

HOUSE OF ASSEMBLY

Tuesday 24 November 1998

The **SPEAKER (Hon. J.K.G. Oswald)** took the Chair at 2 p.m. and read prayers.

GAMING INDUSTRY LEGISLATION

A petition signed by 27 residents of South Australia requesting that the House urge the Government to oppose the passage of the Gaming Industry Regulation Bill 1998 was presented by the Hon. M.K. Brindal.

Petition received.

QUESTIONS

The **SPEAKER**: I direct that written answers to the following questions on the Notice Paper, as detailed in the schedule that I now table, be distributed and printed in *Hansard*: Nos 3, 4, 14 to 17, 27 and 31.

AUDITOR-GENERAL'S SUPPLEMENTARY REPORT

The **SPEAKER** laid on the table the Auditor-General's Supplementary Report 1997-98.

Ordered that report be printed.

PAPERS TABLED

The following papers were laid on the table:

By the Premier (Hon. J.W. Olsen)—

Adelaide Convention Centre—Report, 1997-98

By the Minister for Human Services (Hon. Dean Brown)—

Adelaide Festival Centre Trust—Erratum Report of Financial Statements, 1997-98

Development Act—Regulations—Schedule 2—Zones

By the Minister for Government Enterprises (Hon. M.H. Armitage)—

Country Fire Service, South Australian—Report, 1997-98

Industrial Relations Advisory Committee—Report, 1997-98

Occupational Health, Safety and Welfare Advisory Committee—Report, 1997-98

By the Minister for Environment and Heritage (Hon. D.C. Kotz)—

National Parks and Wildlife Council, South Australian—Report, 1997-98

Native Vegetation Council—Report, 1997-98

Northern Adelaide and Barossa Catchment Water Management Board—Report, 1997-98

Reserve Planning and Management Advisory Committee—Report, 1997-98

South East Catchment Water Management Board—Report, 1997-98

Wildlife Advisory Committee—Report, 1997-98.

NAPPAMERRI TROUGH

The **Hon. R.G. KERIN (Deputy Premier)**: I seek leave to make a ministerial statement.

Leave granted.

The **Hon. R.G. KERIN**: The exploration and development of our State's mining and energy resources have been,

and will continue to be, a key foundation of South Australia's economy. In 1940 the Petroleum Act was introduced to regulate the exploration and development of onshore petroleum throughout the State. In 1975, to facilitate the development of the Moomba gas fields, the Dunstan Labor Government introduced the Cooper Basin (Ratification) Act, which was critically important in underpinning and allowing this multi-billion dollar project to commence.

The development of the resources for the Cooper Basin has brought major benefits to the South Australian economy; and secure and reliable gas supplies have been provided to domestic, commercial and industrial customers since 1969. In 1998 dollar terms, over \$9 billion has been invested by Santos and their joint venture partners in South Australia and almost \$1 billion has been paid in royalties.

The Nappamerri Trough is an exploration area which is regarded by some as one of the most prospective areas within the Cooper Basin. Among the provisions of the Cooper Basin (Ratification) Act were some which gave proponents rights to production licences under much less stringent conditions to those in the Petroleum Act. Nonetheless, the Olsen Government negotiated the imposition of special provisions to the 17 production licences granted to Santos over the Nappamerri Trough, and these provisions represent a set of requirements which are above and beyond the conditions of the Cooper Basin (Ratification) Act. These were:

- work obligations of \$50 million in the first five years and a total of \$100 million over 15 years were attached to the licences as a whole, with provisions for relinquishment of acreage after five and 10 years;
- all future petroleum licences in the area to which the Cooper Basin (Ratification) Act applies would have to meet the Petroleum Act criteria that petroleum of sufficient quantity and quality to warrant production have been discovered;
- the production licences provided for a maximum of a 15 year term for areas where no commercial production has been established, as compared to the Petroleum Act of 21 years with right for renewal for future terms; and
- the term of the licence would only revert to the normal 21 years with rights of renewal if substantial commercial production was possible from a license area.

These conditions were considered and approved by Cabinet in September 1997. After a considerable exploration effort, Santos determined the presence of significant quantities of gas in locations within the Nappamerri Trough.

However, the gas discovered to date has not been brought into commercial production due to low permeability, which restricts gas production rates. These discoveries will require the application of innovative technology before they can be produced. Within the legislation of most other jurisdictions in Australia, except South Australia, retention licences are available where an explorer discovers petroleum which is not immediately economic but which may become so after time. The effects of the negotiations with Santos in relation to the Nappamerri Trough are therefore consistent with currently existing arrangements in other States.

In the *Business Review Weekly* last week an article explored aspects of the granting of production licences to Santos in the Nappamerri Trough. In response to that article the key points to note are: first, that under the law (the Cooper Basin Ratification Act of 1975), Santos has rights to the issue of petroleum production licences on application and are not explicitly required to accept any conditions on those licences. If operating solely under the Petroleum Act, it may

have been more difficult for Santos, in relation to production licences. However, under the Cooper Basin (Ratification) Act it was clearly a different case. The Cooper Basin (Ratification) Act overrides the Petroleum Act and proponents are therefore entitled to gain a petroleum production licence virtually on demand. Given these circumstances, the Government was able to negotiate very successfully with Santos to gain some very significant concessions.

This Government recognises the critical importance to the State's economy of the responsible development and management of our natural resources. We will continue to ensure that exploration continues and that the maximum benefit flows on to the economy and the people of South Australia.

PUBLIC WORKS COMMITTEE

Mr LEWIS (Hammond): I bring up the eighty-second report of the committee on the Queen Elizabeth Hospital intensive care redevelopment and move:

That the report be received.

Motion carried.

The Hon. R.G. KERIN (Deputy Premier): I move:

That the report be printed.

Motion carried.

QUESTION TIME

ELECTRICITY, PRIVATISATION

Ms HURLEY (Deputy Leader of the Opposition): My question is directed to the Premier. What risks and liabilities would remain with the State of South Australia following an agreement to lease our electricity assets to a private firm; and can the Premier detail what guarantees will be required from the lessee and whether there will be contract clauses allowing the Government to step in if the private company's performance is unsatisfactory?

The Hon. J.W. OLSEN: I understand that the Opposition had a briefing from the Treasurer this morning on the amendments that we are proposing to the ETSA legislation.

An honourable member interjecting:

The Hon. J.W. OLSEN: No, clearly they did not focus too much on it. The amending legislation puts in place the lease clauses that give, in the first instance, the 25 year lease option with three 24 year lease options to be exercised after the next State election upon passage of legislation in this Parliament to enable those options to be exercised. On the advice that has been given to the Government, the valuation that would be obtained from a lease of this nature is almost 95 per cent and, depending upon the Australian Taxation Office depreciation allowances related to the lease, it might well be able to maximise that price to almost full value.

In the first 25 year lease, the 80 per cent that is required is, effectively, a lease payment up-front which will be used for our first objective, that is, to move towards the retirement of debt or retirement of those debts that are due for roll-over in the next three to four years. The further 20 per cent value (meaning almost the full value of the sale proceeds under a long-term lease) would be put into a trust account and with interest be payable to the Government if the option is exercised by the Parliament post the next State election.

On advice from our advisers, we clearly have a position where the risks associated with a national electricity market

are almost eliminated in their entirety and, given that the leasing arrangements as per the legislation that has been put in place give us almost the full value equivalent to a trade sale price, it is an option now before this Parliament that meets the two key criteria of the Government: first, how do we maximise the return to the taxpayers of South Australia to give us the greatest capacity to retire and move towards the elimination of debt; and, secondly, and importantly, how can we be in a position to eliminate the risk of trading in a national electricity market?

I have highlighted to the House in recent weeks the very significant change in circumstances in New South Wales as per, I think, the Auditor-General's Report in that State. That has indicated something like a \$200 million net reduction in dividends to the New South Wales Government in this past year related to the electricity assets within New South Wales—a very significant downturn. I am not quite sure exactly what the figure is but it is of the order of a 70 per cent downturn in revenue from the generators themselves and, importantly, you have a position in New South Wales where a New South Wales Government monopoly is currently pursuing legal action with a private sector company in Victoria. At risk, I am told, is several hundreds of millions of dollars.

I would not want to be the custodian of the Treasury benches if a Government such as South Australia had to pursue legal action, because at risk would be a couple of hundred million dollars. Imagine what would happen if we were in that set of circumstances and overnight there was deterioration in revenue or an increase in expenditure of a couple of hundred million dollars. They are the risks that we are talking about needing and wanting to eliminate from the ownership of these power utilities and assets.

So, the lease option that has been put on the table, first, maximises the value and therefore reduces the debt; secondly, it removes us from the risk of trading in a national electricity market; and thirdly, and importantly, it brings price advantage to consumers in South Australia, whether they be residential or business consumers. The track record and performance interstate clearly indicates that consumers of electricity have seen a fall in the cost of electricity both for residential and other purposes. That is what we seek to put in place to benefit consumers in South Australia.

TEACHERS, ENTERPRISE BARGAIN

Mr SCALZI (Hartley): Will the Minister for Education, Children's Services and Training reveal to the House the full extent of the Australian Education Union's enterprise bargaining offer made this week to the Government on behalf of its members?

The Hon. M.R. BUCKBY: As usual, the elite of the teachers' union does not let its version of the facts get in the way of a good story. The Government's offer to our 25 000 teachers and TAFE lecturers—

Mr Foley interjecting:

The SPEAKER: Order! The member for Hart will come to order.

The Hon. M.R. BUCKBY: —is a package of \$155 million, which includes a 13 per cent pay offer plus four years of guaranteed flexible funding. The union claims that its counter offer is for only \$10 million more, worth only \$165 million. Well, I would like to have its calculator, because the real cost of the claim is \$50 million more per year. What does it want and when does it want it? The union

wants a 10 per cent salary increase—not over three years but over two years. That will make salary increases even more expensive for my department in each financial year, a fact that the union has conveniently forgotten. There is more! Additional union non-salary demands amount to \$40 million—and they are not currently part of the Government's offer.

In total, the AEU offer or demand of the Government will cost about \$178 million for the duration of the proposed Government offer. We know one thing for sure: in two years the union will be back with its hands out for more. Only two years ago in 1996 the teachers' union and teachers were granted a 17 per cent wage rise. Now, with this 13 per cent on the table—

Mr Clarke interjecting:

The SPEAKER: Order! The member for Ross Smith will come to order.

The Hon. M.R. BUCKBY: —that would amount to a 30 per cent increase in wages over five years. Fair and reasonable is not in the mind of the union hierarchy; fair and reasonable is not enough for the Australian Education Union, because it wants 27 per cent in barely four years. The union claims that its \$10 million counter offer will test the seriousness of this Government. Well, it is dead right. The reality is that—

Mr Conlon interjecting:

The SPEAKER: Order! I caution the member for Elder again.

The Hon. M.R. BUCKBY: —a fair, reasonable and affordable wages package offered by the Government has been on the table since 28 October (four weeks). However, it is untouched by union representatives because they want more. We have the union—certainly without discussion with its membership—sitting tight, hoping against hope that the Government will somehow find a magic bucket of money, and one that is continually filled for it by the taxpayers. I do not know the colour of the sky in Janet Giles's world but it is certainly not the colour of the sky for someone who is in touch with reality. There is one thing for sure: it is all very well to demand that more and more money be put into education but it is entirely another matter to be responsible and to represent the people in the community.

As Minister for Education, I would love to do nothing more than pour millions of dollars into education—into our preschools, our schools and our TAFE colleges—but the simple fact is that I cannot. The bucket is \$155 million deep, and that is as deep as it gets. There is not enough money in the bucket for the unreasonable union demands: there is only \$155 million. That gives a very reasonable salary increase of 13 per cent over the next three years. I am sure that the teachers whom I meet understand the basic economic imperative. They are positive people, they are creative and they are taxpayers. They are certainly more in touch with economic reality than is their union, whose use of its calculators defies the laws of mathematics.

The past four weeks has seen countless meetings between my department and the union, yet the union is unable to offer any substance to the debate. It is unable to act responsibly and to recognise the State's financial conditions at this time. The union's demand requires the State to provide an amount of \$178 million more for a three year agreement compared to the Government's offer. Teachers have been offered a just and fair offer by anyone's standards, and still their union tells them to say 'No.' Teachers in the 1990s deserve more than a union with a leadership which is stuck in the 1970s and

which fails to comprehend even the basic principles of responsible management of the public's money.

ELECTRICITY, PRIVATISATION

Ms BREUER (Giles): My question is directed to the Premier. Given the Government's decision to break up ETSA and Optima into six separate companies and its intention to offer for sale six separate leases, how will the Government ensure that people in remote areas of the State do not receive a worse service than people in the metropolitan area?

The Hon. J.W. OLSEN: We have introduced legislation and, during the passage of that legislation, that question was posed and answered in the second reading stage, in the content of the legislation and the protections in the model that was put in place to ensure that people living in country and regional areas would not be disadvantaged. Post the time line—and I believe that the date is 1 January 2003—the ACCC will set prices, and the ability of any Government of the day to control and set prices—as we have in decades past, to give a uniform State price to country and regional people—will be removed. That date will expire whether we like it or not.

With respect to the legislation that is currently before the Upper House (it has already been passed in this House, and perhaps the honourable member would like to go back and read *Hansard*) the model that has been put in place puts in permanently—and by 'permanently', I believe it is for about 10 or 15 years post that period—a guaranteed position for country consumers in terms of costs. That is more than has been done in other jurisdictions, and it is more than would be done if we did nothing in South Australia. A greater degree of protection has been put in place as a result of those amendments. I simply ask the honourable member to look at *Hansard*.

MAGNESIUM RESOURCES

The Hon. G.M. GUNN (Stuart): Will the Deputy Premier inform the House of the latest developments relating to the State's mining industry and the prospects for mining magnesium resources in the Far North of the State.

The Hon. R.G. KERIN: I thank the member for Stuart for the question and I know that he will certainly follow the progress of the magnesium project in his electorate. A major new mining development is now a step closer in that we have granted an exploration licence to SAMAG Ltd to develop the magnesite resources in the Willouran Ranges in the State's Far North. The granting of the exploration licence clears the way for a potential big employment boost in both Port Augusta and Leigh Creek. Creating employment opportunities, particularly in regional areas, is what this Government is all about. Certainly, any value adding to our natural resources is a key to achieving that goal.

The company will now complete the assessment of the magnesite deposits and continue a feasibility study into a magnesium metal production plant at Port Augusta. The magnesium metal will prospectively be used in the growing diecast industry to support South Australia's car industry. It could also be exported, as there is growing demand within the automotive industry worldwide for magnesium as a high strength, lightweight metal. Detailed discussions have already been held with major companies interested in the magnesium project, and considerable interest is being shown by a range of companies. Extensive high grade deposits have been

located within the Willouran Ranges, six potential sites having been identified with sufficient resources for a long life project.

A confirmation drilling program is now under way, and the production phase is likely to be achieved in 2003. It is envisaged that the project will employ more than 380 people, with capital expenditure likely to reach \$850 million. Exports are predicted to reach approximately \$230 million per year. This demonstrates exactly what the Government is all about, namely, creating valuable, sustainable long-term opportunities for economic growth, meaningful jobs for the people of South Australia and making more of our natural resources.

ELECTRICITY, PRIVATISATION

The Hon. M.D. RANN (Leader of the Opposition): Will the Premier now avert possible power blackouts from Thursday by meeting with power workers and their representatives and repeating the Government's promise, made with no qualifications, of no forced redundancies before, during or following any privatisation of ETSA, its subsidiaries or Optima Energy? In February this year the Premier was quoted as saying:

I give this clear commitment—there will be no forced redundancies of any Optima or ETSA employees.

However, in a letter to worker representatives dated last month, the Premier heavily qualified his promise by saying:

... the Government's position on 'no forced redundancies' is that the relevant undertakings will be put in place through a certified agreement under Federal industrial legislation, with such an agreement having a nominal life of two years. I am not willing to consider providing the undertaking in any other form.

I am happy to accompany the Premier on his visit to advise the unions and the workers that the Opposition will not countenance forced redundancies.

Members interjecting:

The SPEAKER: Order! The Leader will resume his seat. Leave is withdrawn.

The Hon. J.W. OLSEN: What the Government has put in place—and the offer that has been put to the unions—is that there would be no forced redundancies prior to or in a period, as the Leader points out in the correspondence, for a minimum of two years post the period.

Members interjecting:

The SPEAKER: Order! The Leader and the member for Hart will come to order.

The Hon. J.W. OLSEN: The position in advice that had been given to the Government is that, once you have an enterprise agreement in place—apart from quite exceptional, remote and rare circumstances—unless the parties agree to a change to the enterprise agreement, that enterprise agreement continues in force. If that is the case, if the parties to this agreement decide they do not want to change the agreement—and with that exception to which I referred a moment ago—this agreement stays in place. There was some point of clarification required from the workers in relation to pay outs. I understand that at some considerable cost additional draft amending legislation has been prepared by the Treasurer for introduction to meet some of the requirements of the union membership. That has met part of their request and their requirements.

The SPEAKER: Order! The Premier will resume his seat. The member for Hart is completely out of order, and he will come around to the side of the Leader.

The Hon. J.W. OLSEN: We have negotiated, and a number of Ministers have had meetings with representatives of the union movement over the course of this year. As I understand it, the Treasurer has also had recent meetings with representatives of the union, and I would simply ask that those discussions continue to take place to ensure resolution—

The SPEAKER: There is a point of order. The Premier will resume his seat.

The Hon. M.D. RANN: Mr Speaker, I rise on a point of order. In terms of the absolute commitment to tell the truth and the whole truth in this Parliament, here is the Minister saying 'only through natural attrition'; I have a statement from Minister Armitage.

The SPEAKER: Order! There is no point of order. The honourable Premier.

The Hon. J.W. OLSEN: Once again, repeatedly in Question Time we see 'Actors Equity' opposite trying to push their particular point. We saw it only last Thursday with the member for Hart, when one TV station actually did give him his throw-away line, which he repeated twice to make sure that, if they missed it the first time, they could pick it up the second time. The member for Hart had one win out of four TV channels, so we understand why members opposite use this sort of actors' component in Question Time. As I have indicated, we have had repeated discussions with the unions. One thing members opposite do not like and cannot understand is that we, a conservative Liberal Government, have been prepared, with a reasonable and responsible approach, to discuss these issues with representatives of the unions and come to a reasonable and successful conclusion.

SPEED DETECTION

The Hon. G.A. INGERSON (Bragg): Can the Minister for Police, Correctional Services and Emergency Services advise the House why speed cameras, as part of the Government's road safety program, are vital in encouraging drivers to slow down, thus helping to reduce the number of fatal road smashes in our State? I have been informed that, despite the number of speed related road deaths in Australia recently, some members question the merit of the continuing use of speed cameras as part of road safety programs and argue that they are purely revenue raising.

The Hon. R.L. BROKENSHIRE: I thank the member for Bragg for his question and I appreciate his concerns about community safety and road issues. I have noted with a great deal of interest in recent times that some members of Parliament, as well as people out in the community and even some sections of the media, suggest that speed cameras and speed detection equipment may primarily be a revenue raiser. Of course, nothing could be further from the truth. While members on the other side may laugh and interject, the fact is that this Government is very concerned about reducing the road toll and the social impact that occurs when a family suffers the devastation of road carnage. Speed cameras are only one form of speed detection equipment used to ensure that the ultimate opportunities for road safety are enforced and reinforced within the South Australian precinct.

With respect to the road toll, every time an initiative has been put in place, whether it is speed cameras, laser guns, bringing drink driving legislation back to a .05 blood alcohol limit or a range of issues that have been put in place—and I have seen graphs on this—there has been a significant reduction in the road toll. Whilst one death on the road is one

death too many, if we look at the situation in 1974, before much of this speed detection equipment was put in place, we see that South Australia recorded 382 deaths, more than one death a day. Last year South Australia saw the figure come down to as low as 149 deaths, which is an enormous reduction, and over that period the trending indicators reveal that there has been an approximately 50 per cent reduction in the road toll. In 1997-98 about \$40 million in revenue came from speed camera placement.

If you want to look at the callous economic facts of this matter, and looking also at the bottom line, one sees that the estimated cost to the community in dollar terms from the 40 000 road accidents each year in South Australia each year is \$600 million. On top of that are the social issues resulting from the carnage and the continuing impact that such a major trauma can have on families as they try to rehabilitate themselves and adjust to the shocking circumstances involved in some of those accidents. I would suggest to some of the critics that, instead of coming out with the one-liners which the media like to grab and which people may feel good about for a few moments, they speak to the grieving families in their own constituencies who have been involved with victims of road smashes and ask them what they think about speeding drivers. We are coming up to a very serious time for road traffic accidents, and my simple message is this: if you speed there is a very good chance that you will be caught. So, the bottom line is do not speed, get there safely and look after your family and the community of South Australia.

WIRRINA

The Hon. M.D. RANN (Leader of the Opposition): I direct my question to the Minister for Tourism. Given the announcement on 3 June 1994 that the Government would invest \$13 million in infrastructure at Wirrina to create a major destination for international visitors, will the Minister tell the House how many jumbo jet loads of Asian tourists are now visiting Wirrina each week; and is the Government's investment secure? At the time of the announcement in 1994 of a \$200 million expansion of the Wirrina Cove resort, it was claimed that the aim was for the resort to lure four jumbo jets full of Asian tourists to South Australia each week, including 2 000 students a year in the resort's education centre. On 28 July 1996 it was further announced that the Government's investment would include \$9.5 million for a new marina. Recently I visited the 350 berth marina and found it occupied by only a tiny number of boats.

Mr Venning interjecting:

The SPEAKER: Order! The member for Schubert will come to order.

The Hon. J. HALL: As the Leader well knows, the tourism industry in South Australia is a very important industry sector to our economy. He would well know that tourism and hospitality now employ more than 40 000 South Australians and generate nearly \$2 billion each year. I am sure that in asking his question the Leader has an ulterior motive, but I will bring a report to the House on the specific detail that he has requested.

Members interjecting:

The SPEAKER: Order! A formal point of order was not raised, but the Minister cannot impute improper motives to any member of the House.

HIRE CARS

Mr HAMILTON-SMITH (Waite): I direct my question to the Minister for Human Services. Why has the Passenger Transport Board decided to allow hire cars to be hailed for business like taxis on Friday 18 December and New Year's Eve?

The Hon. DEAN BROWN: We all know that there are probably two very busy nights of the year: 18 December, which is the Friday before Christmas, and then New Year's Eve.

