleagues, this is a significant problem. If it is a problem for our rural areas, it is also a problem for the city. All too often city members, especially members opposite, fail to appreciate that, when rural areas are in decline, when the product is not being produced on our farms and in our vineyards and orchards and, indeed, in our forests in the South-East, the city suffers, because the economy of South Australia still largely depends upon our rural industries. As the member for Chaffey rightly said, we are talking about a fruit industry which is worth about $22 million in exports.

Mr Andrew: That is just citrus exports.

Mr BRINDAL: Citrus exports; I am sorry. It also includes production of about 70 per cent of wine export sales. So, it is a serious problem indeed. I do not want to detain the House long, despite the brain of the donkey opposite. When he closes the debate or in the Committee stage, I ask the Minister to say whether the Government intends to erect signs at the border. I am aware, as other members have said, that the current inspection point is at Oodlawirra. There are two police stations before Oodlawirra: one at Cockburn and one at Yunta. Given that police will now have the power to stop and randomly search, it is a moot point whether the police can and will randomly search and confiscate fruit from people before they reach the fruit fly inspection point. It is similarly the case that the east-west point is at Ceduna.

As the member for Ross Smith would know, if he had ever travelled beyond Gepps Cross, there is a police station at Penong—as my colleague the member for Flinders knows, because she drives through those regions. Again, will there be signs at the border, because the patrols police the road all the way to the border? It seems to me slightly unfair if the fruit fly point is hundreds of kilometres in from the border and the police seek to randomly search cars. I am not saying it is wrong: I am just asking the question.

I commend the Minister for his initiatives in this area. I was inclined to speak to this Bill because in my teaching career I first served at Cockburn and finally at Cook. So, I have detailed knowledge of those two fruit fly points. The Minister would remember some 28 years ago when I taught at Cockburn that the fruit fly inspection point was at Cockburn. It was open 24-hours a day, 7 days a week.

The Hon. R.G. Kerin interjecting:

Mr BRINDAL: I do not think it was. The Minister says it was the year he was born. I think he underestimates his age somewhat. I happen to know how old the Minister is, and it certainly was not the year he was born. When the fruit fly inspection point moved to Oodlawirra, there was a great deal of concern. As the member for Custance said, there was even more concern when it was found to be open at regular hours. The Minister is now opening the inspection station at random hours, and I commend him for that. I am also pleased to note that fruit fly has not spread terribly much despite the inspection point being relocated, because when it was first shifted there were predictions of dire consequences with fruit fly spreading all over Adelaide.

I remind the House—and especially the member for Ross Smith—that, if our rural economies are affected, we are all affected. This is an important Bill which is not to be treated lightly and with the flippancy with which the member for Ross Smith seems to be treating it. Even if we are so selfish that we do not see rural problems as affecting the city, I and most of my neighbours in Unley value the few fruit trees we have. We do not want them infected with fruit fly. As the Minister will attest—and the member for Chaffey mentioned this—the $120 000 cost of eradication is not the only cost. The cost does not include the fact that inspectors tramp all over your yard and hang little things in your trees. It does not include the inconvenience or the fact that you have looked forward to a crop of apricots only to lose them all.

That may not affect us very greatly, but it is a price we have to pay. However, it is a price none of us need pay if this Government attends seriously to the business of protecting South Australia. We are on the verge of a great leap forward in our wine industry. If the Premier gets his way—and hopefully this House in support of him gets its way—in the construction of the Darwin to Alice Springs railway line, our fruit fly free status will greatly enhance our potential to provide fruit and vegetables into Asia and South-East Asia. That status must be protected at all costs. In conclusion, in Europe they did not worry terribly much as a virus—

Mr Clarke interjecting:

Mr BRINDAL: Not with my speech. As the member for Ross Smith said, *Hansard* does a very good job. Luckily for me, they have something to work with. In the case of the member for Ross Smith there is very little they can do, and it is most unfortunate. I do commiserate with him. In Europe, they value freshwater crayfish—marron or yabbies as we call them in South Australia—but a viral disease started to spread from Turkey. In less than 200 years every freshwater crayfish was wiped out in Europe, because they simply did not bother or could not work out what safeguards to put in place. We do not want that happening in this country. We are very lucky that we have been insulated and isolated, largely because of our geography.

The Minister and the Government are trying to preserve what we have. They should be commended for it and not treated with lightness and flippancy, with members opposite suggesting that every person on the road in South Australia will be strip-searched and put up against a wall in a gross invasion of civil liberties. It will be treated sensibly by the police. It will be done properly, and South Australia will benefit as a result. I commend the Bill to the House.