An honourable member interjecting:

The Hon. DEAN BROWN: It is a week before Christmas, but it is the Friday before Christmas when many parties are in progress, and then there is New Year's Eve. The Passenger Transport Board has decided to increase the number of taxis available for use this year and is making 65 stand-by taxis available, plus small passenger vehicles in the metro category for hiring by hailing. Only the taxis themselves will be able to use the taxi ranks, but small passenger vehicles will be able to be booked or hailed anywhere in the city. As in previous years, inspectors will also be on duty to help make sure that the taxis are loaded up.

Mr Koutsantonis interjecting:

The SPEAKER: The member for Peake will come to order.

The Hon. DEAN BROWN: Inspectors will be on duty, and I will obtain the details on how many there will be. I think that most of us would applaud this extra move. In fact, I was delighted to see a press release referring to comments may by the shadow Minister for Transport, Carolyn Pickles in another place, as follows:

These measures should be introduced again this year. This included stand-by cabs being brought in to increase—

Mr Koutsantonis interjecting:

The SPEAKER: Order! I warn the member for Peake for interjecting after he has been called to order.

The Hon. DEAN BROWN: I am quoting from a press release of the Hon. Carolyn Pickles, the shadow Minister for Transport.

Mr Koutsantonis interjecting:

The SPEAKER: Order! I warn the member for Peake for a second time.

The Hon. DEAN BROWN: The press release continues:

This included stand-by cabs being brought in to increase the regular taxi fleet, and allowing hire car drivers to seek fares in the way as taxis.

I applaud the shadow Minister for coming out and supporting the Minister and the Passenger Transport Board on this important move. However, I noted from comments made on the radio this morning that the member for Peake does not seem to talk to the shadow Minister for Transport. There is the member for Peake as a former taxi driver coming out and blasting the Government for putting on these extra taxis and hire cars on these two nights of the year when we all know that demand is unprecedented. I would ask—

Mr Koutsantonis: Rubbish!

The Hon. DEAN BROWN: I see that we have a new Labor Independent in the House. We have the Labor Party, which includes the shadow Minister for Transport, and we now have the honourable member for Peake who—

Members interjecting:

The Hon. DEAN BROWN: I was willing to give him the title of 'honourable'.

The Hon. M.D. Rann interjecting:

The SPEAKER: Order! The Leader will come to order.

The Hon. DEAN BROWN: I bring this to the attention of the House, and I would ask members to give as wide publicity as possible to these extensive moves to increase the number of taxis. There is a clear message there, and I would back up the Transport Minister by saying, 'For goodness sake, if you are out celebrating and drinking on these two nights, then do not drive: take a taxi.'

WIRRINA

The Hon. M.D. RANN (Leader of the Opposition): I direct my question again to the Minister for Tourism, following her answer to the previous question. Given the Government's announcement in 1994 of a \$13 million investment in the \$200 million international Wirrina complex, including funding to help promote and market the resort, will the Minister explain why the Wirrina Cove resort is not included in the Government's latest glossy tourist publication published in September 1998 and personally promoted by the Minister called the *Book of Best Kept Secrets*, which seems strange, given the number of jumbo jets it is supposed to encourage?

The SPEAKER: Order! The honourable Leader is commenting.

Members interjecting:

The SPEAKER: Order! The House will come to order,

The Hon. M.D. Rann interjecting:

The SPEAKER: Order! I warn the Leader of the Opposition. The Minister for Tourism.

The Hon. J. HALL: Following the question that the Leader asked previously, it seems to me that he has a problem with South Australia's being recognised as a quality tourist destination. We are very proud—

Members interjecting:

The SPEAKER: Order! I warn the honourable member for the second time.

The Hon. J. HALL: We are very proud of what this State has achieved in its tourism development. The Leader makes specific reference to Wirrina's not being in the *Book of Secrets*. One of the reasons for that is that it is not a secret: it is very well known.

Members interjecting:

The SPEAKER: Order! The Minister has the call.

The Hon. J. HALL: Another aspect of the 'Secrets' campaign that may have escaped the Leader's attention is that it was never meant to be a touring guide of everything within the borders of South Australia. Many of the achievements of the Tourism Commission in this State over the past few years are very impressive. It is something all members of this House ought to be proud of. I would have thought that the tourism infrastructure programs occurring cross this State would be supported by this House.

Mr Clarke interjecting:

The SPEAKER: Order! These scatter-gun interjections, however effective they may be to boost one's own side, are not appreciated by the Chair. The Chair attempts to get balance, and I do not need people on my left or right giving me coaching on who is interjecting on the other side. The fact is that interjections are out of order and—

Mr Foley: Bring them into line.

The SPEAKER: I warn the member for Hart for interjecting while the Chair is making a statement. Members must realise that we need balance in the Chamber, and if we do not

have balance it will become an unmanageable House, and nobody wants that.

FERAL CATS

Mr MEIER (Goyder): Will the Minister for Environment and Heritage report to this House on the latest situation on Wardang Island as it relates to feral cats? Members would be aware that Wardang Island over the past 30 years has had a somewhat chequered history. There was a situation a few years ago where donkeys were to be killed to make way for experiments conducted on the calicivirus. Members would also be aware that at the same stage Wardang Island was well known for its multiplicity of very fat rabbits. The calicivirus that sought to eradicate rabbits then escaped from the island. The after effects of the calicivirus—

An honourable member: Question!

The SPEAKER: Order! Question has been called. I call the Minister for Environment and Heritage.

The Hon. G.M. Gunn interjecting:

The SPEAKER: Order! The member for Stuart will come to order.

Mr Foley: Don't get on your high horse.

The SPEAKER: Order! The member for Hart.

The Hon. D.C. KOTZ: Will you children—

The SPEAKER: Order! The Minister will answer the question or she will sit down.

The Hon. D.C. KOTZ: Your protection is welcome, Sir.

Mr Foley: Watch your language.

The SPEAKER: Order! I warn the member for Hart. The Chair is getting very short with these constant scatter-gun interjections.

The Hon. D.C. KOTZ: I am trying to thank the member for his very interesting question which ranges across several areas of interest to all of us. Members of this place may well be aware from recent media coverage that there is a feral cat problem on Wardang Island. First, I make clear that feral cats are a problem not just on Wardang Island but also in agricultural areas, industrial areas and residential suburbs. This is why it is critical for pet cat owners to be responsible by desexing their cat and ensuring that it does not roam freely.

The simple fact is that feral and uncontrolled pet cats are responsible for killing some 100 native species of birds, 50 species of mammals, frogs and numerous invertebrates. Single cats can kill up to some 40 native animals during a feeding episode. Aside from their predatory prowess, cats are also carriers of disease, such as toxoplasmosis, which marsupial species are particularly sensitive to. On Wardang Island, land managers recently embarked on a pest control management program. Like many such control programs, collateral damage is not unusual but it is certainly regrettable.

The first stage of the program involved, as the honourable member who asked the question rightly points out, the outbreak of rabbit calicivirus in spring. This appreciably increased the mortality rate amongst rabbits and, in combination with the fumigation and ripping of rabbits warrens, certainly resulted in a large decrease in the island's rabbit population, and consequently the feral cats on the island were denied their stable food source.

While it is likely that penguins were always on the feral cat diet, they were being increasingly targeted as the cats became more desperate for food. Incidents of decapitation of penguins by feral cats have been extremely distressing to the local community, and importantly the desperation the cats were facing made it possible to trap them. Cats are very

intelligent creatures, and when there was an abundance of rabbits they were not likely to enter the traps. However, trapped cats are destroyed and about 60 cats have been put down in the past six months with the assistance of traps, spotlights and baits. This is part of what we call integrated pest management. It is not new, but it has been used extensively by the South Australian National Parks and Wildlife Service with excellent results within the Operation Bounceback Program, of which I have previously informed the House.

The Aboriginal Lands Trust, responsible for land management on Wardang Island, is simply utilising best practice natural resource management principles, including the burn off of vegetation on the island as part of a revegetation program. This is not related to the feral cat program, as I believe the report in the media stated. The central message is quite simple: whilst land managers can certainly do much to reduce the impact of feral animals, the easier solution is to ensure that domestic pet cats do not become feral in the first instance. It is therefore important that all pet owners act responsibly and realise that what they see as something that is cute and cuddly may be a deadly predator in our natural environment.

KANGAROO ISLAND FERRY

Mr WRIGHT (Lee): Will the Minister for Tourism accept that ferry services to Kangaroo Island are in doubt because the Government has reneged on a commitment to keep the Glenelg mooring open, and will the Minister guarantee tourist operators on Kangaroo Island that this service will continue and operate on a regular basis? The Managing Director of Australian Ferries, Mr Eddy Sain, is reported as saying that the Government reneged on a promise to ensure that the Glenelg mooring would be open at all times for his ferry and that as a result services to Kangaroo Island have been cut and the ferry, the *Enigma III*, has been placed on the market.

The Hon. J. HALL: I thank the honourable member for his question and his interest in the general question of tourism in this State and the importance of Kangaroo Island as a destination. I have met with Mr Sain on one occasion with the member for Morphett, who was supportive of the case he had to put. The House might be interested to know that Mr Sain was very satisfied with the support he has been getting from the Tourism Commission, and a number of issues that had been of concern to him have now been resolved. There were other aspects of some of the difficulties and issues that particularly relate to Mr Sain, and my understanding is that he is working them through with the Minister for Transport, my colleague in another place. I will endeavour to bring back details to the House.

SA WATER

The Hon. D.C. WOTTON (Heysen): Will the Minister for Government Enterprises advise the House of the extent to which information technology is being utilised by SA Water in the provision and development of SA Water services and the benefits that can accrue to the people of South Australia?

The Hon. M.H. ARMITAGE: I thank the member for Heysen for his question, which goes to the heart of the provision of services to people in South Australia. I can recall the excitement that people in the House felt when we

identified that we were going to provide a number of internet services to the customers of SA Water. There are two other IT initiatives which demonstrate that SA Water is taking a leadership position in improving services and, importantly, creating business opportunities through the creative use of IT.

The first of those is the digitised facilities information system (DFIS) which geographically maps all SA Water's assets across the State and which enables those assets to be displayed visually in a huge infrastructure map of the State. In fact, the sheer scope of the information provided is really quite daunting, with some 24 000 kilometres of water mains mapped within a million square kilometres to the extent that there are a number of particularly important things enabled by that. Clearly, there is a better understanding of the physical location and the state of the assets; there is an opportunity to improve productivity; there is certainly improved customer service; and, importantly, planning is improved as well.

This technology improves the planning and management of the assets of SA Water. Very importantly, it is seen as a model for managing infrastructure around the world. SA Water is currently working in West Java on a master plan for water resources, and the experience gained in South Australia is a key factor in that endeavour. Another success story is the development of SA Water's customer information system which replaced 20 year old technology and which delivers a distributed client server application that allows customer and billing information to be provided very readily to assist SA Water's 650 000 customers.

The system is known as GRANGE, and the potential for on selling it is enormous. Already, the Water Corporation of Western Australia has identified it and signed a contract as the preferred solution for a customer information system, and very recently GRANGE was sold to the Gold Coast City Council to meet its customer information system needs. Sydney Water has sought expressions of interest for the replacement of its current customer information system, and SA Water has submitted a proposal to that tender. It is an excellent facility which enables customers to be better served.

The important change is that not long ago Governments were seen as the last bastion of conservatism when it came to information technology. This is demonstrably no longer the case in South Australia where the water utility uses technology at the cutting edge to provide enormous advantages to South Australians.

WATER SUPPLY

Mrs GERAGHTY (Torrens): Will the Minister for Government Enterprises explain to the House why neither SA Water nor United Water have fixed leaking pipes from a vacant site despite requests for action from residents, and is this the result of staff reductions or outsourcing? Residents of Nizam Street, Hillcrest have complained to SA Water about water leaking from 5 Nizam Street. The house was owned by the South Australian Housing Trust which sold the property and the new owner then demolished the house. Since SA Water removed the property's water metre in February, fresh water has been leaking from the pipes into the ground. Residents first telephoned SA Water about this problem in February and have made numerous follow up telephone calls. However, no-one from SA Water or United Water has attended the site to fix the problem, and residents have advised me that SA Water on one occasion told them that the problem was 'too bad'.

The Hon. M.H. ARMITAGE: I am unaware of the detail of 5 Nizam Street, and I shall bring back a report into that incident. However, I am able to inform the House—as I have done routinely, but members opposite choose not to accept it—that every time I have asked I am told that all the required standards in relation to this sort of area have been met. I will certainly bring back a report in relation to the incident. Often when these sorts of incidents are raised with a spirit of emotion and tension in the House, I find that the circumstances frequently are completely different. But, nevertheless, I look forward to bringing back an answer.

ADELAIDE CONVENTION CENTRE

Mr CONDOUS (Colton): Will the Minister for Tourism inform the House of the latest results being achieved by the Adelaide Convention Centre? I understand that the Government is investing in the expansion of the Convention Centre's facilities and that this is a result of Adelaide's strong position in the convention market. I would appreciate the Minister's informing the House of any recent changes to that position.

The Hon. J. HALL: I thank the member for Colton for his question, and I also thank him for all he has done for the City of Adelaide over many years of community service. I am delighted to inform the House that the position of the Adelaide Convention Centre continues to go from strength to strength. While that might irritate some members opposite, it happens to be fact and it happens to be something of which all members of this Government are very proud. It is hardly surprising because the centre has just recorded its eleventh successive profit. The centre enjoys repeat business in excess of 60 per cent. During the past financial year the number of people attending the centre rose by 12 000 to an amazing 269 000, and the number of hotel nights booked through the centre rose from 41 740 to an astonishing 65 270—quite amazing figures.

The centre is estimated to have generated more than \$55 million in business in South Australia during the past financial year, and the most pleasing recent result, which I am sure the House will be pleased to know, is that the month of October 1998 has recorded the best ever income since the opening of the Convention Centre in July 1987.

Members interjecting:

The Hon. J. HALL: Just in case, for members who did not hear that: October 1998 has recorded the best ever monthly return since the centre opened in July 1987. I am sure it will be of interest for the House to know that that record figure was \$1.694 million from 48 separate events during that month. I am sure that all members will be interested to know that among those events were the twenty-third Annual Meeting on Intensive Care, which 1 070 delegates attended; the Library and Information Association National Conference, which 940 delegates attended; and the Australian Foundry Institute Conference, which 640 delegates attended. These delegate figures exclude the many partners and spouses who accompany the delegates and who regularly spend a lot of money in our State; we are very pleased that they shop at our brilliant shops and visit a number of our quality tourist destinations.

The centre has bookings for conventions and exhibitions extending through to July 2010, which clearly demonstrates the value of the Adelaide Convention Centre and the very special position it has in our market. But, the achievements have not stopped there. Recently, the Adelaide Convention Centre was named as one of the world's top 10 convention

centres in a survey of American meeting organisers. That is quite an amazing achievement. It is the only Australian convention centre named in the top 10, which means that the Adelaide Convention Centre is ranked alongside the cities of Paris, Geneva and Hong Kong.

I am sure that all members are very proud of Peter van der Hoven and his staff and the excellent work they do, and I am sure that they are deserving of special praise as a result of the amazing achievements they have put on the record. They have a dynamic and innovative approach, and I suspect that most members of this House would join me in congratulating them on their achievements. I think the expansion of the centre in the future will be a truly outstanding success, and I know all members of this House will look forward with some interest to continuing great results from the Adelaide Convention Centre.

WOODLEIGH HOUSE

Ms BEDFORD (Florey): Will the Minister for Human Services guarantee that Healthscope will maintain the availability of mental health beds in Woodleigh House at Modbury Hospital and that patients will not be turned away as beds are closed down over Christmas? The Opposition has been informed that the 20 bed capacity at Woodleigh House will be reduced to 18 beds between 14 and 22 December and that it will be further reduced to 12 beds from 22 December until January 1999.

The Hon. DEAN BROWN: I do not have those details with me, but I will obtain that information for the honourable member and come back with a reply.

TOURISM, MEDIA COVERAGE

The Hon. R.B. SUCH (Fisher): Will the Minister for Tourism provide details of positive media coverage—

Mr Clarke: You ought to be answering the question.

The SPEAKER: Order! The member for Ross Smith!

The Hon. R.B. SUCH: —both interstate and overseas, relating to her portfolio?

The Hon. J. HALL: I thank the member for Fisher for his question. I know that he will listen intently to the amazing results that I have to report to the House. Thanks to the extraordinary publicity surrounding the launch of the 'Secrets' domestic marketing campaign and the continuing work of a particular unit called the Media and Trade Familiarisation Unit within the commission, a remarkable number of stories have appeared in the Australian and international media up to the third week in October. This unit (Famils as it is called) is responsible for helping visiting journalists to see the best sights in South Australia and to enjoy the quality destinations that we have to offer.

The Hon. M.K. Brindal interjecting:

The Hon. J. HALL: Yes. I might mention some of the quality destinations in a moment, but I think that some of the results of the Famils activity are particularly important. Over this period to which I refer, 20 significant stories relating to South Australia have been published in newspapers such as the *Sydney Morning Herald*; the *New Straits Times* from Singapore; the *Australian Way* (the Qantas in-flight magazine); the *Yummy* magazine from Taiwan, with which I am sure members are familiar; the *Kekkon Pia* and the *Maple* magazine from Japan; and the *Business Traveller* magazine, which is widely read throughout the Asia Pacific region. These stories have featured many major tourist destinations

with particular focus on Kangaroo Island and the Barossa Valley (in which the member for Schubert would be particularly interested) and have concentrated on our internationally acclaimed food and wine.

One of the stories that has been featured looks at the number of honeymoon destinations that are available in South Australia. I am not sure whether any members are particularly interested in that story, but I can pass it on to those who are. These stories have enormous value for our State: they increase tourism potential as they are seen to have more credibility than paid advertising—and I am sure that we can understand why.

I am told that, if this space were purchased for the purpose of advertising, the estimated cost would be more than \$9 million. That is quite extraordinary. The estimate on which this is based takes that up to \$27 million worth of coverage of South Australia as a tourist destination. I think it is worth repeating that the tourism and hospitality industry is worth more than \$2 billion a year to this State and currently employs more than 40 000 people. There are a number of brochures available, which I am sure would be of interest to many members, regarding the enormous career opportunities that are available to young people who want to enter the tourism and hospitality industry. I am happy to provide brochures to any member who is interested, because they list more than 50 occupations in this dynamic industry.

The Hon. R.B. Such interjecting:

The Hon. J. HALL: I am sure that the member for Fisher is very interested, because he has a large percentage of young people—

Mr ATKINSON: I rise on a point of order, Mr Speaker. The Minister is no longer answering the substance of the question on any definition.

The SPEAKER: I would have thought the substance of the question was a little vague in the first place and not specific. I ask the Minister to draw her remarks to a close.

The Hon. J. HALL: I did not hear your comment, Mr Speaker.

The SPEAKER: The actual wording of the question was such that the Chair was having some difficulty with its specificity.

The Hon. J. HALL: I am happy to bring my remarks to a close.

The SPEAKER: I point out that, in asking questions, it is important that members make sure that the questions are specific. I think that particular question lacked specificity.

CHILD ABUSE

The Hon. DEAN BROWN (Minister for Human Services): I seek leave to make a ministerial statement.

Leave granted.

The Hon. DEAN BROWN: Today I bring to the attention of the House a report on 'The Economic Cost of Child Abuse and Neglect in South Australia', the first research attempted in Australia to estimate the total cost to the community of child abuse and neglect. The research was conducted here in South Australia by Vivien Hazel, then Senior Research Officer with the Office for Families and Children, and the late Dr Harry McGurk of the Australian Institute for Family Studies. There is no measure precious enough to value the

worth of a child and it is difficult to speak of monetary value in relation to child abuse and neglect. However, it is necessary to place child abuse in this context in order to see the true economic and financial cost to the community and so the full extent of the problem.

In this most comprehensive and thorough analysis, it is revealed that, in responding to known instances of child abuse and neglect in 1995-96, the South Australian Government spent \$41.4 million; on top of that, responding to abuse and neglect not reported as such was calculated to cost \$10.18 million, a total the authors conservatively estimate at \$52 million. However, that is just the start. The report also calculates the economic value of State provided services related to child death, disability, injury and later life problems, including difficulty in parenting. This may bring the total cost closer to \$345 million a year in South Australia. Whether that reflects the full monetary cost is not the issue. Whilst the monetary cost is very high, the real cost is in human terms, in the loss of feelings of love and security, self worth, faith and, sometimes, significant potential.

Although based on South Australian data, the situation is not likely to be different in any other Australian State or Territory. Therefore, the report provides a sound case for all Australian Governments and the community to do more to support and nurture family life. This is one of those reports which hold aspects of our community up to a mirror and, whilst some may want to turn away from what they see, the true shame lies in not responding. The umbrella structure of the newly-formed Department of Human Services offers opportunities to do more for groups and people in need by combining the resources and knowledge of all areas of the department. Very briefly, I would like to inform the House that Parenting SA, an excellent example of primary prevention, continues to be funded at \$500 000 a year and we have allocated an additional \$1 million to the Child Protection Services at the Women's and Children's Hospital, the Flinders Medical Centre and the Northern and Southern CAMHS.

Continued funding of the Commonwealth funded Parenting Network Program and the Southern Home Visiting Program is maintaining the home visiting services, which have a well documented positive impact on the wellbeing of families with young children. Officers of the Department of Human Services are continually evaluating priorities in relation to prevention of child abuse. I intend to seek Federal funding for a major child abuse prevention trial in this State. Members who read the report will hear, and want to heed, the hidden voices of children throughout. I commend the report to the House for thoughtful consideration by Government, the Opposition and the broader community.

GRIEVANCE DEBATE

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

Ms KEY (Hanson): I refer to a company in the electorate of Hanson, Castalloy Manufacturing Pty Ltd. On 28 August this year, I wrote to the Environment Protection Authority with Mr Steve Georganas, who was the Labor candidate for Hindmarsh, requesting information with regard to Castalloy Manufacturing's renewal of an environment authorisation. The letter states:

You would no doubt be aware that residents in the Camden Park, Plympton and North Plympton areas have longstanding concerns regarding pollutants arising from the operation of industry located along Mooringe Avenue, North Plympton. These concerns include possible adverse health effects associated with exposure to atmospheric contaminants, noise levels and noxious odours. Many of these concerns relate specifically to Castalloy's operations. With the environmental authorisation granted to the company under the Environmental Protection Act 1993 currently under review we believe there is an important opportunity for the authority to ensure that the concerns of residents are addressed. As we understand it, the company has in place a voluntary environment improvement program which was developed in conjunction with the authority. However, because this environment improvement program was not a condition of the initial authorisation, and is in effect the private property of the company, details of the program are not available to the community.