The Hon. R.G. KERIN (Minister for Primary Industries): I thank all members for their contributions. Members showed their love of agriculture and, in most cases, their depth of understanding of the problem of fruit fly. I particularly thank the member for Unley for his interest in rural areas. One of the greatest challenges I face is getting metropolitan members to understand the importance of the rural industry. I know from his rural background that the member for Unley has an enormous understanding of the issue. The Deputy Leader asked me some questions which I will attempt to deal with now rather than in Committee. In his speech the member for Ross Smith showed his rather shallow knowledge of fruit fly. Unfortunately, his speech was indicative of the Opposition's efforts to create some media attention this year out of fruit fly.

The Deputy Leader referred to the draconian use of police in respect of keeping fruit fly out of South Australia. That is certainly not the intention. The intention with respect to the police is to supplement what we have and to allow a random

check of fruit entering the State. In fact, the police give us a mobile capacity to intercept and take the correct action against people who choose to bring in commercial quantities of untreated fruit. So, the procedure is not draconian, and I hope that the Deputy Leader is not concerned about protecting criminals. That is not what will happen: I can assure him of that.

The importance of the Oodlawirra inspection point was first demonstrated with the Mediterranean fruit fly outbreak at Salisbury. The shadow Minister for Primary Industries blamed the outbreak on the fact that we do not keep the Oodlawirra roadblock open for 24-hours a day. That displays a certain amount of ignorance, because Mediterranean fruit fly comes in from Western Australia. To come from Western Australia through Oodlawirra is a very indirect passage. So the Opposition got that very wrong.

With respect to Oodlawirra, allegations were made that cars sit on the hill waiting for the fruit fly roadblock to close and they then file through once it has closed for the night. That is a little hard to take seriously, but it may be possible that some people realised it closed at 10 p.m. In response to that we introduced a random 24-hour opening of the Oodlawirra roadblock up to two or three nights a week. We feel that that has been quite a success.

Mr Clarke interjecting:

The Hon. R.G. KERIN: At Oodlawirra 50 per cent more samples of fruit infested with fruit fly have been discovered, which means that the roadblock there is working very well. The other publicity that was created related to the trapping of Queensland fruit fly at Victor Harbor. This matter was brought up by the Opposition spokesperson who said that, as that was the second trapping of fruit fly at Victor Harbor in less than 12 months, it had become endemic in that area and that, therefore, we had lost our fruit fly free status. That caused a little bit of panic amongst some people, but when it was pointed out that this one was Queensland fruit fly and that the outbreak 10 months earlier was Mediterranean fruit fly—which for the Deputy Leader's information is a completely different beast—

Mr Clarke: It's still fruit fly.

The Hon. R.G. KERIN: —thank you for your ignorance—there was really nothing at all to worry about. This Bill is about not only fruit fly but phylloxera, as the member for Custance, who has enormous knowledge of primary industries, pointed out. He made the point very well about phylloxera. It is an enormous threat to our wine industry, and it needs to be kept out. The measures brought about by this Bill protect against phylloxera as well as fruit fly.

The Bill is basically about getting serious about what is happening with fruit fly. During the first few weeks that I was in the job, we had a rather unfortunate spate of four outbreaks, which brought the problem into focus. I am going back over the history of what the Government has done about fruit fly. I felt that it had done an excellent job with education and eradication following an outbreak, but what I did find was that, regarding its record of people being caught bringing it in, all it tended to do was to take the fruit away. The horticulture industry in South Australia is growing rapidly, currently being worth about $700 million a year. If we are serious about protecting that industry, we will have to get a lot more serious about it.

Four or five outbreaks a year seem to have been accepted by the Government. To me, that is simply not acceptable. I have put forward a range of measures, and I am glad that I have been supported both by Cabinet and by the Government: we have been able to introduce some measures so that those who choose to do the wrong thing will be punished. The problem that we still have is that some people still choose to do the wrong thing and bring in fruit. They are putting the industry at enormous risk when they do that.

The member for Unley mentioned backyard fruit. It is a luxury in South Australia that people can grow fruit in their backyard. Many other States are not afforded that luxury: they have enormous problems with damage to fruit. So, we are very lucky in that respect. The main thing that we need to protect is our industry, which is very important. But it is not just the industry: it is jobs and the whole economy. The range of measures under this Bill is not all that we are doing. We are looking at the protocol that we use at roadblocks. We are looking at rewriting our education campaign for next year. Industry has picked up the ball. Signs on the back of trucks bearing fruit have been mentioned. We are also looking at the way in which we operate at the railway station and the airport, as many people come in from interstate via those means. We are upgrading signage at entrances to the State and near roadblocks.