We believe this lack of transparency is totally inappropriate and is in fundamental conflict with the community's right to know. While legislative reform in this area is clearly warranted, it seems to us that in the short term the authority can facilitate the community's right to know in respect of environmental pollutants generated by Castalloy by requiring the company to have an environmental improvement program as a specific condition of its ongoing environmental authorisation. Our reading of the legislation is that the authority has the power to do this under section 45(3) of the Act. We also understand that copies of the environmental improvement program would then be available to the community either directly from the authority or through freedom of information legislation.

In addition to the community's right to know we believe it is essential that the authority impose, as a condition of the environmental authorisation, a requirement that Castalloy identify the atmospheric pollutants produced as a result of its industrial processes. This should constitute an integral component of the company's environment improvement program. Unless the specific atmospheric pollutants associated with the company's operations are identified it seems to us that its ability to effectively manage its environmental responsibilities in this area would be seriously compromised.

We then asked to speak to appropriate persons from the Environment Protection Authority to progress this matter further. As I said, I sent this letter on 28 August 1998. I have rung the Environment Protection Authority a number of times. I have left messages for both the CEO and the Environment Protection Officer, Ms Maryann Woods, and at this stage I have had no formal answer. The Western Suburbs Residents Environment Association has also tried to obtain a response on this matter to no avail.

As a result of lack of action on the part of the EPA, at the Ninety-third Annual Convention of the ALP the following motion was moved by me and passed unanimously—and I should say that the member for Peake very strenuously seconded it:

Convention declares its support for an amendment to the Environment Protection Act that would require any environment improvement program developed by a company with (or seeking) an Environment Protection Agency licence, or imposed by the agency as a licensing condition, to be lodged with the agency and to be made available to members of the public on request.

In the short time available, I should also refer to information that has been made available to me recently from 11 September 1996.

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

The Hon. D.C. WOTTON (Heysen): In the short time that I have available to me this afternoon I bring to the notice of the House quite a feat that I hope will be achieved over the next couple of months. I wish well the crew of *Sunboat 2*, which is the Prince Alfred College solar powered boat and which will be leaving from Murray Bridge on Saturday, I understand, in an attempt to regain a world record. The previous record was broken in Sydney and, quite rightly, the

crew, who are very well recognised and well supported, are keen to regain it. *Sunboat 2*, which was designed and constructed by students and staff at Prince Alfred College in Adelaide, utilises our most natural energy resource, the sun.

The background to *Sunboat 2* started on 1 January 1993, when PAC's *Sunboat 1* completed the 2 000 kilometre journey at the Murray mouth, having battled shocking weather conditions for many weeks. The designers had achieved the goal of setting a new world record, and checks with the *Shell Book of Firsts*, the *Guinness Book of Records* and other sources at the time indicated that *Sunboat 1* and its crew achieved the goal with three records: the first, the longest trip on an inland waterway by a solar powered boat; the second, the largest solar powered boat in the world; and the third, the first solar powered catamaran to be designed and constructed in Australia. In March 1993, Prince Alfred College was presented with an Advance Australia award at Government House for its work in the development of solar power.

Mr Atkinson: Is that your old school?

The Hon. D.C. WOTTON: Yes, and I am very proud of it. I am very proud that I am an old scholar of Prince Alfred College but I am even more proud of the fact that these blokes from Prince Alfred College, with members of the staff, have been able to achieve a significant goal, and I wish them all the very best in regaining the world record.

The success and interest in *Sunboat 1* encouraged Prince Alfred College staff and students to design and construct *Sunboat 2*. The project is the largest of its kind to be undertaken by an educational institution in South Australia, Australia and possibly the world. Since *Sunboat 2* was first launched, they have been able to carry out significant work which has now made the craft much more efficient power wise and has increased by some 40 per cent its total power capacity. The boat that will be competing from next Saturday is now ranked as one of the most effective and efficient solar powered boats in the world, and I believe it is great that these scholars from Prince Alfred College will be out promoting their school and promoting, I would suggest, South Australia as a high-tech State. In a published book of electric crafts, which was released recently in Belgium, the solar *Sunboat 2* comes out very well indeed. I know that the Swiss are very close, but, of course, at this time PAC and South Australia are out in front. I understand that Malaysia and Singapore are showing considerable interest as well.

I would hope that all members of this House would wish the crew and the staff who will accompany these young men every success as they aim to regain the world record. It is a great effort on their part. What they have already achieved in the construction of the boat itself is significant, and I hope that all members of the House and all South Australians will join me in giving them the support they deserve as they leave at the weekend to regain the world record.

Mr KOUTSANTONIS (Peake): Hire cars should provide a specialised service for weddings, funerals, birthdays, special events or even a special night out, but not as public transport. However, if the Government wants them to act as taxis, let it say so. Let the taxi industry know where it stands. Do not say one thing and do another. Do not say that you will police hire cars and then do nothing. Do not turn a blind eye to the erosion of a family's income. A well known and popular taxi company has asked its drivers to display stickers on their cabs that state:

Blue Plate = Scab Cabs
 Blue Plates = Cheap entry
 Blue Plates = Erosion in income
 Blue Plates = Enough is enough
 Say 'No' to blue plates.

So, rather than listen to the cabbies' last-ditch plea to the Government, what did the Minister do? How did she respond? She used Chubb security guards to intimidate and stand over cabbies in an attempt to remove these protests. When police officers used their successful sticker 'Pay justice for our police', the Government could not use standover tactics; it had to wear them. However, the Government sent security officers to intimidate the poor old cabbies. My office has been inundated with contacts from distressed cabbies who fear what will happen to them if they exercise their democratic right—freedom of speech. I ask all taxi drivers to exercise their right proudly, to speak up and not to fear Ms Laidlaw's attempts to stifle free speech. This Government has failed, and where it has failed Mike Rann, Carolyn Pickles and the Labor Party will succeed.

Earlier in debate some untruths were stated about a press release issued by the Hon. Carolyn Pickles. The Labor Opposition does not support an extension of hire car trading. I support hire car trading on New Year's Eve, as I did last year. The new move by Minister Laidlaw to allow hire cars to operate on 18 December between 4 p.m. and 8 a.m. is a Liberal Government agenda. It has nothing to do with the Labor Opposition; we do not support it, and we will never support it. Hire cars should provide a specialised service—not do taxi work.

The two industries are not competing on a level playing field. If anything, the Liberal Government has tied the cabby's hands behind his back, removed his wallet and passed it on to the hire car operators. To be fair, a large proportion of hire car operators do the right thing. They, too, are sick and tired of seeing rogue hire car operators who scab work away from taxis. In all this the scab hire car operators have a willing ally: the Minister for Transport, the Hon. Ms Diana Vivienne Laidlaw. All that taxi drivers ask for is a fair go—no special treatment, just fairness. If hire car operators want to perform as taxi drivers, make them pay the same amount for a taxi plate and make them incur the same expenses as taxi operators incur.

The Liberal Party has always prided itself on being the Party of small business, but over 1 000 small business owners feel betrayed and let down by this Olsen Liberal Government—and rightly so. The burden has been left to the Rann Labor Party to lead in the area of public transport—and we will. Our shadow Minister, Ms Carolyn Pickles, does not walk away from responsibility but welcomes it. We have a Leader who is in regular contact with taxi drivers, who listens to their concerns and who takes their ideas seriously. Labor listens: the Liberals are deaf.

We hear about people queuing to wait for taxis. On the morning of the Christmas Pageant over 500 000 South Australians witnessed a great event, and there was not one complaint about the waiting time for taxis. Not everyone could have driven their car into the city; not everyone was dropped off by a relative; not everyone caught the bus or train; not everyone caught a hire car into the city; and not everyone caught a taxi. There was not even one complaint; taxis coped very well.

The day the Crows won their second premiership was the busiest day in taxi history—busier than any New Year's Eve, busier than the Grand Prix and even busier than the Christmas

Pageant—but there was not one complaint; waiting times were down and hire car operators were not asked to act as taxi drivers. I urge the Government to reconsider its decision to take money out of the pockets of taxi drivers who have gone to a great deal of expense to establish their business. This Government is inconsiderate and has no idea of what is happening to small business. As well as slugging cabbies with an extra \$1 000 tax on their motor registration, it is now taking away their livelihood. What is next? Will the Government allow hire cars to be operated as taxis during the special V8 touring car event, over the Easter break, over the holiday weekends or one Sunday every month? Next, the taxi industry will be slowly deregulated, and people who have paid over \$150 000 for a taxi plate will lose that money.

The Hon. R.B. SUCH (Fisher): I shall briefly respond to the member for Peake. I trust that when he was driving his taxi the ride was a little smoother than his performance just then. I have great sympathy for taxi drivers, who I believe work long hours for very little pay; it is a borderline payment in terms of what they get as income. I think that our taxi drivers are excellent. They are front line ambassadors for South Australia. I sympathise with them in terms of the hours they put in and the rude, ignorant passengers (albeit a small minority) with whom they have to deal.

On Saturday, I was privileged to attend the tenth anniversary of the Aberfoyle Hub Child Care Centre as it celebrated not only its birthday but its expansion. I was pleased to be there with the Executive Director of the Children's Services Office, Dawn Davis, the Director of the kindergarten, Petah, Chairperson Doris, and the parents and children. It is pleasing to see that we have high quality child care in that facility, and within my area we also receive quality child care from both private and public providers. So, it was a good occasion and one in which I was pleased to be involved.

I again make a plea to the Minister for Transport in relation to the bus service from the Hub shopping centre to Marion shopping centre. The bus service has been very well received and, as the Minister knows, it is very popular. I ask that, given its popularity, the Minister look kindly at extending its hours of operation, especially on a Thursday night, so that young people can access the extended shopping hours and so that at other evening times people can access the picture theatres at Marion. I do commend the Minister on responding to my request in relation to that service; it has been a great success.

I refer now to the banks and to their greedy approach to customers. The banks should be on notice, because I believe that they will receive a mighty backlash in the future, when we will see a move back to cooperatives and other forms of financial services because the banks have just become rapacious and greedy. The banks are on notice that if they do not mend their ways the Australian people will express their frustration and hostility by choosing alternatives. Members may not be aware, but the Bendigo Bank is offering a service to local communities whereby the community owns the bank. The Bendigo Bank provides all the franchise information and technical detail to operate a bank. That process, which I believe is being considered in the Virginia area right now, has proved to be very successful in Victoria. The big operators had better watch out, because small communities are fighting back, and people power will find its expression in the establishment of locally franchised banks such as that being established through the mechanism of the Bendigo Bank.

I am often frustrated to hear of the ongoing Americanisation of our culture. Whilst some members might not think it important that we retain our language, I believe it is. Recently, I wrote to the Minister for Emergency Services, who, while I know that he is a good Minister, is perpetuating this term 'wildfire' instead of what we in Australia have always known as 'bushfire'. We in Australia have bush, we have bushfires, and I believe that we should resist this Americanisation and the turning of our language into an offshoot of New York or Los Angeles.

I am told by teachers that we are now talking about 'clients' in our schools and what they mean is pupils and students. People are talking about leading teachers, rather than about people holding positions of seniority. The time is ripe to avoid that sort of Americanisation. The same applies to terms such as 'home invasion'. The term 'break and enter' was quite appropriate; 'theft' and 'assault' convey what happened, and we do not need to use terms like 'home invasion'. We should leave that in Hollywood and leave our culture alone so that we can at least preserve something that has developed over many hundreds of years. I make that plea that the media, other commentators and people in positions of influence avoid going down the path of turning us into a *de facto* American satellite.

Ms RANKINE (Wright): Today I want to share with members a visit I made to the Golden Grove Lutheran Primary School recently. It is one of the many Christian private schools in my electorate that are collocated with public schools and working very well in sharing facilities there. My visit was hosted by the local pastor, Pastor Alex Stevenson. Whilst at the school I had the privilege to meet and talk to Mrs Gill Stevenson's year 6 class. These students wanted to talk to me about a range of environmental issues, and I have to say that I was extremely impressed by their level of research, their knowledge in the area and their passion about our environment. We often refer to our children as the future generation. What these children made very clear to me is that they are actually part of this generation. They are particularly aware, they are involved and they realise that it will be them and their children who have to deal with the mess we are currently allowing to be made of our most precious resources.

Whilst I was at the school the children presented me with a number of letters detailing their concerns about these environmental issues. In particular, they addressed the issues of the Bolivar and Glenelg sewage treatment works, BHP in Whyalla and the Pasmenco smelter at Port Pirie. I was able to share with them some of my experiences, as I had lived in Port Pirie for 8½ years, and I was there when the issue of the lead decontamination program was at its height. I talked to them about the effects on the health of locals as well as the pollution that occurred up there and how there was a real conflict, where the town was reliant, on the one hand, on jobs from the smelter but, on the other hand, there was the concern about the health of the workers and young children.

I have to say that during my time up there John Cornwall, then Labor Minister for Health, persisted with this excellent program against some strong local opposition which was whipped up by people from many areas, particularly those with vested interests. The lead decontamination program is now the envy of many areas and is a real tribute to John Cornwall. However, the program has shown that environmental issues can be dealt with without decimating a community and without massive job loss. It has also shown

that, if enough pressure is brought to bear, industry can clean up its act.

Sally Kraft, Carla Rinaldi, Neil Sinkinson, Nathan Urch, Odette Greening, Christian Neeson, Adam Elliott, Luke De Boer, Griffin Burnes, Sean Walker, Daniel Gold, Daniel Siedel, Brendan Hughes, Chris McHugh, Adrian Lindner, Josh Booth, Kate, Bethany and Laura, A. Stubing, Josh Anthony and Paul Johnson (I think, because I could not quite read his signature) all gave me letters to bring into this place directed, as I said, in the main at the Bolivar sewage treatment works. I will share with the House some of their comments, which I think are very important. Kate, Bethany and Laura said:

We saw about the water pollution in the newspaper and we are disgusted. We have been working our butts off all year to make our school environment user friendly and attractive, and then we hear about you and wonder why we bothered. No wonder the animals are dying and the sea is dirty because of pollution. People like you should be paying \$1 per litre of sewage, which is poured into St Vincent Gulf each year! So that means you would be paying \$47 000 000 000, so how do you feel about that? From very angry school girls. . .

Joshua Booth wrote:

I am deeply concerned about the amount of sewage your company is dumping into the once beautiful and clean oceans.

Sally Kraft and Carla Rinaldi said:

If the problem is not fixed in the future not many people will want to go to the beach on holidays.

Luke De Boer wrote:

I'm writing because I don't want to grow up with a yucky water environment.

And Daniel Adams summed up very well by saying:

Please do something for us!

The Government embraces policies of user pays in many areas and yet shies away from polluter pays. What we have to do is accept that there must be a balance but we must also start putting a realistic value on clean air and clean waterways. We have a responsibility to our children, children such as the Golden Grove Lutheran Primary School year 6 class, and I want to congratulate them on their efforts. I have been more than happy to convey their views to this House today.

Mr MEIER (Goyder): Today I ask the question of the House: are Governments elected to govern? I had been under the impression that elections were held to elect Governments and that if the Party in question got a majority of members in the Lower House it had every right to expect to govern and to implement the policies it had put forward at the election. However, it seems in light of the past Federal election that the rules are changing, because we are finding at the Federal level that the Opposition Labor Party has decided that, just because the Howard Government got a majority of seats in the House of Representatives, that does not mean to say that it can govern or that it can put through what it had advocated during the election campaign. I believe that that is absolutely disgraceful, and it is a bad reflection on the type of government that we are heading towards here in Australia.

The Labor Party made a big issue of the fact that the Howard Government did not get 50 per cent of the vote. We well know with our two Party preferred vote that that can well be the case. In fact, it has happened time and again. The Hawke Government was one example where the Government did not get 50 per cent of the vote. If I remember correctly, two Bannon Governments did not get 50 per cent of the vote, but did that mean that we would say, 'You are not elected to

govern because you did not get 50 per cent of the vote'? Of course not. The Government was elected because it had a majority of seats in the House of Representatives or, in our case, the House of Assembly.

What is the situation in Canberra? Members will recall that the Coalition did not only go to the people with a variety of policies: it put its head on the chopping block over one key issue, that is, tax reform and the introduction of a goods and services tax, the GST. The Liberal Government did not hide it for one second. Whilst John Howard had said after the previous election that he would not introduce a goods and services tax in that period of office, come the last election he said, 'All right, we have reassessed the position and we are now going to put the GST forward as policy.' The Liberal Government took a huge risk and could well have been defeated, but it was prepared to take that risk simply to see that Australia benefited.

Now we have the Democrats, with a couple of Independents together with the Labor Party, deciding, 'No, we want the whole issue re-examined. We don't care what the people of Australia said. We don't care that they gave you a majority of seats in the House. That's totally irrelevant.' This is a tragedy of the first order.

The second matter on which the Coalition went to the people in no uncertain terms was the fact that it would give a 30 per cent rebate to people who took out private health insurance. Why? Simply because private health insurers had been decreasing progressively. The Labor Party, the Liberal Party and the National Party all said, 'We have to do something to try to help the health system.' We hear it in this House from the shadow Minister for Health often asking for more money. If the private sector is going to lose more and more people who have private health insurance, who picks up the bill? The Government does.

One way around it is to try to increase the number of people who will take out private health insurance. All incentives so far in the past, whether Labor or Liberal, have failed. So, here is a new system. It would have been easier to provide a tax deduction, but who would have benefited most from that? The wealthiest would have benefited most, without any question at all. People on \$20 000 would hardly have benefited at all, but people on \$50 000 or \$100 000 would have benefited enormously. So, this 30 per cent rebate on the total amount you pay is the method that the Coalition has put forward. Again we have the Labor Party and the Democrats saying, 'Oh, no; we want to rethink this. It is irrelevant what the people of Australia had to say; it is irrelevant that they elected you to govern for another three years because we think we know better. We will disregard the democratic system we have; we will not allow you to implement the policies that you so clearly outlined and put forward during the election campaign.' It is a tragedy of the first order, and it is time that changes were made to the system of government we have in Australia, at both the Federal and State levels.

ROAD TRAFFIC (ROAD EVENTS) AMENDMENT BILL

Second reading.

The Hon. DEAN BROWN (Minister for Human Services): 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 will enable authorised persons to exhibit a stop sign for the purpose of requiring motorists to stop when sporting events are in progress on public roads.

South Australia is endeavouring to host future major sporting events. Some will involve competitions such as car rallies, cycle races and marathons which will require the use of public streets and roads.

If events are of significant national or international profile, a considerable number of personnel will be necessary for traffic control duties, such as preventing vehicles on side roads from entering onto the road being used by the race participants and support vehicles. While police would normally perform these duties, the possible size of some of the events is likely to result in the number of personnel being well beyond reasonable police resource capabilities.

By way of an example, a road cycle race commencing in the city and extending into the country for 150 kilometres could involve at least 100 intersections and junctions. Police could control the major intersections for the 15 to 30 minutes that it may take the event to pass, but may not have the resources to stop the traffic from the many minor side roads. In order for these events to proceed safely, additional assistance will be essential.

The Bill will enable traffic marshals to be temporarily appointed to assist police to control traffic during such events. During the event, the marshals would be required to stop traffic approaching the main sporting route from side streets by displaying a hand held stop sign. Existing powers to control traffic under the *Road Traffic Act* were considered too broad for this duty, as were the powers of special constables under the *Police Act 1952*.

The powers conferred by the Bill are similar to those currently applicable at pedestrian crossings and road works, where manually operated stop signs are used by authorised persons.

The Bill provides for the Minister to authorise the traffic marshals and to impose conditions such as to wear personal identification and/or uniforms, thereby allowing clear identification of marshals. The Bill makes it an offence to disobey a stop signal given by an authorised traffic marshal. Depending on circumstances, traffic marshals may advise traffic to wait or to take an alternative route.

The Bill also rectifies an inconsistency in offences for which demerit points are incurred. Offences for a driver failing to comply with the directions of a member of the police force under the *Road Traffic Act* sections 41 (directions for regulation of traffic) and 79 (duty to obey police instructions notwithstanding the existence of traffic control device) incur 3 demerit points. The Bill amends schedule 3 of the *Motor Vehicles Act 1959* to include similar offences under sections 33 (road closing and exemptions for road events) and 34 (road closing for emergency use by aircraft) of the *Road Traffic Act*. This is consistent with the National Demerit Points Scheme.

Explanation of Clauses

Clause 1: Short title

Clause 2: Amendment of s. 23—Stop signs exhibited by authorised persons

The amendment enables persons authorised by the Minister to exhibit stop signs for the purpose of requiring drivers to stop before entering a part of a road closed to traffic under section 33 of the principal Act (which deals with road events). The amendment specifically contemplates conditions requiring authorised persons to wear identification or a uniform or both.

Clause 3: Amendment of s. 78—Duties at stop signs

The amendment creates the offence of failing to stop at a stop sign exhibited in the circumstances described above.

SCHEDULE Amendment of Motor Vehicles Act 1959

The Schedule amends the *Motor Vehicles Act* so as to impose demerit points in respect of the offences of failing to comply with directions of a police officer where a road is closed for a road event (s.33) or emergency use by aircraft (s.34). Demerit points will also be applicable for the offence of failing to stop at a stop sign under new section 78(2c) of the *Road Traffic Act*.

Ms STEVENS secured the adjournment of the debate.

**SHOP TRADING HOURS (MISCELLANEOUS)
AMENDMENT BILL**

Adjourned debate on second reading.
(Continued from 18 November. Page 286.)

The DEPUTY SPEAKER: I call the Deputy Leader, the member for Hanson.

Ms KEY (Hanson): I am the shadow Minister responsible for industrial affairs, Sir; I have not risen to the heights that you suggested.

The DEPUTY SPEAKER: The Chair was not suggesting that you had.

Ms KEY: In looking at the Bill today, I would first like to raise some cover-all points of the Opposition's understanding of the intention of this Bill. From the Bill before us, our understanding is that the Adelaide or central business district area will be open until 9 p.m. from Monday to Friday; that the metropolitan shopping areas will be open until 7 p.m. on Monday, Tuesday, Wednesday and Friday and that late night shopping on Thursday will continue; that metropolitan shops will now be able to open on the four Sundays before Christmas to alleviate some of the community's responsibilities in respect of Christmas shopping; that on Holy Saturday or Easter Saturday (depending on how you look at it) shops will be closed next year but will be open for trading until 5 p.m. in the year 2000; and that Boxing Day (26 December) will now become a shopping day.