The Bill is not draconian. As I said, it is about industry, jobs and the economy. I thank all members for their support, and I look forward to the Deputy Leader's support as we put the measures contained under this Bill into force.

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

CORRECTIONAL SERVICES (MISCELLANEOUS) AMENDMENT BILL

Returned from the Legislative Council with the following amendments:

No. 1. Page 2, lines 27 to 32 (clause 6)—Leave out all words in these lines and insert the following:

'Maximum penalty: Imprisonment for six months.'

No. 2. Page 2 (clause 6)—After line 32 insert new paragraph as follows:

'(c) by inserting after its present contents (now to be designated subsection (1)) the following subsection:

(2) It is a defence to a charge of an offence of introducing into a correctional institution without the permission of the manager an item prohibited by the regulations if the defendant proves that he or she had reasonable grounds for being in possession of the item and at no time had any intention of parting with possession of it while within the institution.'

No. 3 Page 3, line 26 (clause 8)—After 'the person' insert 'cannot be required to remove his or her clothing but'.

No. 4 Page 3, line 28 (clause 8)—Leave out subparagraph (ii) and insert new subparagraphs as follow:

'(ii) to adopt certain postures; or

(iia) to submit to being frisked; or'.

No. 5 Page 4, lines 3 and 4 (clause 8)—Leave out paragraph (e).

No. 6 Page 4, line 15 (clause 8)—After 'the person or driver to be' insert 'further'.

No. 7 Page 4 (clause 8)—After line 19 insert new subsections as follow:

'(6) If no item prohibited by the regulations is found on a person as a result of a search carried out under this section but the officer who carried out the search suspects on reasonable grounds that such an item may be concealed on or in the person's body, the manager may cause the person to be further detained and handed over into the custody of a member of the police force as soon as reasonably practicable.

(7) If a person is detained pursuant to subsection (5) or (6), the manager must forthwith cause a member of the police force to be notified of that fact.

(8) The annual report to be submitted under this Act by the Chief Executive Officer in respect of each financial year must include the following information:

(a) the number of persons detained under subsection (5) in consequence of searches carried out under this section during the relevant year; and

(b) the number of persons detained under subsection (6) in consequence of such a search; and

(c) the duration of all detentions effected under those subsections.'

Consideration in Committee.

The Hon. W.A. MATTHEW: I move:

That the Legislative Council's amendments be agreed to.

I point out that, in total, the amendments effectively change two aspects of the Bill as initially presented to this House. The first of those two aspects relates to the issue of a visitor to a prison unintentionally infringing the provisions of this Bill. By way of example, the original Bill indicated that a number of items taken onto prison property could be deemed an offence. As prison property is determined by regulation, the car park of a prison is one such area where items could be carried onto prison property and fit the definitions in the Bill against which an offence could be committed. In one's boot it would not be uncommon, for example, to find a tyre lever and other such implements necessary to change a punctured tyre. As a result, technically it would have been possible under the provisions of the original Bill to charge someone with taking items of contraband onto prison property.

Consequently, the amendment provides that it is to be 'a defence to a charge of an offence of introducing into a correctional institution without the permission of the manager an item prohibited by the regulations if the defendant proves that he or she had reasonable grounds for being in possession of the item and at no time had any intention of parting with possession of it while within the institution'.

The other matter relates to the powers to strip search visitors to a prison. During debate on the Bill in this place, the Opposition indicated that it had particular concerns with providing prison officers with the power to strip search visitors on suspicion that they may be carrying an item of contraband. I am pleased that, after detailed discussion with the Opposition through its spokesperson, the member for Playford, commonsense resolution could be reached and put to the other place resulting in this amendment. That commonsense resolution is that a visitor to an institution being suspected of carrying an item of contraband can be detained by prison officers at that institution and, at the same time, the police shall immediately be called to the institution to undertake the necessary search. Of course, the police already have powers to strip search people.

At the same time, the amendment also provides for details of the number of occasions on which police are called to an institution as the result of a person being detained on suspicion to be recorded in the Correctional Services annual report. I believe that the amendments fulfil the Government's initial objective to restrict as far as is humanly possible the entry of drugs into prisons via visitors. Consequently, I am pleased to support the amendments.

Mr CLARKE: The Opposition supports the amendments made in another place. It is pleased to see that the Government and the Minister, in particular, has accepted the wisdom of the points that were made by our shadow Minister in this House earlier. The Opposition supports the motion.

Motion carried.