There are also some anomalies in the Bill with regard to the changes that we have seen with local government amalgamations and also some clarification with regard to non-exempt employers, including those in the motor vehicle, boat trailers, caravan and trailer areas. Also, the Bill seeks to address local government areas and also the suburbs with metropolitan shopping provisions, to define the metropolitan shopping district.

It is interesting to note that in the Bill's second reading explanation the emphasis seems to be on delivery to customers. I hope that the customers or the people out in the community take this in line with what the Government is looking to do with public facilities, particularly ETSA, and wonder whether this emphasis on customers is really short lived and a bit of a hypocritical position on the part of the Government. Needless to say, Labor has always been opposed to Sunday trading, and it is heartening to see that this Bill will not introduce Sunday trading in the suburbs. We have believed for a long time that Sunday trading will put further pressure on shop assistants, small retailers and their families, and we do not believe that Sunday trading will bring any greater economic benefit to the State.

We were quite concerned when the Brown Liberal Government broke its election promise of 1993 on this issue and introduced Sunday trading in the city because, although it broke its promise, we were promised at the time that in conjunction with this the community would benefit from jobs and also a tourist bonanza. Although I was not in the House at that time I have gone through *Hansard* and looked at the rhetoric that was put forward by the Government, and it does not seem as if most of the predictions have come to fruition, which is unfortunate.

We can certainly look at the hundreds of jobs lost from the retail area, and John Martin's is an example; that hardly seems to be a result of good times in the city with Sunday trading. Needless to say, it exists, and people have not

lobbied me in my new capacity as the shadow industrial affairs spokesperson for our Party, suggesting that Sunday trading should not go ahead in the city.

I would like to put in context the response the Labor Party has had with regard to the shopping hours debate. As members would be aware, Minister Armitage announced in March 1998 that there would be a review into shopping hours. It was interesting that nothing really started to be firmed up until after the Federal election. There was a lot of discussion certainly amongst the different trading associations as well as retailers and the 'holy consumers' about why it was taking so long to do a review of shop trading hours and why we had to wait until after the Federal election to find out what the Government's position would be.

I will outline some of the responses that the Opposition has had on this issue. In a letter to me dated 23 September this year, a Ms McLean of Holden Hill Foodtown Pty Ltd writes:

I wrote to you early in this year adding my concerns to those of all the small retailers regarding extension of Sunday trading or deregulation of shopping hours. You have heard all the arguments against the Government's proposal and how it will affect the majority of small businesses and help the major chains to gain more control, meanwhile sending their profits out of our State. I heard you on radio speaking in opposition to deregulation and would like to send, for your information, information about the market share that major chains already enjoy and again point out deregulation will increase their share to the detriment of the independent and family businesses who are the largest employers of South Australians and whose profits stay in our State.

The fact that the Government wanted submissions by last Easter and promised a decision by June at the latest shows their complete disregard for the welfare and well-being of small businesses and the pressure and uncertainty the delay is placing on the whole industry. Please keep up the fight to make the Government see it would be a disastrous move to deregulate or extend Sunday trading as it has been in other States and in country areas. Yours sincerely, Helen McLean.

We sought information from the public on the shopping hours issue in a couple of ways. The first was to have a phone-in just after Minister Armitage announced that there would be a review into shopping hours, and I will report briefly on the response we received from the public on a Sunday afternoon in April, when 509 people rang in. Many of us from this House staffed the phones. Some 78 callers (15.3 per cent) rang in support of a further extension of trading hours; and some 431 (84.7 per cent) were opposed.

We put people into three major categories. Seven retailers out of 171 were in favour of weekend shopping hours. Of 242 consumers, only 70 people were in favour, and of workers in the industry only one out of 96 supported the proposed changes to weekend shopping hours. In addition to the phone in, at Easter this year I asked organisations to write to me, fax me or ring me with their views on shopping hours so that I would get feedback from people in South Australia about their views.

I received over 300 submissions from different associations or representative bodies (I like to think of them as employer unions) and small businesses. I received 20 submissions from employees (some from the same company admittedly, but I was quite impressed to see that these people had bothered to take the time to write to me about this issue). I received four submissions from landlords from metropolitan based shopping centres, members of the public (as they called themselves), eight submissions from retail chains and three submissions from owners of car yards, one being in a country region. Three jewellers also wrote to me to say that they had

concerns with the extension of trading hours, particularly on Sundays.

I received a number of fantastic submissions into which many people put a lot of time to express their views on the issue of shopping hours. Time does not permit me to read them all, but I will refer to some of the major ones. I am talking of submissions of five or six pages long. Some employee submissions were one page letters, but a number of companies put quite a compelling case on this issue. To give an example, the Director, Mr Paul Phillips, of Erichsen Jewellers of Westfield Shoppingtown at Marion, wrote to me on 6 April 1998 as follows:

I am very concerned that the efforts of big business to influence to the South Australian Government to grant them open slather in the marketplace. Seven day unlimited trading will destroy the last and only concession or advantage that enables small business to compete against the powerful and influential big retailers, while providing us with convenient, friendly and personal service. I believe the major traders already enjoy the following advantages: much lower rent per square metre; lower wholesale prices; few leasing restrictions; lower wage structuring [although I question that]; kickbacks from manufacturers; lower ETSA charges; fees to put products on shelves; and, there are probably more.

Further, I am sure that South Australian prices, the lowest in Australia, will rise to Sydney and Melbourne levels if the increased competition engendered by only six days trading is taken away. Why aren't Sydney or Melbourne the cheapest if seven day trading is said to lead to increased spending activity? Already we are experiencing less places to shop for groceries as small supermarkets are pushed to the wall by the overwhelming might of the big trader. That means less choice and hence less competition, leading more surely to increases in prices.

The public of South Australia will be disadvantaged and the State further disadvantaged by the loss of local business investment and the surge of profit leaving this State. Deregulation will prove to be anti-competitive. All our small businesses will be devalued by deregulation and that means a further loss to the South Australian economy. Business agents will be out of business. If 73 per cent of 5 000 respondents to the recent Channel 9 survey say 'No' to extending hours, why would any Government go against this—a clear majority wish? As our elected representatives we expect you to say 'No' to further deregulation and so save South Australia from further financial and job losses. We have lost too much already.

I also received, amongst many submissions, a letter from Market Investments South Australia Pty Ltd, Main North Road Pooraka, signed by Mr Tony Scaffidi, the market owner and manager. He states:

As the owner/manager of Paddy's Market I believe it is my duty to express my feelings regarding the intended changes to shop trading hours and how it affects large businesses and small businesses. Small businesses typically survive on a low capital base with a requirement to make reasonable profits in order to keep trading on a week by week, month by month or, if they are lucky enough, year by year basis. Larger companies have the ability to negotiate low rentals, cheaper advertising and good purchasing prices, giving them an advantage over small traders.

Our concern is that the total deregulation of trading hours for these larger companies will result in the loss of many small traders through closure, liquidation and bankruptcy. This will reduce alternatives available to customers and ultimately lead to an increased cost of goods as competition diminishes. We currently have approximately 80 small businesses occupying the market, which we believe are in threat if shopping hours are deregulated.

Over the years, following the introduction of Saturday afternoon trading, the number of customers visiting the market on a Saturday slowly eroded to about half the previous figures enjoyed by Paddy's Market. In line with these figures some traders have reported a downturn in trade on their Saturday figures since the introduction of Saturday afternoon trading. The market has been able to continue trading as the numbers of individuals visiting the market on a Sunday dropped only slightly over the years. In the past three years, however, this has changed and we find the trading to be of a more fragile nature.

The letter goes on. Many concerns have been raised by Paddy's Market. A final quote from the letter from Market Investments refers to Victoria, as follows:

The results of deregulated trading hours in Victoria are well documented and a good indicator of expected results in South Australia. We cannot possibly expect to gain from the removal of thousands of full-time jobs to be replaced by hundreds of part-time jobs.

This issue is raised in a number of submissions to the Opposition with regard to not only the number of jobs that may be lost but also the type of jobs that workers in the retail industry will be expected to endure—more part-time, casual and temporary work. This is of great concern to the Opposition.

I have a number of submissions and will not read them all, but will quote a couple more. Salisbury Toyota took the time to write to their member of Parliament, the Hon. Jennifer Rankine, the member for Wright, as follows:

Dear Jennifer,

I am writing to you as a concerned motor vehicle dealer in the electorate of Wright regarding the impact seven day trading will have on the motor industry. Salisbury Toyota has been trading from its existing site for 14 years and currently has a staff of 42 people. It is our group's considered opinion that any extension of trading hours, other than those currently in place, will result in:

1. No increased volume;
2. Higher operating costs;
3. Lower calibre personnel;
4. Dramatic impact on staff.

It continues:

Seven day trading will no doubt shift the focus from Monday to Friday to Saturday and Sunday requiring all our staff to work weekends. Sure, we can offer rostered times off between Monday to Friday, but what would be the social implications for employees and families? One of the reasons for extended trading is to satisfy tourism in South Australia. I can only wonder how many tourists would purchase a vehicle while on holidays?

It refers to the example of Western Australia, where deregulation has certainly not been of any assistance to the retail or motor trade industries. A questionnaire of members of the Motor Trade Association asked, 'Do you support the extension of trading hours, particularly on Sundays?' Overwhelmingly, the Motor Trade members did not support an extension of trading hours, particularly on Sundays.

The Leader of the Opposition also received a letter dated 14 April from Councillor John C. Rowley, who contacted the Leader on behalf of ratepayers in Hindmarsh and Gawler ward of the Adelaide City Council. It states:

There is a very serious concern if shopping hours were to be deregulated by Parliament. The loss to the city retailers would be disastrous for those who trade within the square mile of Adelaide. The flow-on effect would leave the city, on weekends, a desert which would be ruinous to both the Adelaide City Council, the city and the State in general. My ratepayers urge you to vote and give the city an extension of five years duration before we review the shopping hours again.

I believe a number of members received a letter dated 24 June 1998 from Deane Maxwell, Foodtown Committee Chairman. Again, I quote briefly from this letter:

Foodtown operators are very concerned as to the possible outcome of the inquiry into trading hours in this State and to that end have sent the attached letter to the Premier, the Hon. John Olsen. We don't seek special consideration. In fact, we only want to retain the *status quo* as that is really what is best for the majority of retailers and customers who currently enjoy the cheapest prices in Australia. With an economic cloud hanging over Australia, now is not the time to compromise our futures by providing alternative trading conditions which a minority of traders admit will significantly assist them—but at our and the State's expense. Please consider the future of SA based businesses, the profits we retain and the jobs we create.

Mr Brad Silby of Toyworld also took the time to send a submission to the Opposition and it is very much to the point. It was sent to the Opposition but was originally sent to Minister Armitage under his survey and review of shopping hours. Mr Silby writes:

Sales will not increase. People only have so many disposable dollars to spend in the retail environment. All that will occur is the spread of that spend over a greater time frame. Costs will increase. Staff will be required to cover the extra hours to be open. In the short term more employment. In the long term, unemployment will increase as more small businesses have to face bankruptcy because of the greater costs for over and above extra staffing.

Lifestyle: unions, political Parties and other organisations always push for better conditions. Well, what about the retailer and persons involved in retail? Obviously, the current mood does not respect their situation.

Country centres: in many country centres retail is 5½ days a week. It works. Check Port Lincoln—only three to four stores open Thursday night.

The winners: the winners from this will only be the major players (eg Westfields). The owners of sites in large complexes will still be hurt. The above mentioned headings, coming into force for them. However, the centre owners will no doubt push for greater rents, once again hurting the small bloke. Have you checked the Victorian situation? Most small businesses have suffered.

In conclusion, I ask you to consider how many handbags, socks, shoes, toys, shirts, ornaments, CDs, videos, electrical goods can a family afford to buy and put in their home? How many families in business do you want to destroy?

I also received a letter dated 6 April from Rex Chidley of Foodland, the Mighty South Aussies, regarding deregulation of shopping hours. He writes:

Everyone knows that the amount of dollars that can be spent by consumers is finite and shops being open longer hours will in no way increase this amount of dollars. So the push by the corporate chains and multi nationals to have extended trading hours has absolutely nothing to do with customer convenience but their motive is solely to increase their share of the 'cake' to the detriment of the real small business sector. Their claims to increase jobs will be more than counterbalanced by the loss of jobs in the small business sector. If deregulated hours are to become law there is no doubt that the large Westfield regional centres will have a devastating effect on both the CBD and local shopping centres. Local centres will need a certain amount of trade to keep their doors open and if there is deregulated shopping these centres will only be used for the 'things they forgot' which will see a lot of businesses, firstly, put off staff and it will inevitably lead to closures.

Again, this letter refers to the experience in Victoria. It concludes:

To cater for those consumers who declare that they need more time to shop may I suggest that the suburban shopping centres open to 7 p.m. on Monday to Friday with definitely no Sunday trading.

To a certain extent, the Bill before us does take some notice of Foodland's position. Clark's Foodland (head office Vaughan Terrace, Berri, South Australia) wrote a significant submission to the Leader of the Opposition, Mike Rann, and also attached (unfortunately, in photocopy form) a number of signatures opposing extended trading and deregulation of shopping hours in South Australia.

I will not do as the Government normally does, that is, read them all out and give all their details: I am sure that the Minister has probably seen this submission in any case. It is an impressive document, and I want to make a couple of points in relation to the submission, which states:

Aims of this submission.

1. To demonstrate that chain supermarkets and wide range variety retailers (public companies) are currently trading with many unfair advantages over small and medium sized retailers.
2. To demonstrate the high cost to the community of large shopping centre dominance.
3. To illustrate the negative effect on tourism large shopping centre dominance has.

4. To recommend a reasonable and fair retail trading hours environment for food and wide range variety retailers.

Background.

Clark's Foodland have been family retailers in South Australia since 1942. General manager of 15 years, Steve Clark, is a graduate of Roseworthy Agriculture College. . . My work history includes three years liquor store management with Coles Myer. I consider that Clark's Foodland are progressive, independent retailers with a good supermarket 'offer' in towns in which we operate. We employ 300 people in country South Australia.

This extensive submission goes on to refer to the cost to tourism and extensions to trading hours. To summarise my contribution, I refer to the recommendations that were put forward to the retail trading hours review, as follows:

that the best possible restrictive measures be put in place or remain in place to prevent large store dominance of the retail cash flow in this State;

that the Government take a balanced, responsible, community spirited look at the maintenance of the strength of small and medium sized business in our State;

that the Government make a decision to keep control of the trading hours regulations (unlike the Kennett Government which chose not to assume any control of trading hour issues and the associated economic and social tragedies);

that decisions reflect the views of the public. A recent Riverland television poll found that 67 per cent of Riverlanders were against the deregulation of trading hours;

that Government consider the livelihood of Clark's Foodland work force (petition enclosed).

As I said, I will not refer to those names in detail at this stage. And as I said at the beginning of my speech, the Opposition has always adopted the policy of supporting small business and giving battlers a fair go. We certainly support workers and the people who are having difficulties in our community. They are the people whom we represent; they are the people who, in the main, support the Labor Party. The Opposition has always had a position with regard to not extending Sunday trading. A number of the submissions that I read out amplify the position of the Opposition in this regard.

There has been a lot of confusion, particularly about Sunday trading. As I said earlier, we were told at one stage that there would be no Sunday trading, but then the Liberals when they first got into government introduced Sunday trading in the city. We were promised a bonanza of jobs. What we have seen so far is jobs going down the tube rather than more jobs being created. A fair bit of concern and passion has been levelled at the Government by consumers and some retailers.

I would like to make a couple of further points regarding the public reaction to the shopping hours debate. Just after the shopping hours review was instigated by the Government, two articles appeared on page 15 of the *Advertiser* of 15 April. The first article, headed 'Industry group divided on shopping hours', states:

A key industry group has cautiously backed away from its previous public call for deregulated shopping hours in South Australia. The Property Council of Australia has refused to state publicly whether it wants extensions to trading hours or Sunday shopping in the suburbs. At the close of submissions to a State Government review into the issue yesterday, the council's Executive Director, Mr Brian Moulds, said the group had been 'unable to reach a single position'. The council's membership was split on this issue—as it ranged from large regional centres to small shops and CBD property interests—and members had been called on to put their own cases to the review, Mr Moulds said. 'This transfers the difficulty in finding a consensus to the Government and I think the Government will find that difficult,' he said.

In another submission, the South Australian Employers Chamber of Commerce and Industry called for immediate deregulation of shopping hours in the CBD and phased-in deregulation in the

suburbs over five years. . . About 100 separate submissions have been sent [by 15 April to the Government on this issue].

In a letter to the Editor in the *Advertiser* of the same day entitled 'Something Wrong with the System', Ms Dianne Hammat of Port Lincoln states:

Having read the numerous articles regarding deregulation of shopping hours, I would like to point out that, unfortunately, many people are often not aware of the factors which determine the sale price of goods. If small and large retailers had similar trading terms, discrepancies that people perceive would be minimised. Supermarkets enjoy several advantages—lower rent per square metre, lower purchasing price, preferential treatment from manufacturers, fees to put products on their shelves and a wholesale sales tax advantage leading to significant price differences.

As a wholesaler, I often see supermarkets selling a wide range of goods to the public cheaper than I can buy them sales tax exempt direct from the manufacturer. There has to be something wrong with a system which allows this to occur. Reduced turnover for delis, due to loss of early morning and Saturday afternoon trade, means higher prices as the same overheads remain—mortgage, rent, electricity, etc., but there are fewer profits being made to pay them. This will escalate even more with deregulation. Since deregulation began in Victoria, the failure rate of small business has increased by 65 per cent.

If the Government is serious in addressing the shopping hours in this State, perhaps it could also address the above irregularities so that all retailers can compete on a fair basis. How will the demise of smaller corner stores affect you as far as convenience and personal service is concerned and where will you 'book up' in an emergency? Will those 'cheaper goods' be that much cheaper after you've paid for petrol to go to a supermarket for the item you forgot to buy earlier? Many small businesses will feel the impact as supermarkets can now use. . . pricing for a whole range of goods once sold by speciality shops.

This issue draws on the imagination of not only consumers but people who work in the area, big and small businesses, who obviously also are consumers. Everyone seems to have a fairly definite view with regard to shopping hours. The Opposition has sought to ensure that it has been properly briefed by workers, retailers and businesses and their associations that wish to advise us of their position. We have also asked different organisations which have a view on this issue to contact us. I am proud to report that more than 1 000 people have contacted me by telephone, fax or letter since the review into shop trading hours was announced. I thank them for doing that and for taking the time to make sure that the Opposition is fully briefed on their views.

This Bill is probably not the Government's preferred position. Opposition members have discussed this proposal in Caucus and also with the stakeholders who have bothered to take the time to talk to us about these issues. At this stage, I support the Bill as it stands. I will ask a number of questions in Committee which I am sure the Minister will be able to answer so that I can properly report back to those people who have contacted the Opposition.

Some concerns have been raised during briefings and in the information that I have received regarding, in particular, small businesses and retail outlets in metropolitan shopping centres and the Adelaide square about retail and commercial leases and the provisions under those leases for staying open in addition to core hours. That issue needs to be addressed. Initially, I thought this matter could be addressed in relation to this Bill, but at this stage I highlight that some further work needs to be done on some of the matters that have been raised regarding the Retail and Commercial Leases Act.

As the member for Ross Smith has already foreshadowed, he will move an amendment, and he will talk about the representation that small business and retailers see as being necessary to protect their interests, especially in regard to

their leases. As I have said, at this stage I have decided to take further counsel on some of the proposals that I thought of putting forward, and perhaps that can be debated at another time.

So, the Opposition will support the Bill, subject to the amendment that will be moved under the Retail and Commercial Leases Act by the member for Ross Smith and the debate that ensues, and subject also to questions that other members and I will want to ask in Committee about the details of the Bill.

The Hon. G.A. INGERSON (Bragg): I take this opportunity to congratulate the Government and the Minister on dealing with a very difficult issue. There has been an inquiry into shop trading hours probably every 10 years, and every Minister who has been involved—whether Liberal or Labor—would have been very happy to pass it off to another Minister to handle, mainly because of the issues that arise in this matter. The most difficult issue is the balance between the small and the large businesses, the small and the large shopping centres, and the employees and the consumers. So, it is a fairly lively group of people to deal with. I forgot to mention another group, namely, Oppositions, which always have a view on this issue different from that of Government, and it is always a political potato—usually very hot—and one that requires a lot lengthy debate.

One of the most interesting issues about this piece of legislation is that some 95 per cent of the members of the community who own shops or who are associated with shops can, in fact, now trade 24 hours a day, seven days a week. This seems to be an issue that quite often gets lost in the debate. That situation has existed for the past 20-odd years. So, really, what we are talking about is not deregulation as it relates to small business: this Act, in fact, involves the regulation of large business. If members have a good look at the Act they will see that operators of business premises under 200 square metres in area can trade 24 hours a day, seven days a week, as can supermarkets under 400 square metres. It is only the larger businesses—whether they be electrical, plumbing or the general department store size—that are caught up by this Act.

It is rather a curious situation that the people who can trade 24 hours a day, seven days a week, are usually the biggest protagonists against any change. I suppose that is human nature in that, if you have something that you control and you see someone else in the area who might be able to compete, you might try to prevent that from happening. It is important to restate that, for the past 20 years, 95 per cent of all businesses in this State have been able to trade 24 hours a day, seven days a week, and they have chosen not to do so. I believe that that is a pretty important issue that requires a balance.

Having been involved in this issue at some stage, I believe that the Minister has done a very good balancing act in being able to bring together the small and the large interests, to recognise the pressures that come from the shopping centre owners and to come up with what I believe is an excellent outcome for shop trading in our State at the moment. The fact that the Minister has been able to maintain the advantage for the City of Adelaide on Sundays and, basically, during the week, is a very important—

Mr Clarke interjecting:

The Hon. G.A. INGERSON: He has taken it another step further, and he has done it very well. I believe the fact that the Adelaide centre has maintained its exclusivity as far as

Sunday trading is concerned is a very important issue. I know that the politics of the Opposition have been that they would open it up right through the city and the suburbs. That has never been the position as far as the Liberal Party is concerned: I put that down some three years ago and it has not changed at all.

One of the most important issues has been the extension of weekly trading hours to 7 o'clock on those nights that are not the traditional late nights. I believe that that is a very good change, because it recognises that the step that the Labor Party took prior to our coming to Government was extreme, and that one must go down the track gradually instead of opening it up with a move that would have killed every small business in the State. But, of course, that is what the Labor Party is all about. It makes a lot of noise in this place about supporting small business but, when you consider their argument closely, they never ever really come up to deuce.

Members interjecting:

The SPEAKER: Order! The member for Bragg has the call.

The Hon. G.A. INGERSON: The other important issue is that 7 o'clock trading, particularly for supermarkets (and they will be the major group to take advantage of it) recognises the change in the working patterns of families. Clearly, it will now enable people on their way home from work to buy the traditional food lines, and if any other stores want to stay open (which they can do, in any case) further trade will be able to take place.

Having been through the process, I recognise the difficulty in balancing the extremes from both the small and the large lobbies. Clearly, a significant balance needs to be worked out between those directly involved and those indirectly involved (for example, those who own the shopping centres), and I refer here to a very important piece of legislation that went through this House involving the control of retail leasing, something that I have supported for a long time. This balance has been retained, and it is good to see that the Minister has recognised that we cannot jump into that huge chasm of *laissez-faire* policy direction: that we need to have a reasonable balance of regulation in this whole area of shop trading hours.

As I said earlier, those who have the most interest in stopping the extension of trading hours can now trade (and have been able to do so for the past 20 years) seven days a week, 24 hours a day. But there is a very important issue involved, and that is that they choose not to. Indeed, the right to choose whether or not you open the premises for trading is a very important part of the setting of regulation relating to shop trading hours.

I believe that consumers generally will be satisfied with the gradual change that has occurred, and I note with interest that, whilst their union leader spoke out fairly strongly about it initially, the employees have now agreed that this is a very sensible move and something they can work with to make sure that the change can occur reasonably smoothly. It would have been ironic if they had not, because they have agreements with Coles and Woolworths interstate to operate extended hours five days a week, and I believe that they also have it for Saturday and Sunday. So, it would have been ironic, but I know that the union leadership would not have put itself in that very difficult position. In my electorate the only major shopping centre is Burnside. The owners of that centre would have preferred no change. They are probably one of the few centre managers who have not looked at the

need to extend shopping hours. On balance, I think that they will be reasonably happy with this outcome.

I shall conclude by reiterating the points I highlighted at the beginning of my speech. All shops under 200 square metres in size undertaking general trading and all supermarkets of less than 400 square metres have the choice right now, if they wish, to trade 24 hours a day, seven days a week. This legislation will not change that. When we hear this view, 'We are being forced to open', it is really one of choice. I qualify that by saying that often the operators concerned are forced to open by centre management and not necessarily by consumers. As I have said, the retail leasing legislation has in fact attempted to sort out some of that issue.

In conclusion, this whole issue is really about choice. It is about the owners' choice to be part of a new deal in the way competition develops, and it gives them flexibility. It is also about choice by the consumers. We often forget that at the end of the day the consumers' rights, choices and the ability to make purchases are sometimes ignored in this whole process of shop trading hours. Generally, I think that consumers would be fairly happy with this outcome. Finally, in relation to the choice issue, it is interesting that the employees through their union have recognised that this change is important, and it is one that they will support. I hope that the Opposition will see this change as being important in terms of developing our State. There are benefits for employees, as more young people will be employed, albeit on a casual basis.

In relation to economic conditions, activities on the Stock Exchange indicate the biggest increases in performance by the retailers of this State and nation. Most of them are very large retailers, but if you talk to most of the small operators in the major shopping centres you will find that at the moment they are doing pretty well in terms of their bottom line. Having come from the retail industry and still having significant investment in it, I know that there are very few retailers whose businesses are not running well and who have not done pretty well over the last 12 months.

I thank the House for giving me the opportunity to say something about this issue, which involves a very important transition that the Minister has been able to negotiate. The Minister will look back in history and be able to say that he took shop trading hours to the next step without a great deal of controversy. That final point is really the most important. When I was the Minister dealing with this issue, it involved a leaked trading document which jumped out of the woodwork, so to speak; but I notice the care and the brilliance with which this Minister has moved us forward in this very delicate area of shop trading.

Mr HILL (Kaurua): As we all know, in politics Governments have to make decisions, and when they do make decisions often there are winners and losers; but we look at the overall community balance and decide to proceed. In this particular case the Government has managed to do what very few have been able to in terms of these kinds of measures: it has made sure that every player is actually a loser. Nobody is satisfied with this Bill, because the big business, the big companies—the Westfields, the Coles and the Myers—which we understand were promised Sunday trading have lost out badly on this and do not have Sunday trading. The small operators who did not want any change in the hours have also lost out, because an extra hour has been added on.

Adelaide City Council, which wanted an extension of hours, has received a couple of extra hours a day, but we also

understand that those hours will not really be used. As I said, everybody loses. This is an 'every player loses a prize' result. That is because this Government has not had the strength of its own convictions. The Government wants to extend shopping to all day on Sunday, but Ministers opposite have not had the guts to come into this Parliament and put that measure before the House. We know why various Ministers have not had the guts to do it: because we know and the Government knows that its own backbenchers would not support the move. The member for Bragg is sitting not very far away from one member who would have voted against this legislation. The member for Colton would have been very tough on this and would have voted against Sunday trading.

Mr Foley: He would have taken a pair.

Mr Hill: Yes. We know that Liberal backbenchers would not have supported Sunday trading. That is why this Bill is such a Mickey Mouse measure; that is why it is an 'every player loses' Bill; and that is why the Premier in a disingenuous way told the media recently that it was the Labor Party and the Democrats who were going to vote against it and who would have stopped the Government's full, masculine Bill that it really wanted. We are happy to take some of the credit for that, because we are opposed to Sunday trading and are proud to be so opposed. We know and members opposite know that the reason the Premier did not introduce that Bill in Parliament is that it would not have passed through this House and that the Premier would have had a revolt among his backbenchers.

As I said, the detail of the Bill is this: the large corporations—the Westfields and so on—which wanted Sunday trading will not be able to trade on Sundays. This is an absolute loss for them. The Government has lost face with that group of businesses. The owners of the Marion shopping centre complex, a complex which I understand was built on the promise of Sunday trading, will be very angry indeed with this Government. It would be interesting to hear what is said in board rooms about Premier Olsen and his team of brave soldiers in relation to the legislation they introduced in this House. The Government has given traders until 7 p.m. in the suburbs and until 9 p.m. in city—and they blamed us for that.

This is a weak compromise, but it will have some effect on small business, because everybody in this House knows that three companies dominate 80 per cent of the food industry. Extending trading hours by one hour to 7 p.m. will result in an even greater concentration of the industry into the hands of those two or three players. For example, it will mean that shopping centres and supermarkets will stay open an extra hour and the extra bit of custom that they get in that hour will come out of the hand of the convenience stores that operate around the suburbs. That has to be bad for the convenience stores and, ultimately, consumers because, if the pressure is put on, some of those stores will close or fold and customers will have fewer choices in terms of where they purchase their goods. If they want to purchase goods between 7 p.m. and 8 p.m. and if those stores have closed down, they will not be able to do so.

One of the things that the Opposition will do by way of amendment is attempt to strengthen the protection provided to small retailers who operate in shopping centre complexes because we know that, under the existing regulations, a minority of 25 per cent of small retailers can object to the change of hours. We know that with the way that Act operates pressure can be placed on the tenants at subsequent rounds of negotiations over tenancy agreements, and this means that in effect pressure can be placed on the small

retailers to come to the party and to vote the right way. We want to see those provisions strengthened to give greater protection to small tenants in the shopping complexes.

The Opposition supports this measure. I support it reluctantly, believing that it will have a detrimental effect on some of the smaller traders. It will have no effect on the bigger traders, but we support it, acknowledging that on the whole it is a very Mickey Mouse measure that does not make a lot of changes at all. No matter how much the Minister parades this as a major breakthrough, we know that it is not. It is a very minor change. One really good reason for supporting it is that these changes will be on the record book. We do not believe that the bigger companies in the city will adopt late shopping hours. In future, when any Government or any big developer wants to argue for an extension of shopping hours, we will be able to point to the extra hours provided in the city and say, 'You have not used the extra hours. Do not come back to us asking for more.'

The Hon. R.B. Such (Fisher): The speech by the member for Kaurua was a real sackcloth and ashes contribution. I was getting very depressed for a while because I thought he would have the shopping police called out on a Sunday to apprehend people buying a bit of plastic for their watering system. It was a disappointing contribution because the member for Kaurua wants us to go back and live in the caves, to turn off the lights and all that sort of thing. It was very sad. His only redeeming feature was at the end when he said that he would reluctantly support it. He said that at the end of the day he realises that the public want some improvement and change in the system.

I commend the Government and the Minister for achieving a reasonable compromise. It is not what I would like as a perfect solution, and I do not think it is what anyone would like as a perfect solution. I am by inclination a free trader. It should not be a crime to shop. I have never understood why someone selling a packet of Weeties at 8 o'clock at night should be seen as a criminal. It seems out of balance and out of perspective. My inclination is total deregulation of shopping hours, but I accept that we ended up with a compromise.

Members interjecting:

The SPEAKER: Order! The member for Ross Smith has already been warned once today.

The Hon. R.B. Such: The people of my electorate are very happy with what is proposed in this Bill because parents in particular and those women in the paid work force in my electorate will now have a little more time at the end of the working day to do a little more shopping in a more relaxed style. Members will appreciate that by the time people who live in the outer suburbs arrive home from work—and 80 per cent of the women in my electorate are in the paid work force—they are under pressure under the existing shopping hours, so they will greatly welcome this change.

I remind the member for Ross Smith that, when the Hon. Lynn Arnold was Premier, he introduced a trial which in some respects equated to the provision to which I have referred, and it was well received in my area. Further, a few points we hear about shop trading hours need correction. Lifestyles and working hours have changed, and I have already alluded to that. We now have petrol stations selling much more than petrol. I notice Mobil is upgrading nearly every one of its petrol stations. On the sign it has put up to applaud its redevelopment it says 'More groceries'. Stand back because, when people go to fill up their car with petrol,

they will also be able to fill up their grocery bag with many more groceries than are currently available in the existing service stations. Life changes, times move on and, therefore, some change has to reflect that, and that is what is happening in respect of trading hours.

I have a great deal of sympathy for small traders. It is a tough activity to be involved in, but people should remember in regard to Coles and Woolworths that many of the shareholders are small people in a financial sense as well. I have never understood why a small shareholder in Woolworths is less valuable or honourable in the community than someone who runs a small business. It is a logic that escapes me.

Another point that needs to be made is that many of the so-called supermarkets are owned by the big operators anyway. The fact that they call themselves by an unusual name does not alter the fact that they are actually subsidiaries of the big companies. When people say, 'Let's save the small supermarket on top of the hill', they forget that it is often owned—and I take no objection to it—by people like Drake Supermarkets and others. We need to be aware of the real situation and not kid ourselves and get bogged down in a lot of artificial sentimentality.

This compromise proposal is supported by the Opposition and by the union. In fact, it probably goes in reverse order: because the union is supporting it, the Opposition will support it. In any event, I welcome that support. As I say, the proposal does not go to the full extent of what I would like. It does increase the number of Sundays on which the large shopping centres can operate. I argued with my colleagues that these centres should have the opportunity to trade on six to 10 Sundays a year, and I am pleased that we have ended up with something like that, even though it is towards the smaller end of that scale.

I conclude on the point that the greatest part of the proposal is that the larger supermarkets will be able to open for a bit longer during the week, because that will make life easier for the people I represent. It is my job to try to do what I can to ensure that my constituents get access to reasonable shopping hours and to protect the small operators as best I can. At the end of the day, we have come up with a compromise which I believe, contrary to what the member for Kaurana has said, pleases most people, although it may not please everyone 100 per cent of the time. I commend the Bill, the Minister and the Government for what they have done, and I look forward to the day when this Bill becomes an Act and is in place.

Mr CLARKE (Ross Smith): I must say that I support the comments of the member for Kaurana about this Bill. Certainly, I would like to congratulate the former Minister responsible for the Industrial Affairs Department, the member for Bragg, because he was a real trailblazer when it came to changing shopping hours back in 1994. He wanted to deregulate shop trading hours across the board. Eventually he was beaten down to a position where Sunday trading was permitted only in the CBD. At least that Minister achieved a quantum change. I did not agree with it and I fought against it vigorously, but at the end of the day we lost to a significant degree because of the changes he was able to negotiate and broker with the Small Retailers Association and the Democrats.

In those days the Democrats solely held the balance of power in the Upper House, and I well remember speaking on the same platform as the Hon. Mike Elliott in front of a crowd of about 1 000 shop workers and small retailers on the steps

of Parliament House where the Hon. Mike Elliott pledged undying opposition to Sunday trading, whether it be in the city or the metropolitan area. About a month later the Hon. Mike Elliott found an excuse to rat on that undertaking and found a convenient compromise upon which Sunday trading was introduced to the CBD area. That Bill was negotiated by the member for Bragg as the then Minister for Industrial Affairs.

I recall the words I used in the closing debate in this House in June 1994 when I said, 'Quite frankly, with his sort of negotiating skills, South Australia is too small a stage for him. He should have gone to Bosnia as a representative of the UN because he would have been able to put together a peace deal which would have stuck together in Bosnia', given the way he was able to fool the Australian Democrats and the then leadership of the Small Retailers Association to enable them to support the changes to the shopping hours legislation at that time. However, as the member for Kaurana rightly points out with respect to this Bill, it is a do nothing piece of legislation because no-one in this Chamber or in the retail industry believes that the shops in Rundle Mall will open until 9 p.m.

It will look nice in terms of this Government's agenda to say that it did something radical, but it will not succeed, because the shops will not be open as the customers will not be there to go shopping. It is true that in the suburban areas the extension of trading hours to 7 p.m. will be popular because people will be able to shop at Coles, Woolworths and Franklins to the detriment of other small traders. This whole debate about shopping hours centres around market share. No extra dollars are being spent in retailing; it is about the big end of town beating up on the small end of town and grabbing what available dollars there are. We have seen the market share for the big three—Woolworths, Coles and Franklins—grow from 40 per cent in 1975 to 80 per cent last year or this year. We have seen that Australia, of all the developed nations in the world, has the highest level of concentration of market share in just the first few major retailing companies. It far surpasses that of any other developed nation, whether it be America, Canada or in Europe. That is a pure statistical fact.

What we are doing by squeezing out the small retailers in this area is costing whole families their employment, as well as those employees whom they hire. For every million dollars of turnover, the major supermarkets employ fewer people than do the small traders—and again that is a fact. So, for every dollar we take from the small end of town and put into the hand of Coles Myer, fewer people will be employed as an end result.

I do not think that is socially desirable in a State such as South Australia which has an appalling rate of unemployment, particularly among our young. I do not believe it is socially desirable for those families whose whole income stream revolves around their retail businesses. It may be a fruit and vegetable stall, a small delicatessen, a Welcome Mart or one of the smaller convenience stores; entire families have their employment within that establishment. Ultimately they will lose their livelihood because we as a Parliament and this Government in particular have decided to shift more market share from the small retailers to the big end of town. That is what has happened in the past.

We have seen that occur over the past few years, and we know it occurs from our own daily experience. Let us have no illusions about it. By voting for this Bill we are shifting market share towards the big end of town, which will mean

that some small businesses will go broke; family members who are employed by their family will now not be employed in some of those businesses. That is an inevitable consequence of our collective decision to see this piece of legislation passed. Let us not try to colour it any other way.

This Government was committed to Sunday trading; it wanted Sunday trading. Westfield came over to South Australia in 1997 and had a meeting with the Premier when he opened Westfield Marion and Westfield Tea Tree Plaza. The Opposition got copies of the minutes of a Westfield executive meeting in Sydney, which minutes we distributed by way of press release at the time and which had a check list: South Australia—Sunday trading after State election October 1997. That was in the minutes of Westfield. It got the date right as far as the election was concerned and it got the sentiments right, because there is no doubt whatsoever that the Premier told Westfield that after the election Sunday trading would be introduced.

The Premier had not anticipated being almost defeated at that election with the loss of so many seats and being in a minority Government position. He thought that he would be returned with a comfortable enough majority and that he would be able to swing the same sort of deal for Sunday trading in the suburbs as the member for Bragg was able to swing with the Democrats for the CBD in June 1994. But, when he found himself in a minority position and when some of his own backbenchers spoke up, let alone what the Independents would do (whatever they might say about the issue), the Government decided not to go for Sunday trading.

Members may recall that, during the whole of 1997 in the lead-up to the last State election, I as the then shadow spokesperson for industrial affairs repeatedly asked the Premier and the Minister of the day what the Government's policy would be on shopping hours after the moratorium of June 1998. We were constantly told that it had no agenda, that it would allow it to evolve once the moratorium period had run out and that it would work through the issues. So, we have this piecemeal legislation which, as I said earlier, for all practical purposes will not achieve the aims it espouses. It is a nice bit of dressing for the Government as far as showing the big end of town that it is delivering.

The CBD will not stay open until 9 p.m. That is a fact. In the main, supermarkets in the metropolitan area will open until 7 p.m., and many of them will do well at the expense of the small traders. But I have another concern with respect to small traders. I am surrounded by North Park Shopping Centre, the Sefton Plaza Shopping Centre and the Regency Plaza Shopping Centre all along Main North Road. The centre management of each of those shopping centres has said that they will simply roll over the leases and force all the tenants to open until 7 p.m. whether or not they want to do so. That is a simple, matter of fact statement.

I had a meeting with a centre manager only last Friday, and he asked me when this Bill would be debated. When I told him the facts he said, 'Oh well, some of the traders won't want to open, but anyway as the leases roll around they will all be forced to open and they'll all be open until 7 p.m.' So much for free choice on the part of the traders to trade only when they deem it profitable. If you go to any of these shopping centres from 4 or 4.30 in the afternoon it is barren, except perhaps for a few people in Coles, Woolworths, Franklins or Foodtown. The other traders within those shopping centres have virtually no customers going in.

We will be advocating an amendment to the Retail and Commercial Leases Act, which will address this in some part,

but not in full, because we are dealing with shopping hours legislation and not the Retail and Commercial Leases Act. There is only so much we can try to do on the margins as far as amendments are concerned, but we hope that this will give some additional strength to tenants so they will not be unnecessarily compelled to open that additional hour if they do not want to do so.

Both in 1994 and in this present climate the Government has been at great pains to say that traders will need open only if they believe there is a quid in it—that they can make a profit out of it. They will not be forced to do something they do not want to do. Our amendment will assist that, and I look forward to the Government's support for that amendment, which has been circulated. It is important to beef up the role of the Small Retailers Association, which has been established to protect and advance the interests of small retailers within this legislation.

In many instances, when the renewal of leases comes around again, many lessees will fear being victimised and, even if they have a disagreement with the landlord, they will fear speaking up or calling for a ballot of traders to determine whether the legislative minimum requirement of 75 per cent approval rate is struck with respect to the core hours. Our amendment is designed to allow the association to act in that stead and call for a ballot, so that no trader need feel intimidated about having a secret ballot of traders within a shopping centre to set the core hours.

That will not be welcomed by the management of Westfield, but as far as I am concerned that is hard luck. As far as I am aware, Westfield does not have a centre within my electorate, but certainly the small traders I have dealt with previously who have been tenants of Westfield Shopping Centres tell me regularly of what they believe is outright intimidation by that management to cower tenants into submission with respect to what Westfield believes core trading hours should be, and also with respect to a whole range of other issues. Those issues are pertinent not to the legislation before the House but to the Retail and Commercial Leases Act 1995, which we will have to revisit if we are to do justice to those small leaseholders.

I oppose the legislation in principle. The Bill has the Labor Party's support because, in effect, we are working on the basis that those who know the industry the best tell us that in reality not much will change in so far as the CBD is concerned in that major shops will not open until 9 o'clock, supermarkets clearly will be a beneficiary and some small traders will suffer as a result.

The other position, which I can well understand on the part of some who advocate this Bill, is that it may be better to sign off on this type of arrangement with the Government rather than having outright opposition and having to rely on the Democrats, the Hons. Nick Xenophon or Terry Cameron and their final decision made in the hothouse atmosphere of an end of session, late-night sitting. The small traders may end up in a worse position, as might the union representing the interests of shop workers. We all saw what happened in 1994 where the Hon. Mike Elliott did a complete about face on Sunday trading. I can understand those people saying, 'If we have an arrangement with the Government, we know what we are into: we do not want to leave it to the vagaries of the political debate in another arena where we might end up with a worse result.' On that basis, I can appreciate and rationalise their viewpoint and support the Bill with the amendment I will be moving in Committee.

I simply conclude by restating my position. Let no-one here kid themselves: we are by this legislation effectively transferring greater market share to the majors. It will cost small business jobs and families livelihoods. Let us be under no illusions about what we are doing. It is an extremely sad day for small business in South Australia.

Mr SCALZI (Hartley): I support the Bill. In so doing, I commend the Minister, the Premier and the Government for having come to a position which is in the best interests of the community. I am quite surprised that the members for Kaurana and Ross Smith talk about this position having no winners. I am amazed that they use that sort of language because, in talking about no winners and saying that everyone is a loser, it is plain rhetoric. I put the views of my electorate strongly to the Minister and the Government and I am not frightened to say that, after consulting with my electorate, it would have preferred no extension of shopping hours at all.

The reality is that as a member of Parliament we make decisions on two levels: on the level of our electorate and on the level of what is good for the whole State. Our responsibility as members is to advocate for our constituents. I have done that and members on this side have done that for all their constituents, and I assure members opposite that the Minister has listened. He has listened to all groups and all views, and the position we have arrived at best reflects what is in the best interests of the State. After all, is that not what we should aim at in making laws? We should consider the overall good and what is in the best interests of the State.

Personally, I believe there is too much concentration of trading in certain groups: there is no question about that. But for the members for Ross Smith or Kaurana to say today that somehow the concentration from 1975, which was 40 per cent to the major three, to 80 per cent now was brought about by this Government is a fallacious argument. If we look at who has been in Government since 1975, we find that we have been here for only eight years. We should take credit for the position we have arrived at today in just eight years in the best interests of the State and the community. That reflects what is in the best interests of the community.

I oppose Sunday trading in the metropolitan area and do not believe it would be in the best interests of small traders or the community. We have to allow groups time for recreation, sport, families and so on. Nevertheless, we have to be realistic. We are a city state and have to take the city into account. This Government has done that. We did it previously in allowing Sunday trading in the city. The city is a special case and, whilst my constituents would have preferred not to have it, in the end the extra hour from 6 p.m. to 7 p.m. on four nights a week is a compromise. That is what politics is about: it is about coming to an agreement together for the best interests of the community. This position is very commendable. That extra hour gives people the opportunity to shop as they go home. As the member for Ross Smith said, it will probably be utilised by the community.