PUBLIC AND ENVIRONMENTAL HEALTH (NOTIFICATION OF DISEASES) AMENDMENT BILL

Returned from the Legislative Council with the following amendments:

No. 1. Page 1—After line 13 insert new clause as follows:

'Commencement

1a. This Act will come into operation on a day to be fixed by proclamation.'

No. 2. Page 1, lines 16 to 18 (clause 2)—Leave out paragraph (a) and insert new paragraph as follows:

'(a) by striking out from subsection (1) 'becomes aware that a person is suffering from a notifiable disease or has died from a notifiable disease the medical practitioner—' and substituting 'or person of a class prescribed by regulation suspects that a person is suffering from or has died from a notifiable disease, the medical practitioner or person of a prescribed class—';'

No. 3 Page 1, line 22 (clause 2)—After 'subsection (4)' insert—'and substituting the following subsection:

(4) A medical practitioner (other than a person of a class prescribed by regulation) who suspects that a person is suffering from a notifiable disease is not required to make a report under subsection (1) with respect to that case if the practitioner knows or reasonably believes that a report has already been made to the Commissioner by another medical practitioner who is or who has been responsible for the treatment of that person.'

No. 4. Page 1 (clause 2)—After line 22 insert new paragraphs as follow:

'(d) by inserting in subsection (5) 'or person of a class prescribed by regulation' after 'A medical practitioner';

(e) by striking out subsection (7).'

Consideration in Committee.

The Hon. M.H. ARMITAGE: I move:

That the Legislative Council's amendments be agreed to.

The Bill as it has come back from another place is marginally different from the Bill that left this Chamber and they are amendments moved by the Government. The reason for that is the unceasing ability for lawyers and law to astound what I believe are clear minded and reasonable thinking people. The intent of the Bill, when it left this House, was quite clear in the second reading stage. However, a lawyer advised me that the Bill as it left this Chamber would have made it obligatory for every doctor on a ward round, for instance, who suspected that a patient was suffering a notifiable disease to accordingly notify the commission in relation to that disease.

That is clearly a nonsense and not what was meant by the Bill. We do not wish to impose that onus on every doctor. Accordingly, we have moved amendments and now believe that the Bill as it comes back from the Upper House is crystal clear and will provide an early warning system for any notifiable disease. It will also provide, because of the person being of a class prescribed by regulation (including a pathologist), a later notification when the disease process has become confirmed. In other words, it will allow early investigative detective work to be done and further confirmatory evidence later. The amendments now clarify what we believed was reasonably clear when the Bill left this House and I commend the amendments to the Committee.

Ms STEVENS: The Opposition supports the amendments made in another place. We support all measures in relation to implementation of the recommendations of the Coroner following the Garibaldi case, and this is one of those, so we obviously support it. We support the implementation of all

recommendations as soon as possible. I have listened to the Minister and I spoke to him earlier today in relation to these amendments. I listened to the debate in another place and I accept what the Minister says in relation to the changes that have been made.

I make the point that we raised a question with him about the words 'reasonably believes'. I have heard and I understand the Minister's view in relation to this. It will be very important that all practitioners are clear about what 'a reasonable belief' means, and people need to take care to ensure that somebody has reported such a thing so that we pick up on these things as soon as possible.

Finally, I refer to comments made by the Deputy Premier in this place during the second reading stage. He made some extraordinarily flippant and derogatory statements in relation to me and my consultation with the AMA. Even though it was put on the record in another place, I will refer to it now also. When I got the material for this Bill, as is my usual practice I sent out to organisations the second reading explanation and the Bill, including, obviously, the AMA. When I contacted the AMA, the President told me that he had not been consulted on the Bill. That is what I reported during my second reading contribution.

Subsequently, it turns out that there was consultation with the AMA but in a different form from that which I had sent out to the association. I make clear that it was not the case, as the Deputy Premier suggested, that I spoke to somebody in the front office. I spoke to the President of the AMA, and that misunderstanding has been clarified and the AMA has assured me that it concurs with the Minister's changes.

The Hon. M.H. ARMITAGE: To make abundantly clear to anyone who may read *Hansard* in relation to this matter, I spoke with the member for Elizabeth earlier about amendment No. 3 which provides that 'with respect to that case if the practitioner knows or reasonably believes that a report has already been made to the Commission by another medical practitioner. . . '. When I first saw these amendments yesterday evening I thought that we would have to omit 'or reasonably believes' as we could not have that. However, I was further informed by a number of lawyers that, if we did not include those words, we would be subjecting medical practitioners to cross examination by lawyers, if it were to occur, and medical practitioners may be asked how they knew that a report had been made to the commission.

As I indicated in my earlier remarks, I would have thought that reasonable people would have a fair idea of what that meant but I was told that, even if the medical practitioner had seen a colleague dialling a telephone number, speaking into the telephone and allegedly notifying someone about the disease, lawyers might ask, 'Did you know that your colleague had got through; did you know whether he or she was speaking to the appropriate person?' and so on. Accordingly, that is not an onus that the Government wishes to put onto medical practitioners who are doing the best for their patients, thus we have left the phrase 'or reasonably believes' in that provision.

To add emphasis to the onus on practitioners to reasonably believe that a report has been made, something like an entry in a patient's notes saying, 'South Australian Health Commission notified at 5.40 p.m. on 11 March', or whatever the date and time may be, would mean that, if another practitioner sees such a notification or the report of a pathology form that states that the patient suffers from a specific disease or that the bug that is leading to these symptoms is a certain bug and that a report has been made to the Health Commission, that would satisfy a reasonable belief on behalf of a second medical practitioner.

It would be sufficient for a second practitioner seeing a patient to say to himself or herself, 'Well, in my mind these symptoms are obvious. The first doctor who saw them must have recognised it and must have notified the commission.' We believe the understanding of the words 'or reasonably believe' in that phrase gives enough comfort to us to be assured that there will be an early warning system in notifications by general practitioners, medical practitioners, and so on, but it equally removes the opportunity for what might be politely phrased as pedantic cross-examination.

Motion carried.

WORKERS REHABILITATION AND COMPENSATION (DISPUTE RESOLUTION) AMENDMENT BILL 1996

Returned from the Legislative Council without amendment.

The Hon. S.J. BAKER (Deputy Premier): I move:

That Standing Orders be so far suspended as to enable the House to sit beyond midnight.

Motion carried.

[Sitting suspended from 10.28 p.m. to 1.30 a.m.]

SOUTH AUSTRALIAN TIMBER CORPORATION (SALE OF ASSETS) BILL

Returned from the Legislative Council without amendment.

ADJOURNMENT

The Hon. S.J. BAKER (Deputy Premier): I move:

That the House do now adjourn.

I wish everyone a decent break and thank all the staff for their diligence and perseverance.

Motion carried.

At 1.34 a.m. the House adjourned until Tuesday 28 May at 2 p.m.

HOUSE OF ASSEMBLY

Wednesday 10 April 1996

QUESTIONS ON NOTICE

TRAMS

51. **Mr ATKINSON:**

1. Why is TransAdelaide now allowing coupled trams to run on six motors instead of eight?

2. Does running on six motors instead of the full eight impair a tram's emergency braking?

3. Have any tests been conducted by TransAdelaide employees on the effect of six-motor running on emergency braking?

4. Has TransAdelaide allowed coupled trams to leave the Glengowrie Depot for service with only six motors operating?

The Hon. J.W. OLSEN:

1. It is not TransAdelaide's practice for coupled tram sets with six motors to be scheduled for normal services. However, in the event of heavy demand for services such as for the Christmas Pageant, these coupled sets are used to provide the required level of customer service.

2. Normal braking is unaffected with six motors.

For emergency braking, the operators are instructed, both in their initial training and in the recently commenced refresher training, that their driving techniques need to be adjusted to compensate for the tram's differing performance.

3. Yes.

4. During the past six months one coupled set with six motors was used for the John Martin's Christmas Pageant, the Grand Prix and the Sensational Adelaide International Tattoo.

Apart from these instances, no coupled sets with six motors have been scheduled to leave Glengowrie Depot for normal timetabled services.

POLISH FESTIVAL

63. **Mr ATKINSON:** Will the Minister intervene with Regency Institute of TAFE to ensure that the annual Polish Harvest Festival (Dozynki) is not lost to its Regency campus?

The Hon. R.B. SUCH: On advice from officers of the Regency Institute of TAFE, I understand there have been no problems with the festival being held at Regency Institute in the past, and it is anticipated that the festival will be held at Regency Institute in 1996.

Correspondence was forwarded by the Regency Institute of TAFE to the Secretary of the Festival Committee on 9 February 1996, outlining the facilities available and the cost involved. As yet no response has been received by the institute to this correspondence.

PORT ROAD

70. **Mr ATKINSON:** When will an answer be provided to the letter from the member for Spence to the Minister for Transport dated 25 January 1996 about a proposal to install sheltered right-turn lanes on Port Road and inquiring about any plans for bicycle lanes on Port Road?

The Hon. J.W. OLSEN: The Minister for Transport has provided the following information:

An answer to the letter from the member for Spence was provided on 2 April 1996.