It is also commendable that we extend to 9 p.m. in the city because—and no members opposite have mentioned this—if shops are open until 9 o'clock, we will not have the traffic that leaves the city when the shops close at 5.30 p.m. That will be slowed down. People can stay in the city and do some shopping, go to the shops and the restaurants, giving opportunity to other small businesses to benefit from the extension of trading hours.

I oppose complete deregulation, Sunday trading and a concentration of business within a small group. At the end of

the day, if we do not maintain small shopping centres, with an ageing population who will get the people from Campbelltown to Tea Tree Plaza? When those people are 80 years of age, will the big shopping centres bus them there? They will not. We should try to retain small businesses as far as possible, because they are in closer touch with the community. This position does that. It takes into account all interests in the community.

It is not a cop out. I think it shows that we are on track when unions put their views on this in the public domain and, basically, support us. I believe that we should listen to the unions—and we did; that we should listen to the small traders—and we did; that we should listen to the larger shopping centres—and we did. But no-one achieved their position at the expense of the rest of the community. Is that not what good government is about—to ensure that there is an overall balance and that the interests of the majority are catered for? I accept that the people and some of the small traders of Hartley will have that extra hour from 6 o'clock until 7 o'clock four days a week. I accept that because they have been heard.

Mr Koutsantonis: By whom?

Mr SCALZI: By this considerate Government.

Mr Koutsantonis interjecting:

Mr SCALZI: The small retailers in the city. The interests of the community—

Mr Koutsantonis interjecting:

The ACTING SPEAKER (The Hon. R.B. Such): Order! The honourable member is making too many interjections.

Mr SCALZI: —as a whole have been considered. Of course, some groups will oppose everything—but overall I believe there is a position for city trading. There is an acceptance of trading hours in the suburbs and many small traders are pleased that there is not Sunday trading because they can play sport on Sundays and enjoy family life. Of course, it is preferable to have Sunday trading in the city because interstate tourists and so on come to the city. It would be a pity, I believe, if one of the best cities in the world was not on show and everything was shut.

That situation does not apply to the suburbs. The city of Adelaide is 20 minutes from anywhere in the suburbs. I think that overall the Government has listened to all groups and has come up with the best possible position given the needs of the various groups. I commend the Minister and the Government, and I am pleased to be part of a Government that actually listens and comes up with a position which is a win-win for all groups and not, as members opposite have been saying this afternoon, a loss for everyone. It is not a loss: if it had been a loss, members would have heard far more opposition to this Bill.

The Hon. M.D. RANN (Leader of the Opposition): I will certainly be sending out a copy of the member for Hartley's speech to small businesses in his area, because I think they need to know in what little regard he holds them and in what contempt he holds them. The truth needs to be told about this whole sham, trading hours debacle by this Government. I remember the press conferences before the 1993 State election by the former Deputy Leader of the Liberal Party, Mr Graham Ingerson, who made absolute promises on the steps of Parliament about repealing trading hours and about how they were going to protect small business. I remember the words very well. I also remember things that were said in the days after that election when suddenly there was a change of mind.

I remember Mr Ingerson saying that 'a decision would be made on trading hours within "a matter of weeks".' Meanwhile, the Premier Mr Brown rejected Opposition calls for him to discipline the member for Colton, Mr Steve Condous, who said that he would vote against the Government if it backed extended trading. He said that extended trading would hurt small businesses and families and so on.

We heard from the then Opposition Industrial Relations spokesman, Graham Ingerson, at a rally before that election, that extended trading hours legislation would be repealed if the Liberal Government was elected at the State election. There was deceit after deceit before the election. There was to be no extension of trading hours, no evening hours, no Sunday trading in the city or the suburbs, but then suddenly, after the election, the Liberals turned turkey because all members know and all in small business know that the Liberal Party in this State is in bed with the big end of town, with big business, and does its bidding.

But, it gets worse than that. I should say that I was obviously greatly influenced on trading hours by the *Sunday Mail*. A *Sunday Mail* editorial a couple of days after the December 1993 election stated:

Shop hours: reality beats open slather. Uncontrolled shopping hours is one sure recipe for economic disaster. The fight-to-the-death battle blindly initiated by the former Arnold Government in allowing five-day-a-week supermarket trade until 9 p.m. was not only a recipe for economic instability—it was a major blow to small business. The Brown Government is right in imposing a moratorium on extended trading until a wide-ranging inquiry can be completed. . . Small business is the foundation of South Australia's fragile economy and jobs. If a certain amount of regulation, control or protectionism is needed, then so be it—particularly in a city-state such as SA. This is not New York City. This is not London. The big players are yet to prove conclusively that jobs are being created by the late night trading splurge—hours may be, but full-time positions no—more a case of spreading the fat through clever rostering. There is no conclusive proof that extra operating overheads will not be passed on to the consumer. There is no conclusive proof of sustainable demand.

And so the article continues. Here we have the *Sunday Mail* saying that we must not have evening trading—and I take heed of the editorials in the *Sunday Mail*. But, of course, that was when the journalists at the *Sunday Mail* believed, apparently, what the Liberals were telling them. Do the *Sunday Mail* and others realise that you never believe?

We remember what happened in 1997 before the State election. We got hold of a piece of paper. There were all the conspiracy theories about back-door deals, a bit of funding for the election campaign from the big end of town, a few paper bags changing hands, and so on, and then we got this: it was addressed 'Project group meeting No.1, 24 July 1997'. A leaked Westfield document indicated that there were clear indications that the Olsen Government would move to extend Sunday trading to the suburbs if the Liberals were re-elected.

That day Ralph Clarke, as Deputy Leader, said that 'the Liberals' moratorium on changes to trading hours runs out next June' and that the Government was refusing to indicate what would happen after that. The minutes that we got from a meeting of Westfield executives regarding the development of Tea Tree Plaza adds much further evidence to a dodgy deal about Sunday trading in the suburbs. The minutes of the meeting dated 24 July 1997 stated:

- Trading hours
- current position—no Sunday and [none] after 6 p.m.
- Expected to be changed after election October 1997.

That even gave us the election date. It was very helpful of our friends at Westfield to slip us that piece of paper, because it

helped us to identify the election date. There was a nod and a wink. Who gave the Westfield Tea Tree Plaza project control group the idea that John Olsen had done a deal to make a change after the October election? Obviously, there was a nod and a wink. Therefore, Westfield charged on and opened up extensions at Marion.

All the Westfield executives—John Burton, Steve McCarthy, Tony Sulsters, Andre Perl, Scott Douglas, Bill Giouroukos and others—were there. I wonder what they are now saying about John Olsen and the deal that was done, because a dirty deal was done before the election not only on ETSA but also on trading hours. What has happened is that after the election they stuck to the dirty deal on ETSA but, unfortunately, when they got clobbered in the election campaign, the nervous Nellies in the Liberal Party room said, 'You can't go on and do this.'

Westfield executives in Sydney are now spewing about how the Government has reneged on that deal which was made before the last election. It is about time the truth was told about the electoral process in this State and how these things work in the Liberal Party. A deal was done with Westfield about electoral support, and that deal was reneged upon after the election because the Premier could not carry the numbers in Parliament.

What happened then regarding Sunday trading was that, suddenly, small retailers and others started speaking out to members on both sides of Parliament. Before the 1997 election, the Labor Party laid down its position that, fundamentally, it would not support Sunday trading in the suburbs. We said this before the election, and we have kept up our campaign. Before the last election, I met virtually every tenant at Marion, Colonnades, Tea Tree Plaza and so on.

The point is that they knew where we stood. We have kept our promise, and we have kept up the campaign, making it more difficult for the Government to make up its mind and do its deal with Westfield. We have this compromise today because the Government knew that it would be slaughtered by small business if it went ahead and did what it wanted to do, what it shook hands on under the table to do before the last State election.

Some interesting information has been sent to the Opposition about shop trading hours. I refer to a letter from Simon's Supermarket (a small supermarket at 22 Amanda Street, Salisbury), which states:

Re: trading hours

I am very concerned at the efforts of big business to influence the South Australian Government to grant them open slather in the marketplace. Seven day, unlimited trading hours will destroy the last and only concession or advantage that enables small business to compete against the powerful and influential big retailers, while providing us with convenient, friendly and personal service. I believe the major traders already enjoy the following advantages: much lower rent per square metre; lower wholesale prices; few leasing restrictions; lower wage structuring; kickbacks from manufacturers; lower ETSA charges; fees to put products on shelves; and there are probably more. Further, I am sure that South Australian prices, the lowest in Australia, will rise to Sydney or Melbourne levels if the increased competition engendered by (only) six days trading is taken away. Why aren't Sydney or Melbourne the cheapest if seven day trading is said to lead to increased spending activity?

Already we are experiencing less places to shop for groceries as small supermarkets are pushed to the wall by the overwhelming might of the big trader, and that means less choice and hence less competition leading more surely to increases in prices. The public of South Australia will be disadvantaged and the State further disadvantaged by the loss of local business investment and the surge of profit leaving this State. Deregulation will prove to be anti-competitive.

All our small businesses will be devalued by deregulation and that means a further loss to the South Australian economy. Business agents will be out of business. If 73 per cent of the 5 000 respondents to a recent Channel 9 survey said 'NO' to extending hours, why would any Government go against that—a clear majority wish? As our elected representatives we expect you to say 'NO' to further deregulation and so save South Australia from further financial and job losses. We have lost too much already.

We also received a letter from the Motor Trade Association of South Australia announcing its submission on trading hours, which states:

A formal survey of our new and used vehicles sales members indicated that 98 per cent did not want to open on Sunday. Their reasoned decision is based [in part] on the following:

1. Various resource agencies and supporting services are closed over the weekend or by lunchtime on Saturdays, including the Registrar of Motor Vehicles, financial institutions, solicitors' offices and offices of vehicle manufacturers. Therefore, transactions could not be completed, requiring the customer to return later.

2. Members' businesses are already open for a wide spread of hours and many offer after hours services, including delivery of a vehicle to the home of a prospective purchaser for their inspection—Sundays included. Therefore, members already provide a service on Sundays as required, but do not want to bear the added costs of opening and staffing their premises.

3. Many yards are made accessible to the public for Sunday browsing.

I remember visiting, with the shadow Minister for Industrial Affairs, Peter Davey Toyota at 170 Main North Road and being told in passionate and eloquent terms by management and staff that Sunday trading and extended shopping hours would damage their and their families' lives. Again and again we have received letters from people who have pointed out—as has been pointed out today—that bit by bit the big boys are taking over and smaller businesses are being squeezed out and sent to the wall. So, do not give me this pious nonsense about this Government being friendly to small business.

We have received many submissions from Max Baldock, for whom I have great respect, and others. Max Baldock's leadership of small retailers has absolutely lifted that organisation in terms of the respect in which it is held by this Parliament, especially when you hear Max Baldock talking about the damage that could be done to small businesses which have already been damaged in so many other ways by this Government.

All I can say is that, today, we have stopped Sunday trading in its tracks. The Minister and the Premier would like to stand up and say today that they support Sunday trading. In their heart of hearts they would like to honour their election funding deal with Westfield to bring in Sunday trading in the suburbs. We have been given so much balderdash about other countries. It is of interest to note that a few years ago the *Sunday Mail* said that we were not New York or London. I remember, when we had Sunday trading in the city, that we were told there would be a jobs boom. We were told that the city would be turned around and that thousands of jobs would be created. Instead, hundreds of jobs disappeared, including those at John Martin's.

We were told that we had to have shops open in the suburbs because Japanese tourists come here—presumably on their way to Worrina on these four or five jumbo jets per week. By the way, I am told that the Minister says that Worrina was not in the *Best Kept Secrets* book because it was so well known, but Adelaide, the Barossa Valley and Kangaroo Island are in it. I am not quite sure what the Minister is saying.

However, we were to have Marion and Tea Tree Plaza open because of this flood of overseas tourists who are used

to shopping on Sundays in Tokyo, New York and London. That is not true. There is no open slather trading in New York on a Sunday. The big department stores in New York and London are closed on a Sunday. In Tokyo, you have to find the fake pearl shop at the markets—I am sure the Minister has been there. It takes about a two hour walk to get there. That was about the only shop that I could find open on a Sunday when I was last in Tokyo.

All I can say is that the Labor Party has kept faith with employees of department stores and members of the SDA who want to play sport, attend church and enjoy their family on a Sunday, because we (they and I and the Government) know in our heart of hearts that there is only a certain amount of money in the community. So, we have kept faith with the unions and we have kept faith with small business, which would be destroyed by Sunday trading. We support this Bill but we are also moving to make sure that there are some other protections for small business, because the one message that I received before the last State election, after visiting hundreds of small businesses in shopping centres, is that these leases are absolutely extortionate. What is happening in terms of leases in shopping centres is a disgrace, and I will say that to the Westfields and others any time they like to see me.

Ms RANKINE (Wright): Like most people in this Chamber, I work very long hours and, from a personal point of view, it would suit me greatly to have the shops open later to do my shopping. But this is not about me and what suits me, and so it is with extreme concern that I stand here to debate this Bill, which will further extend trading hours.

I believe that it is important to look at the results so far. Clearly, the major achievement of the extension of trading hours has been the closure of John Martins. That showed that Sunday trading in the city simply was not profitable: one of the largest and most well known stores in our city closed because of it. What we have seen is the movement from full-time to part-time jobs and from part-time to casual. Very soon after Sunday trading commenced I had discussions with a woman who was working at David Jones, and she told me about the reduction of hours for women working in that store—how they were being reduced from five or six hours a day to three hours a week. We have seen the reduction in the viability and profitability of small enterprises. We have seen that Friday night trading in the suburbs lasted only three and a half months. And it is an absolute nonsense to think that 9 p.m. trading in the city will work: it will not. Make no mistake: extra trading hours does not mean extra trade. Small traders are working longer and longer, just to keep their head above water. It has not meant more jobs; it has not meant more jobs for our young people or for women in South Australia: it just has been an additional burden on those operators of small businesses.

The member for Hanson mentioned a letter that I passed on to her from Steve Weir, the General Manager of Salisbury Toyota. Salisbury Toyota is a large and successful business in my electorate, and Mr Weir spent a considerable time talking to me about the concerns that he and his industry had in relation to the extension of trading hours. He also passed on to me the results of a survey conducted by the Motor Trade Association of South Australia, and the results are very interesting. In the survey traders were asked: 'Did you extend your Saturday trading hours beyond 1 p.m. commencing 20 July 1991?' A total of 56 per cent said 'No.' They were asked: 'If market forces dictate your opening on a Sunday,

will you utilise existing staff numbers?' A total of 81 per cent said 'Yes'—no more jobs, basically. They were asked: 'What is your preference for trading hours?' and whether trading hours should remain as they are—that is, six days a week. A total of 56 per cent said 'No' and 44 per cent said 'Yes.' Some 98 per cent said that they did not want trading hours extended to Sunday, and 97 per cent said that they did not want trading unrestricted. And this will not happen, but 84 per cent said that they would like trading hours restricted to five and a half days, reverting to pre-1991.

As we have heard, the big argument for the extension of trading hours was in relation to tourism—that we needed it to accommodate tourists. I am the first to support real, viable and sustainable tourism, and so is the Opposition. But I have never had a visitor to this State, either from overseas or from interstate, ask me on a Sunday whether they could visit the Tea Tree Plaza or the Golden Grove Village shopping centre. These people have been keen to visit the Barossa, Hahndorf, Victor Harbor, Jetty Road or stroll through the unique and interesting shops along Rundle Street East. Tourism does not need, and will not be boosted by, trading in the suburbs. It is just not a sustainable argument.

I have spoken to a large number of small traders in my electorate. Like the Opposition, they are in no doubt that big business wants extended trading hours, and it wants it badly. Those with the majority of the trade currently want more and, quite clearly, they were promised more. They want to continue their squeeze. Small business operators in my electorate are no longer swallowing the rhetoric of the Government. They know that they have been let down and betrayed. They were promised a better deal for small business. They know now that they were not part of the real deal. As others have said, the Bill that is before this House is one where none of the players have won a prize. Clearly, the big shopping centre owners are even less impressed with the outcome of this Bill than the small traders. They wanted, and clearly received, a wink and a nod that they would be getting Sunday trading. Well, along with the rest of the electorate, they have had to learn the value of the commitments that this Government makes. My weekly shopping docket is worth more! I say to them: remember the promises the Government made about SA Water and ETSA, and now it is shop trading hours.

I have real concerns about the control and influence that centre owners are placing, and will place, on small business operators in their centres. Whilst operators currently have the opportunity to vote on hours of operation for their centre, I am in no doubt as to the extent of pressure that management can bring to bear on these traders—if they do not sign their renewed lease with increased hours, they will see what happens. I have had personal experience with shopping centre management: I know how uncompromising and inconsistent they can be and how fairness and equity are just not part of the business they are in.

Over the years, business has pushed for deregulation and for less government. The small retail traders are in no doubt now that they need protection. They need protection to ensure access to fairness and equity in their dealings with those who, to a large degree, have control over the viability and success of their business. I reluctantly support this Bill, because I believe that it will show, once and for all, that deregulation of shopping hours simply will not work.

Ms BEDFORD (Florey): In rising to speak to this Bill I would like to share a couple of things that happened to me in

my campaign as a candidate for the seat of Florey—in which, as all members know, is the shopping centre of Westfield Tea Tree Plaza. I paid a courtesy call to the centre management—and the timing of the call is the most interesting part—and this must have been somewhere between the time of the discussion in the House about leases at Westfield Tea Tree Plaza and the meeting of which the Leader of the Opposition spoke earlier, where Westfield thought that it would be given the changes to Sunday trading that it so desperately wanted. So, I went to speak to this particular gentleman, and he abused me roundly. He told me how useless the Opposition was in the House and he was rather critical of the actions of the member for Spence in talking about leases. And he really went to town on me. I was a very small fish in the pond but he felt very happy to let me know all about it. To Westfield's credit, once I was elected its representative was one of the first people over to the office to welcome me into the electorate, and said how Westfield looked forward to having a really good relationship with me.

We did have that relationship for some time (and here again the timing is the really odd thing), because I was invited to nearly everything that they held—golf days and sporting presentations—but just recently I have not been invited to anything. And I am beginning to believe that there is some connection between this and the time when Westfield began to realise that Sunday trading would not happen at all. That is the only reason I can think of, because I have smiled at them and done all the right things at every outing. So, I am beginning to think that obviously there is something going on that we do not know about, and this is what concerns me.

I now want to discuss the question of choice in this debate—and, again, it is a Westfield centre thing. No-one I speak to believes that there will be a choice in this matter, because traders are very vulnerable to the 'core trading times'. Once they are written into their lease they really do not have a choice. Again, we know that their lease is an item of some concern to them.

We talk about the benefits that extended trading might bring to consumers. I do not think that with extended trading there will be a benefit in costs to anybody. No-one expects the prices to drop, just as we did not see prices drop or stay down when we started to import large quantities of overseas goods into the country. We all remember the overseas goods that came in very cheaply—

Mr Atkinson interjecting:

Ms BEDFORD: Of course they are; you are so good at things like that. But the prices did not stay down. The prices have not remained low: they have crept up. The same thing will happen here because, as my colleagues have said, it is really about market share. While we know that the big traders are not happy with this deal, they have time on their side. They can wait and hope that things will improve for what they really want: open slather on Sundays. Again, as one of my colleagues said, the big three have 80 per cent of the market share in Australia, and that is not at all healthy. As my colleague said, per million dollars of sales they employ fewer staff than small business. As we all know, small business owners will not employ extra employees when this happens: they will maintain their shops themselves. The big traders need only one or two people to operate the checkouts at the front of the shop to remain open all night. So, there is no win there for employment.

Another matter is disposable income. We still have only the same amount of disposable income with no increase in employment. No more consumer demand will be created, so

I cannot see how we can win with that either. A number of my colleagues and I were involved with the phone-in at the ALP Party office relating to Sunday trading, and a number of people contacted us. This was not a concerted campaign by small retailers: these were genuine people from the suburbs who could see no benefit in it and who were concerned that their family or friends might have to keep their shops open for longer hours. We heard stories about people who are unable to sell their business because no-one wants to operate a small business that has to trade for such long hours. We have letters from people who have six retail premises, people you might think would support extended trading. They cannot maintain the salary costs and they do not support extended trading at all. So, it all gets back to the big three and to the large retailers who want this.

In conclusion, I have surveyed all the local traders in the large shopping centres in my electorate. No-one came back to me and said that they wanted extended trading hours. I see this very much as a stop-gap measure. As we have all said, there is practically no change at all. I hope that we do not go through this process again in the next three years but, as the member for Wright said, the runs will be on the board by then and we will have had no change or improvement in the position. Let us hope that we do not go through this again quite so soon.

Mr ATKINSON (Spence): First, I should disclose that I am a member of the Shop Distributive and Allied Employees Association. On three occasions that union has donated to my election campaign—this is recorded in the register of pecuniary interests, and it is recorded in the Australian Electoral Commission electoral donation returns. Moreover, my wife produces the Shop Distributive and Allied Employees Association's magazine as a casual employee of that union.

The main game in any trading hours debate in South Australia relates to Sunday trading in the suburbs. It is my intention while I am in this Parliament to oppose Sunday trading in the suburbs. I do so principally because I am a Sabbatarian. I enjoy Sunday being peaceful, being a different day, and I thought that sentiment was expressed quite well recently in an article in the *Weekend Australian* magazine entitled 'The new 10 Commandments', which read, 'Remember the sabbath day, and keep it holy.' Owing to deregulation in our economy, the journalist wrote:

The week as a result lacks rhythm. There is no still point at which we stop and begin again. The same is happening to the day. Globalised markets mean that as we sleep work is being done about which we need to know. Your sunset is somebody else's dawn, probably somebody who wants to enrich himself at your expense. Without at least the idea of the sabbath, there is no rest. The wired world sucks us into a perpetual frenzy of paranoid activity. This is unnatural. Six days of work and one of rest—and that includes not shopping—is reasonable. We need peace and contemplation if we are to make any sense at all of our lives. If we can't have Sunday, we should make our own private sabbaths in which we cultivate sublime inactivity and the divine boredom that leads to real concentration. So the fourth new commandment is: be quiet.

I welcome the Bill's continuing, at least for a time, Holy Saturday being excluded as a trading day. I think that is an excellent decision. In fact, I find the peace and quiet of Good Friday and Holy Saturday exhilarating. They are amongst my favourite days of the year, when I ride my bike to and from church and around our suburbs where nothing much is happening—and that is great, and long may it continue that way.

The Bill before us proposes to extend weekday shopping in the suburbs from 6 p.m. to 7 p.m. and in the city from 6 p.m. to 9 p.m. It is pretty obvious that the member for Adelaide is looking after his constituency, looking after the central business district in his electorate, by making sure that it has longer trading hours than the suburbs. I do not quibble with that. Shopping in the central business district is in a terrible way; it continues to lose market share to the suburbs.

One of the reasons it does that is the short sightedness of the Minister's North Adelaide allies and the Adelaide City Council, who have done everything they can to repel from the city dwellers in the suburbs who might wish to use the city for shopping and recreation purposes. These people, such as Councillor Anne Moran, Alderman Bob Angove and councillor Albert Brooks, all of whom are political allies of the member for Adelaide, have done what they can to turn Adelaide and North Adelaide into a Mira Monte, an exclusive housing estate which exists for the benefit of some North Adelaide residents. The capital city is for all of us, and just about anything which promotes shopping in the city and North Adelaide is to be encouraged. This Bill does so, and I congratulate the Minister on that provision.

I have to say that my expectation is that these extended hours will not be used to advantage by retailers. In fact, I think most retailers will find the prospect of trading these hours uninviting. In the suburbs, the only shops which will use these extended hours are grocery stores, unless the landlords compel other shops to trade. Similarly in the city, I do not think many, if any, department stores will open after 6 o'clock on weekdays. That outcome is not such a bad thing, because it will demonstrate that you can extend trading hours all you like but retailers will not necessarily take up those hours. They will not necessarily find those hours advantageous so, when the Government next moves to introduce Sunday trading in the suburbs, as it will as time goes by, we will have the argument that there are already trading hours in the city and the suburbs not being used to advantage by retailers. That will be a strong argument.

With those remarks I am happy with the Bill. However, I would like to see the Bill contain a provision to protect retailers in enclosed shopping centres from being compelled to trade the extra hour in the suburbs on a week night. I do not think the extra hour is much to the advantage of many retailers and enclosed shopping centres. There is already a provision in the Retail and Commercial Leases Act, put in by a Labor Government, which would allow a ballot of retailers in an enclosed shopping centre. As I understand it, if 25 per cent of retailers in an enclosed shopping centre do not want to open for that extra hour, the shopping centre landlord cannot compel them to trade.

Retailers in enclosed shopping centres tell me that, irrespective of that provision, they will be eventually compelled on the renewal of their lease to agree as a provision of their lease to trade the extra hour. That would be most regrettable and I hope that either the existing law will be interpreted in such a way, or there will be an amendment to the effect, that enclosed shopping centre landlords cannot compel retailers to trade the extra hour if they do not wish to. With those remarks, I support the second reading of the Bill and look forward to discussion in Committee.

Ms THOMPSON (Reynell): I want to say something about the difficulties being faced by small traders in my electorate. Also, I want to record that, during the ALP phone-in of which I was a part, I found considerable recognition

from consumers of the risk to small business posed by an extension of shopping hours. A couple of respondents said to me that, from one point of view, they might have found it easier and more convenient to have stores open 24 hours a day or for longer times but that they were prepared to sacrifice that convenience in the interests of keeping small business going because they also recognised the service to them provided by the mini-marts in particular when they needed something late at night.

I have already spoken in this House about an incident in the Woodcroft area where Woolworths was operating in contravention of the current shopping hours rule and, when it closed down, it undertook what I described as bully tactics against the small traders in the area. Notices went up in the area vacated by Woolworths, in the area it occupied legally but in which it traded unlawfully, saying that it was because of the small traders in the area that the service it was offering had been forced to close.

Those small traders had to suffer abuse from people coming in and saying, 'Why can't I get my big bags of dog food at cheap prices now?' After discussion with owners, people recognised the value of the service provided by the small traders and the risk to them that resulted from the extension of trading hours and the flood of the market by the major retail chain stores. Another constituent recently came to me after suffering difficulties with the interpretation of his lease agreement. We all recognise that one of the fears of small business in this area is that small business will not have a choice, no matter what the legislation says.

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

Ms THOMPSON: As I was saying before the dinner adjournment, the issue of shopping hours evokes quite an amount of community feeling, both the fear of small businesses about their future and the desire of people in the community to purchase when they want to but, in my experience, that has been very much balanced by their desire to protect small businesses around them and thus keep them going so that they have the convenience of using local small businesses when they need to and want to. I said that the lease issues that many small businesses raise in relation to shopping hours are of great concern. Many small businesses fear that, whether or not they want to, they will be forced to open for all the available hours by the monolithic organisations that manage the complexes in which they are located.

I was recently approached by one of the small businesses in my area—a man almost at the end of his tether—because of changes that were being made to his trading environment. He runs a photographic store in Southgate Plaza. His lease provided that no other photographic business would be located in that complex. While Coles Myer owned and then managed the complex, that provision of the lease was adhered to, despite the fact that the chemist had applied to the centre management for permission to install a photographic processing machine and sell the normal photographic paraphernalia. Coles Myer interpreted this as being a breach of the lease that it had with my constituent who runs the photographic store.

The new managers of the complex do not have such an interpretation of the lease. My constituent is now involved in legal action fighting for his business, because he sees that, if a photographic processing machine (with all the frames and everything else) is installed at a nearby chemist which is already patronised, and given that the location of the chemist

is far more central than his location, he may as well just hang up his shingle and disappear immediately. In fact, he believes that the property managers recognise the duress under which his business will be placed because they told him that, if he finds it necessary to surrender his lease early, they will not penalise him.

So, how can small businesses feel confident about their conditions of operation with these sorts of interpretations to their lease agreement? How can they feel confident, no matter what their personal business decision, about their lifestyle decision as to when they operate their business and their financial calculations on the hours needed to open to break even and whether or not they are just paying for overheads for any extended trading period? How can they be sure about their conditions when changes are made to their trading hours and when they feel very vulnerable to the pressure that will be brought by the property managers of these large centres in terms of their decision on whether or not it is feasible and financially rewarding for them to trade? I will be very pleased to support the amendment that will be put by the Opposition in relation to trying to give some of these small business operators slightly more power in their negotiations with these huge organisations with which they are dealing.

The issues that have been brought to my attention by small business in the past year remind me very much of the sorts of issues that were brought to my attention, when I was union secretary, by the workers when they felt they had no power in negotiating with their employer and needed the support of the union, with its expertise, to speak on their behalf, giving them some sort of collective advantage in dealing with a huge organisation. The power difference between these workers and their employers is very similar to the power difference experienced by these small business operators in relation to the operators and managers of these huge centres. They can see our changing their trading environment only as a major threat, so we have to look at ways in which we can give them some power.

The situation and the fears of small businesses were brought very vividly to my attention by the operator of one of the local seven-day trading organisations. My constituent states:

The deregulation of milk was supposed to bring cheaper prices, but this has not happened. Deregulated milk saw some milk vendors lose their business and in some cases their homes and join the dole queue for no good reason, as milk is now no cheaper.

The letter continues:

The national supermarket chains enjoy a distinct price advantage over us when purchasing stock; their warehouse pays sales tax on the purchase price from the supplier. We pay sales tax on the price from our warehouse after they have added their mark-up, resulting in 3 per cent to 5 per cent higher prices to us. This does not equate to a level playing field.

I think that we in this House are all well aware of the very real fears of small business about a situation of further disadvantage with the impact of the GST. The owner of this very valuable service in my area states:

National supermarket chains virtually blackmail suppliers and manufacturers into paying for shelf space in the area known as the 'buying zone,' or aisle ends. The highest bidder gets the best place in the 'buying zone'. Our shelves also have a 'buying zone,' but when we approach companies for the same assistance as is given to national chains the answers range from a polite 'Sorry' to, 'You must be joking.' The dollar returns from shelf space, aisle ends and warehousing fees can often mean that national chains have made their profit before they have even sold one item.

My constituent cites a *Business Review Weekly* article of April 1998 which indicates that Coles charges \$120 000 for an aisle end for one week. Another way in which small business is disadvantaged relates to the period for paying accounts. My correspondent states:

It is a well known fact in the grocery industry that national supermarket chains operate on 90 day accounts, ours are either COD or seven days . . . Suppliers and manufactures have two ways of supplying goods; warehousing (for national chains and large stores) or the route trade (for small stores and delis). There is a saying amongst reps that goes 'what we lose on the chains we make up for on the route trade'. For example, price of a basic commodity such as 250 gram butter: Bi-Lo Morphett Vale every day shelf price after markup \$1.12 compared to the 'route trade' price from our milk vendor \$1.17; we would then need to add our mark up. This does not equate to a level playing field.

My correspondent points out that small stores provide a valuable service to the community and certainly in the area I am proud to represent this is particularly the case with people who do not have a motor car, and the elderly who do not like to use their cars unless in the most ideal driving conditions. At a convenient time they like to be able to walk to the Hackham West deli or the Christie Downs seven day supermarket where the owners know them, recognise them, listen to their requests and try to meet their particular needs over the weekend and out of hours. It is a long way from Hackham West to Coles at Southgate Plaza and the Morphett Vale Woolies on a weekend with very little public transport if you do not have a car.

My correspondent points out that seven day trading has been in operation in Victor Harbor for some time, with two national chain stores opening and the result of that being that small delis and mini-marts have been forced out of business. Many of my colleagues have pointed to the concentration of the retail market in the hands of the few. It is quite clear that this is not competition in the sense that will ever benefit the consumer. The consumers of the services of banks are constantly voicing their frustration about the lack of competition and the complete lack of service for the small, ordinary members of the community. It is certainly my fear, shared by many of the operators of these businesses, that the same thing will happen to consumers if the share of the market operated by the large stores is allowed to increase, and all the evidence is that increases in shopping hours will make it so much more difficult for small businesses to survive that the share of the large operators will continue to expand.

The small business organisations frequently bring to our notice the stresses on family life caused by extensions to hours. We know them well enough, and I draw attention to the other risk involved in the extension of hours when small business operators cannot afford to employ anyone. Many fear that with extensions they will have to relinquish staff and take over more of the work themselves. We all know that tired workers are at grave risk of injury. There are plenty of risks and hazards in the local delis whereby people can injure themselves simply by slipping, falling, knocking themselves and, more importantly, by cuts or by sustaining severe injuries from some of the implements they use.

The former member for Kingston recognised the importance of the issue of shopping hours in the southern area when, despite being a Federal member, she endeavoured to run a major campaign in relation to shopping hours and opposed any extension. Many people joined in that campaign to say that they were worried about the changes in their business conditions and the stresses that would be imposed upon them. It did not do her any good in the end but it did

show the extent to which small business in our area is very concerned about the issue.

As do most of my colleagues, I support this Bill with many reservations. We speak in support because we see that there are some benefits, but we are also concerned about the lack of safeguards for small business in our community and, as members well know, we will be moving to introduce a small safeguard which we hope will assist small businesses to negotiate more equitably with the operators.

I draw attention to the fact that once again the Liberal Government has failed to provide certainty in the business environment for people who have made major investment decisions in operating their business. Certainly, there was an indication that this would be the situation for so long and then there would be a moratorium and a review. How can people who are looking at issues such as mortgaging their homes and trying to provide a secure future for their families make their decisions when they have a Government that operates in that way? They are told, 'We will do this for a year and then have another look; and then we will do something else for a year and then have another look.' I have not yet heard a commitment from this Government to providing a secure environment at last for all traders, particularly small traders, to make their reinvestment decisions or, if some of the feelings they have expressed to us and the fears that have come true, to withdraw from the environment immediately. This is always complicated by whether or not they can get a decent price for their business and the hours that they have invested so far.

So, once again we have a situation of this supposedly pro-business Government, which is really pro a very few large businesses, creating difficulties for the ordinary battlers of this community, whether the ordinary consumers or small retailers, small business operators, trying to make a decent go of it. This Government does not provide a secure, informed, economic environment to enable businesses to flourish in this State, and then it wonders why we cannot do something about jobs. We cannot do something about jobs because this Government could not manage a chook raffle, let alone the trading environment of this State.

Mrs MAYWALD (Chaffey): I am pleased from a rural perspective that there is to be little impact on rural businesses and rural trading hours. It is interesting to note that the existing Shop Trading Hours Act 1977 by default prevents market domination, particularly in rural areas. It is not the purpose of the Act. However, by limiting the hours to which larger businesses can operate, this is the outcome that is achieved by default. It protects rural businesses, particularly small rural retail traders, from market domination. Market domination is a scenario that does not promote competition but destroys it, enabling a few players to dominate and hence control market prices.

By limiting shop trading hours for some businesses, the Shop Trading Hours Act 1977 currently enables small retailers in rural communities to determine what hours they want to trade. This provides local communities with the power to determine what trading hours will best suit the community. Total deregulation would have resulted in this control being taken out of the hands of the local community and placed firmly in the hands of the large retailers. This would have been anti-competitive, anti-small business and anti-economic development in this State.

Small business is the engine room, we are so often told, of economic growth within this State and the major employers within this State, and anything that actually detracts from

encouraging small business to operate, particularly in rural areas, I believe is a negative step back for this State. Major retailers currently enjoy many trading advantages that place small retailers at a competitive disadvantage. For example, they pay lower rent per square metre; they have few leasing restrictions; they get kickbacks from manufacturers which are not accessible by smaller retailers; they demand fees to put products on shelves; they have lower wholesale prices; they have sales tax advantages; and they have lower wage structuring, lower utility charges and bank fee reductions.

Total deregulation would enable major retailers to trade seven days a week which would oblige small retailers to do the same or to risk losing part of market share. This will further disadvantage small retailers as overheads will rise while market share will diminish. Deregulation will not result in cheaper prices for the consumer, I believe. South Australia's groceries are currently the cheapest in the country and independent supermarkets, I believe, are the reason. Deregulation will promote market domination which will result in less competition and higher prices for the consumer.

Total deregulation, however, would result in rural shrinkage. It would certainly enable market domination by the major retailers and would result in the closure of small retailers who are less efficient due to economics of scale. Small businesses and retailers employ more staff per dollar turnover than major retailers. According to ABS statistics, for every \$1 million in turnover small retailers employ 20.6 people while large retailers employ only 6.8 people—a difference of 13.8 employees.

The impact of domination within country areas would be significant and would have a great impact on rural shrinkage. The on-flow effect on schools and other services would be horrendous. Opening the door for market domination would result in small business closures, less competition and fewer job opportunities in regional areas. The only people who would benefit from total deregulation of shop trading hours would be the major retailers. The losers would be small business, jobs and the State of South Australia.

Currently, regional self-regulation—which is how it currently works by default—is appropriate in determining a community's needs and for them to be able to determine what is most appropriate for their tourism opportunities, and also their local community and social obligations. Rural communities struggle in the current economic environment to stop the drift from regional areas to cities; rural shrinkage results in a reduction of regional and Government services of health, education and banking, and rural communities cannot afford to see small business driven from the regions by market domination of major retailers.

The COAG competition principles—the principles that were used as the reason for this review of stop trading hours—actually provide that the guiding principle is that legislation, including Acts, enactments, ordinances or regulations should not restrict competition unless it can be demonstrated that the benefits of the restriction to the community as a whole outweigh the costs and the objectives of the legislation can only be achieved by restricting competition.

I am very pleased that the resultant legislation from the review does not impact upon rural communities. I do have some reservations about how it impacts on small businesses within the metropolitan area. However, my electorate is a country and rural electorate, and I am very pleased that we have been spared the market domination that would have resulted had deregulation been total. The only way a truly

competitive retail environment can be achieved is if all businesses have access to the same trading advantages. This does not happen now and deregulating shop trading hours will give major retailers yet another trading advantage over small business which will create an environment for market domination. The cost to regional communities would be significant and, therefore, I am very pleased that this legislation does not impact upon rural communities.

Mr SNELLING (Playford): I welcome the Government's move not to extend trade on Sundays and, like the member for Spence, I also believe in the Sabbath being set aside as a day for worship. I also believe in the importance of a Sunday break for families, a day on which families can get together without the normal distractions of our consumerist way of life.

It has been demonstrated that the extension of trading on Sunday in the city does nothing to increase trade and it does nothing to increase turnover: it only stretches consumer spending over a longer period. That results in increasing costs, particularly for small business. They are forced to open for a longer time; they are forced to incur the extra costs of opening for that longer time without any corresponding increase in turnover and without any corresponding increase in sales to cover that cost and to increase profits. So, I welcome the Government's decision not to extend trade on Sundays for those people in my electorate who run small businesses.

When I was an organiser-trade union official with the Shop Assistants Union, the universal opinion among shop assistants was opposition to Sunday trading because they wanted Sunday set aside as a day for them to spend with their families. Even with clauses insisting that work on Sunday be optional and voluntary for people working within that industry, the reality is that it never happens. Most people, perhaps subtly, are forced to work on Sundays; an employer simply says, 'Well, Sunday is when I do most of my trade. If you are not available to work on the days when I do most of my trade, then, I'm sorry, I can't give you as many hours as I would like to.' So, very subtly, employers in the retail industry are able to force their workers—and members of the Shop Assistants Union—to work on Sundays when they would otherwise have the right to refuse that work.

I reject the often expressed opinion that tourists require us to open our shops on Sundays. The fact is that tourists do not come to Adelaide to do shopping: they come to Adelaide and to South Australia to visit our wineries, beaches, national parks and other tourist spots—

Mr Hanna: Such as Wirrina.

Mr SNELLING: —such as Wirrina, as the member for Mitchell points out—which are always open and always have been open on Sundays. The opening of shops on Sundays does nothing for the tourist.

As the Leader of the Opposition pointed out earlier this afternoon, all around the world cities, to which Adelaide would perhaps aspire, remain closed on Sundays. One aspect of the Bill which I am unable to understand is why the Government has extended trading to 9 p.m. on week nights for shops in the city area. I do not believe that many shops will take this option. People do not buy refrigerators and television sets late at night during the week: they are more likely to do that sort of shopping on a Saturday. Of course, most of the trade in the city is for the large consumer items which people prefer to purchase in the city, but they are unlikely to make those sorts of purchases during late night

shopping during the week. I am firmly of the belief that few shops in the city will take that option to trade late at night every night of the week. Most of them will remain closed and make use of the existing trading hours.

However, I am happy to support the Government's Bill. With that reservation, I believe that it is, basically, a good Bill and, as I said earlier, I welcome the Government's move not to extend trading on Sundays and I call on the Government to remain true to that and to not at some stage in the future deregulate Sunday shopping.

Ms BREUER (Giles): I will not speak for long tonight. Some of my colleagues might be a bit concerned about what I am about to say, but I want to take a different perspective from some of them and speak from experience. I have a dream of being able to come to Adelaide at Easter and shop until I drop at DJ's, Myer, speciality shops, etc. However, a few years ago, through my role on the Whyalla council, I was involved in a number of public meetings and discussions with small businesses about shopping hours in Whyalla. Coles Supermarkets decided to extend their hours to 24 hour trading. The theory at that time was that shift workers would be able to shop at 3 or 4 a.m. when they finished work, that other workers would be able to shop late at night (1 or 2 a.m.) or 24 hours a day, and that jobs, jobs, jobs would be created by these extended opening hours.

However, small businesses in the community were devastated by these proposals. The possibility of staying open when most of their staff had families and the consequent wear and tear on those families appalled them. Those businesses with paid staff could not afford to keep their premises open for extended hours and compete with supermarkets—it just was not possible. So, there was a very real threat of small businesses closing because of the extended shopping hours that were proposed.

Despite these discussions and community opposition, Coles went ahead and opened for 24 hours a day, closely followed by Woolworths, which restricted its hours a little but which basically followed the pattern of Coles. The result was that a number of delis, newsagents and small shops such as butcher shops closed. There was a downturn: they could not compete with large supermarkets in a small community.

There is a downturn generally in business in Whyalla, but that is happening now. At the time of these extended opening times, the community was still thriving to a large extent and there was not the impact that the down scaling of BHP is having on the community at the moment. So, I ask: where are all these jobs that we were told would be created? There is now some weekend work on Saturdays and Sundays for students who are not able to work during the week. Supermarkets are closed. Target and Harris Scarfe also provide work for young people, but the number of positions is limited.

On the opposite side of that, the number of businesses which have closed have made up for those numbers. Small businesses cannot afford to stay open for those hours and compete with big companies. Twenty-four hour shopping did not work: it lasted for about 18 months before those stores reverted to closing at midnight and opening at 6 a.m. One morning I walked through the supermarket at 2 a.m. to see how many people were there: there was not a soul; I was the only person in the store.

I want to point out another issue that is connected with all this. At that time, Woolworths decided to extend its hours, and I now have some concerns about the petrol stations that

Woolworths are opening throughout the State in competition with other businesses in the community. This has not happened in Whyalla as yet, but I have noted with some concern the last couple of times I have been to Port Augusta that at least two major petrol stations—there may be three, but I know of at least two—have closed because of the fact that Woolworths petrol stations are operating and businesses are not able to compete with the prices that Woolworths offer.

As I said before, it would be very convenient for country visitors to come to the city and shop at any time of the day, but if people are able to come to the city and shop on the weekend they will take away business from the small businesses in their community. Towns such as Roxby Downs where shopping is limited would send bus loads of people to the city at weekends to shop, and places such as Whyalla could do the same thing, taking business out of Whyalla into the city.

My point is that this legislation is not about some of the issues that have been discussed but about families and quality of life. It is about people being able to spend time on weekends with their family. It is also about big businesses steamrolling smaller operators who have worked in communities for many years and who are now having their businesses taken away from them.

Ms CICCARELLO (Norwood): I would like to express some concerns on behalf of small traders in Norwood. I will refer specifically to Norwood Parade but my concern also encompasses Magill Road, Payneham Road and the traders and all other small businesses in the area which are now in my electorate. I have had a long relationship with the small businesses in my area. Norwood Parade has changed very much particularly over the past 20 years: it has gone from a place which not too many people wanted to visit to a premier strip shopping centre.

However, it has faced some serious problems as a consequence of changes in shopping hours and State planning laws which have allowed regional shopping centres to proliferate. This has really changed the nature of shopping in South Australia and is constraining people who would like to go to their corner grocery store and deli. They are now almost being forced to get into their cars and drive to regional shopping centres, because these small businesses are finding it increasingly difficult to survive in the current economic climate.

Ms Key: What if they only have a bike?

Ms CICCARELLO: If they only have a bike, it is extremely difficult. With reference particularly to The Parade, many of the existing businesses are family businesses that have been there for 20, 30, 40 or even 60 years. I will name some of them, as follows: the Norwood Parade fish shop run by the Louca family since the early 1950s; the Mittiga family with the Norwood Parade Cycles; Vari's grocery store, which I think is famous in South Australia as being one of the early continental delis; Wards Shoes; Waite's; and the Greek continental store, Samms on The Parade. Those are just a few of the family businesses on only a short section of The Parade which goes from my office for probably about 100 metres down the street. I could name another 100 shops, but I think their experience is similar to that of most of the other businesses on The Parade.

We saw the introduction of Sunday trading in the city, which had an enormous impact on The Parade traders four years ago, particularly the speciality shops, which used to do very brisk business on Saturday mornings. The introduction

of extended shopping hours in the city had a serious impact on trade on The Parade. Over the past three years, these businesses have tried to change the nature of what they do and to improve their customer service, which has always been very good. They know that they have to do things differently and better in order to survive in a very difficult economic climate.

I believe that this really has been evident, in that last year in *Mode* magazine The Parade was highlighted as being the premier street in South Australia. So, that is an indication that people are doing things right. But earlier this year, when the Labor Party carried out a survey on trading hours, many of my traders approached me (and I believe that we also heard this in the phone-in) and the indication was that the majority of people were very much against any extension of trading in the suburbs.

Subsequent to that, I conducted my own survey. I distributed more than 400 survey forms to businesses on The Parade, Magill Road and Payneham Road, and there was an overwhelming response. Almost 90 per cent of the people who responded indicated that they did not want to see any extension of trading in the suburbs at all. So, with what has been proposed, I suppose that they are reasonably happy that there will not be any Sunday trading in the suburbs, which means that they will now be able to survive in the face of the major retail traders.

However, they have indicated that they are not very happy about the extension to 9 p.m. trading in the city and 7 p.m. trading in the suburbs. As I have indicated, many of the local businesses are operated by families, and many of them start work at 7 a.m. If they are to be open for an extra hour or two at night, it will have an enormous impact on their quality of life. If they do not stay open, they will find it very difficult, because the local supermarket, Woolworths—which is currently, I believe, the busiest and which has the highest turnover in South Australia—will reap a huge advantage because of the extension in trading to 7 p.m. It means that they will be able to keep the supermarket open until 7 p.m. with no increase in staff: they will be able to have the same number of staff that they have on most nights—the people who are there to stock the shelves and to clean up. They will be able to have one person on the check-out and two people stacking the shelves: essentially, a small business would have to have the same number of staff to stay open. So, one can see that Woolworths would reap a greater benefit.

It is very important that the strip shopping centres remain viable, and that is where the whole issue of shopping hours is very critical. It is not just a question of economics but it is also a question of community. The wonderful thing about a strip shopping centre such as The Parade is that it is not only the commercial centre but it is also the community centre. People can come out at any time during the day and night and they can either shop, window shop—

Mr Koutsantonis interjecting:

Ms CICCARELLO: —or enjoy the ambience. Thank you, Tom. The elderly people find it wonderful, because they are not isolated in their homes: they can walk to the local shops and they can meet people and sit and chat. That is very important in this day and age, because we have an increasingly ageing population and we need to be able to look after our elderly people. It is also important that the local centres remain viable from the point of view of young people with families who do not necessarily have the ability to get into a car and drive off to a shopping centre to do their shopping.

I would also like to refer to the Adelaide City Council and the response of many of the traders in the city to extended shopping hours. The majority of them have said that they certainly do not want 9 p.m. closing in the city. I worked in the city for many years at the State Library and have seen the change in people's shopping patterns. Once upon a time Saturday morning in the city was very busy, and it was almost impossible to find space to do your shopping. When Friday night shopping was introduced, Saturday morning shopping decreased and the city was busy Friday nights. The extension to all day trading on Saturday meant that the number of people were spread out over a longer period, and the same thing happened when Sunday trading was introduced: there were the same number of people, but they were spread out over seven days instead of five and a half.

When I tried to get to work, with the State Library opening at 11 o'clock, at the same time that the shops opened, I had to leave home an hour and a half earlier if I was catching a bus, because it was impossible to get into the city at the appropriate time. Public transport currently is not suitable for getting people into and out of the city at the right time. So, if shopping hours are to be extended in the city, something needs to be done about reorganising our transport system and making sure that it is much easier for people to access. So, with some qualifications, the Parade Development Association would be prepared to support an extension of shopping hours to 7 p.m. to cater for the needs of people who require greater flexibility.

I would like to read a letter which I received from one of my constituents. Whilst it is a car firm, Prestige Cars, which sells Ferraris and Alfa Romeos, some of the sentiments expressed in this letter are also reflective of many other businesses.

Members interjecting:

Ms CICCARELLO: I would like to think that I represent all the people in my community. The letter states:

The current debate on proposals to amend and extend the current shopping hours causes great concern to our company, and I wish to register my opposition to any extension of the current shopping hours, in the strongest possible terms.

Our industry is one in which it is not possible to employ casual or junior staff, and any extended hours would therefore have serious implications in terms of the extra hours which existing staff would be asked to work. Already they are on duty for some 60 hours per week, and to add further to this would simply drive the more efficient and professional of the staff into other positions where more realistic hours of work are available.

The additional costs in terms of fixed overheads, facilities, etc. simply cannot be justified—particularly in view of the majority of expert economic forecasts which suggest a downturn in the future commercial activity—a condition always felt first in the motor industry.

The support services needed to fully operate in the retail motor sector—registration, finance, vehicles security registers etc. are not available on weekends, and this further inhibits the capacity to trade to a level which justifies opening. It is vastly different in the Eastern States, where very much larger population bases perhaps justify the business hours—but with less than 6 per cent of the total Australian motor retail industry being achieved in South Australia, there is simply no cause for extended hours—indeed, one could argue for less hours!

The fallacy exists that longer hours of opening equates to more sales—this is clearly totally false. All that happens when extended hours are available is that the existing level of business is extended over a longer period.

In summary, my position is one of total opposition to any extension of hours—and amongst my many colleagues both in this industry, and in many others, this feeling is strongly held. As a business professional employing some 60 staff over three sites, I wish you to be aware that there is a very real chance that the severe pressures imposed by any extension to trading hours would see

severe downturn in my business plans and possible job losses as a result. Any support of proposals to extend or increase shopping hours would be very much regretted by my business group, and would certainly see the votes of all of those in our business most definitely be transferred to those supporting our views.

We are often told that things are done very well in Victoria, where there was deregulation of shopping hours. Earlier this year, in May, I took the opportunity to go to Melbourne, where I attended a conference which was called Power in Numbers, which was attended by a couple of hundred people. All these people represented different strip shopping areas in Melbourne, including Chappel Street, Brunswick Street, Lygon Street and also many of the main streets in country centres. They said that they were finding it extremely difficult to survive in the face of deregulation of shopping hours in Victoria. So, whatever we read about Victoria booming as far as retail is concerned was certainly not evidenced by the people at the conference. An article in the *Australian* stated:

The Victorian Government is so concerned about the future of strip shopping that it is subsidising the salaries of marketing managers hired by individual centres to boost their attractiveness to shoppers.

The people there have found it is very difficult to survive, and I would hope that South Australia does not go down the same track to completely deregulate and therefore put more pressure on our shopping centres.

In respect of the survey that I conducted with the traders in my electorate of Norwood I would like to conclude by reading one of the comments made by a trader, as follows:

How often do I hear politicians state, 'Small business is the backbone of this State.' Well our posture is not looking good and will be worse with deregulated shopping hours.

Mr KOUTSANTONIS (Peake): I endorse the member for Norwood's comments. I have often enjoyed the ambience of Norwood Parade, and I know that the member for Norwood is very much in touch with the small retailers of the strip shopping precinct of The Parade. I come from a small business background. My parents managed and owned a delicatessen on Burbridge Road and, later, a chicken shop on Jetty Road at Glenelg in the your electorate, Mr Speaker.

An honourable member: Did they vote for him?

Mr KOUTSANTONIS: No; they lived in Hanson. We suffered badly from the effects of extended trading hours in that area, because small business owners rely on extended trading hours for themselves. Fast food outlets and retail stores along special precincts such as Jetty Road, Glenelg, Henley Beach Road and King William Street often operate on Sundays when the major retailers are closed to offer an alternative to shopping in the city. Many small retailers do quite well of a Sunday and, when Sunday trading was introduced into the city, it was a grab for market share by the large corporations, the large department stores. David Jones, John Martin's and Myer were interested only in squeezing small businesses out of Rundle Mall and the city to make sure they obtained as much market share as they could.

I remember being on the steps of Parliament House when this Government was in Opposition in 1993 and listening to the then Opposition spokesman for Industrial Affairs, Mr Graham Ingerson, the member for Bragg, make promises about what the Brown Liberal Government would do once it was in government. I remember a promise to the effect that in the life of the Brown Liberal Government Sunday trading would not be introduced in the city or the suburbs. Many small business retailers took that promise as gospel. Many

people felt very betrayed by the Government once it introduced Sunday trading in the city.

During the debate to introduce Sunday trading, I was working for the Shop Distributive and Allied Employees Union (SDA), and we lobbied heavily Liberal MPs, the Government and the Labor Opposition to vote against Sunday trading in the city and the suburbs. I remember that we had a staunch ally in the process, the member for Colton, Mr Steve Condous. He swore black and blue on a stack of bibles that he would never support Sunday trading in the city. He gave us long-winded speeches and assurances about how small retailers would not be able to survive with Sunday trading in the city, that it was his responsibility as a former Lord Mayor of Adelaide to protect the interests of these small retailers because, after all, 'the Liberal Party is the Party of small business'. He said that it was his duty to keep alive the faith within the Liberal Party to protect small business.

As an employee of the SDA I helped to collect over 50 000 signatures on a petition to oppose Sunday trading in the city. I remember walking up and down Rundle Mall and Hindley Street with my colleague the member for Playford requesting shop traders to sign a petition that opposed the deregulation of shopping hours in the city. Almost every single retailer, apart from two, in Rundle Street, Hindley Street and Rundle Mall signed that petition. The two retailers who did not sign the petition were the person who owned the Wendy's franchise that sold ice cream and one of the fruit and vegetable vendors who appeared on the front page of the newspaper the day the SDA won its High Court case.

We presented those petitions to the member for Colton, and he was very happy to bring them into this place and table them. We had photographs taken on the front steps of Parliament House when we handed him the petition, and he made the front page of the SDA's journal. The member for Colton said that he was the small business owner's friend, that he was the retail worker's friend, and that he was there to protect them. Mr John Brownsea and the Small Retailers Association said that they were staunch allies of the SDA and the small business sector against Sunday trading in the city. Mr Brownsea gave us an assurance carved in stone that he would not support Sunday trading in the city, and he assured us that he would never renege on that undertaking. However, after dinner in the Premier's office—I think oysters were served with refreshments, and the French champagne flowed freely—all that changed.

I remember waiting outside in the corridor and, when John Brownsea emerged, he could not look the Secretary of the SDA, Don Farrell, in the eye. He said, 'Look, there's been a change. The Government has given us a few assurances and we will have to support it.' Then we thought, 'We still have the member for Colton; we still have the band of Liberal optimists who are keeping alive the faith of Sir Thomas Playford; we still have the Party of small business to protect small retailers' interests on Sunday trading. They will protect families who want to worship or who want leisure time on Sundays.' Of course, they all went missing in action. Then we remembered that we had the Democrats in the Upper House. They had told us that they would not fold, that they would stick with us the entire way. But, of course, as we know the Government promised some other form of alternative energy source to convince the Democrats to fold—

An honourable member interjecting:

Mr KOUTSANTONIS: And probably a new photocopier and more office space. I am not quite sure what the arrangement was. In any event, the Democrats folded.

Mr Wright: They didn't did they!

Mr KOUTSANTONIS: They did. Surprise, surprise! But it does not end there. The former Minister, Graham Ingerson, thought he could run roughshod over the Parliament. The then Minister did not believe that he had to introduce legislation into Parliament to deregulate shopping hours: he thought he could do it by proclamation. The member for Bragg thought that as a Minister of the Crown he could do whatever he liked. The SDA took the matter to the Supreme Court. Of course, the small retailers were right behind us—so long as the SDA picked up the bill. The member for Colton gave us words of encouragement: 'Don't let the small retailers down.' Of course, in the Supreme Court we lost in a split decision.

The Secretary of the SDA, Mr Farrell, decided to risk the union's money by challenging the decision in the High Court. It was an unprecedented move for a union, standing alone, to take the Government of South Australia to the High Court. The member for Colton, the union and the Labor Opposition stood alone against a Government which in 1993 won a landslide victory with 37 elected members. All that stood between the Government and Sunday trading was this Opposition of 10 members, the member for Colton and the SDA. Of course, as history tells us, the SDA won a huge victory and humiliated the Minister and the Government; they were reeling.

In fact, I would go as far as to say that it was the first time we saw chinks in the armour of the Brown premiership. That is the first time the current Premier got a sniff of blood in the water and thought, 'I can do this guy; I can beat him; it is his first loss.' When the Premier realised that his Minister could not introduce the legislation by proclamation he had to submit it to the Parliament and subject it to the will of the people. So, the legislation was brought before Parliament, but what did the Government do? Government members were pressured, and the member for Colton was pressured and, of course, they caved in very quickly.

I can see that the Minister is listening intently to my speech. He was part of the dirty deal in which the small businesses of South Australia and retail workers were sold down the river by this Government. Of course, we did have Sunday trading in the city—and what a huge success that has been! People are pouring into the city! John Martin's closed, but when it closed the Premier said, 'We will build a city tower, a Tower of Babel; it will reach the sky.' I am still waiting for construction to start on this huge monolith in the city, but of course it was so well planned that they did not realise that 747s landing in Adelaide would pass through the eleventh floor of this huge building.

After the huge success of Sunday trading in the city, the Government made some huge deals with its mates at Westfield. I am sure that some background, shady deals took place in Sydney and Melbourne where Westfield executives dined and wined with the Premier, Mr Olsen, and discussed how he would fix up their problem after the October election.

The Opposition even received leaked documents in which the Government informs Westfield of the timing of the election—nearly six months out. That is how we knew the election would be in October, because of the Westfield documents (although I am not sure whether Westfield delivered them to us) but, obviously, when the documents fell to us, we realised what was going on. I refer to the quick action from the member for Spence to protect small business operators in huge complexes such as Westfield Marion and Tea Tree Plaza from unscrupulous landlords. It takes the Labor Party to protect small business owners.

Members would think that the natural constituency of the Liberal Party would have Government members screaming out to support the member for Spence but, no, it was an uphill battle all the way to protect small business owners at Westfield. After the 11 October election when the Premier did so well in the election campaign that he was returned with a minority Government—a devastating victory by the loser of the century—he comes back and it is time to cash in and his mates say, 'It is time to pay up for the favours you owe us. We want Sunday trading in the suburbs and nothing less will do.' Of course, the Government is not as arrogant as it used to be and it does not have a huge majority after being humbled after only four years in office. We now have many nervous Nellies on the back bench.

The commitment is not as strong; positions to grab are not so frequent; there are not so many ministerial or committee spots up for grabs; and of course these nervous Nellies are worried about losing their seats because the Labor tide is coming in and there is nothing the Government can do about that. We will win Bragg and Adelaide. I can tell the House right now that one seat we will be winning at the next State election is Adelaide. His worship is in big trouble in Adelaide.

This Government was told to cash in and pay off its debt to Westfield. It tried to do it but it cannot. We now have this compromise that the Premier has brought forward really achieving nothing. True, the Minister with carriage of the Bill is quite pleased, because it means little heartache and work for him as he will not have the full onslaught of the SDA and the Labor Opposition attacking him and lobbying his back bench MPs. I am supporting the Bill, but I will remain vigilant, because this Labor Party, whether in opposition or in government, will not support Sunday trading in the suburbs. We draw a line in the sand and we will not retreat from this position. Retail workers and small business owners deserve their Sundays off.

Members interjecting:

Mr KOUTSANTONIS: I urge the Government, bakers, candlestick makers, warehouse workers—

Mr Clarke interjecting:

Mr KOUTSANTONIS: We will soon. I have been inundated by mail. One market that will be affected adversely by Sunday trading is the Brickworks Market, which is located in my electorate. It wrote to the Premier and sent me a copy of its letter. Basically, its argument is that it currently has 100 small businesses in the market and not one of them is in favour of Sunday trading in the suburbs. That says a lot—100 small businesses and not one is in support of Sunday trading.

Mr McEwen interjecting:

Mr KOUTSANTONIS: The honourable member opposite interjects, 'Of course they are not.' He does not remember what happened in the last Parliament. I know he went a bit further but, being as fiercely independent as he is, he will not be moved on Sunday trading; he will not be moved on these issues, because he votes with a clear conscience on all issues, seeking to represent the best interests of his constituents in Mount Gambier. He is a real Independent. Of 100 small businesses, not one supports Sunday trading.

When I was a young lad we had a chicken shop on Richmond Road and next to our shop was the office of the then member for Adelaide, the late Jack Wright. He would often come to our shop and buy food and speak to my mother and father about how business was going. Even when he was Deputy Premier he had time for a chat and a kind word. Even

as a die hard unionist and the workers' friend he understood the plight of small business. He was not as closed minded as members opposite to understand that small business and workers suffer together. I remember when a small business was about to open opposite us and there was some talk (I cannot remember exactly what it was because I was very young) but, when we went to see Mr Wright, he understood exactly the concerns of small business. That is when I realised that the Party of small business was not the Liberal Party but the Labor Party: we are the ones who look after the battlers.

The Hon. G.A. Ingerson interjecting:

Mr KOUTSANTONIS: You are on the back bench and not the front bench so, if I were you, I would be careful about where I was sitting. In closing, I oppose Sunday trading and commend the Bill to the House. I will remain vigilant to ensure that this Government never betrays its word again.

Mr WRIGHT (Lee): I also speak in favour of the Bill, but I am sure that the Minister would not want the Bill to simply slide through the Parliament without its being debated. Even though members on the Government side do not want to make any contribution to the debate, we have plenty of active local members of Parliament on this side who want to make a contribution. I am amazed in this whole debate about where the great demand exists for changes to shopping hours. I am not too sure where this great move comes from, because it certainly does not come from existing businesses in the electorate of Lee and, I believe, if we looked at the various electorates in both metropolitan and country areas, we would see that there is no great demand across the board for changes to shopping hours.

What we have in place now is something which the majority of businesses and consumers around the State would support. I notice that some modest changes have been put forward by the Government. We all know why these modest changes have been put forward: basically it is the John Olsen and Westfield shopping centres' failed shopping hours Bill. That is what the Bill is all about. The Bill is a failed attempt by the Premier, who cannot even get through his own Party forums what he wants to bring before Parliament. What a failure and a disgrace we have as a Premier when he cannot even get through his own Party forums the piece of legislation that he wants to bring before this Parliament! Let us not hide it or muck around at the edges. The Bill is nothing more or less than a failed attempt by the Premier of this State, the Leader of this Government, who cannot get through his own Party forums what he wants to bring before this Parliament because, as members on both sides of the House and as people out in the community know, arrangements were made and commitments were given that the Premier would bring forward to this Parliament legislation on Sunday trading.

What we have before us is nothing more than a squib attempt to put on the agenda some moderate changes which probably will not even be taken up by the business community of South Australia. We have a Premier who has squibbed this issue. Not only can he not get things through Parliament but he cannot get things past first base in his own House and his own Party. Little needs to be said about his lack of leadership, because there is no leadership whatsoever.

As local members of Parliament, we have all received document after document and submission after submission from local business houses that are in strong opposition to any changes to shop trading hours. In particular, their main concern is not to extend Sunday trading further, and I

welcome the fact that such a measure is not before us, but of course the only reason it is not is that certain members on the Government side have stood up to the Premier. He knows he cannot get the measure through his own Party, so he does not have the courage to bring it forward to the Parliament. This is a very modest attempt to make small changes to shopping hours, and I do not think that some of these changes will be even taken up by the business community.

I will speak briefly about some of the shopping areas in the electorate of Lee, which I am delighted to represent. I go around to those shopping areas and in particular the strip shopping area along Tapleys Hill Road, where a lot of small businesses are doing it very hard. I have found that, to a business, irrespective of what type of business it is, not one business house on Tapleys Hill Road wants an extension to Sunday trading. As I go around the community and speak to the various business houses, including the biggest shopping centre in the area of Lee, which is the West Lakes shopping centre, I have not found any of those small businesses wanting an extension to shopping hours. They do not want an extension to Sunday trading, nor do they want an extension to the current shopping hours—and who can blame them? Just in case the Government does not realise it, small business is doing it very hard out there. Any extension to shop trading hours will not benefit small business in any way. What we will get as a result of the modest increase in shopping hours that has been put forward by this Government is a harder deal for small business in getting its market share.

We all know the go; we all know what will happen from the point of view of all those small businesses that are doing it so hard at the moment. It will only increase their difficulty in getting market share and having to compete against the major shopping centres. What this is all about is a failed attempt by the Government to bring forward its agenda. It has brought in its compromise position. This is the Olsen-Westfield shopping centres failed Bill, and it is a very poor and shabby piece of legislation. I say to those members, including the member for Hartley who earlier in this debate, before the dinner break, said that he welcomed this piece of legislation, 'Let us see how much the small businesses around your area welcome it. I am sure they will be notified as we move into 1999 but more so as we run up to the next State election.'

I draw to the attention of the House that many businesses in the area of Lee have highlighted to me their disquiet with the proposals that the Government put on the agenda some months ago. It has now squibbed on that agenda; we all know that. No-one can deny that and, if they do, no-one will believe them anyway. I have had a number of submissions, and I will share a few. I cannot share them all because I do not have time. One of the very strong submissions that I received was from Smiths of Port Adelaide. They certainly put on the agenda very strongly their opposition to any extension of Sunday trading. That was one of the very earliest submissions I received, and I have received submissions from other car dealers as well, such as Executive Car Sales, Adtrans and so forth. I know that the member for Hanson will raise certain questions in Committee in respect to how this legislation impacts upon car dealerships, because we are not precisely sure about how car dealerships have been or will be affected by the legislation or whether they are exempt from it.

Certainly, I have received submissions from a range of the various dealers in the motor industry. One which I received was from Mr Nigel Williams of West Lakes, who in no uncertain manner highlighted his opposition to any extension

of retail trading hours as they apply to the motor industry. I look forward to the member for Hanson asking a number of questions about how the motor industry may or may not be affected by this piece of legislation. Another submission came from Mr Steve Kowalski, also of West Lakes, who works for the Adtrans group, once again, an area which is involved in the motor industry. I have had a number of submissions from the motor industry. I also had a submission from Mr John Tew, who lives in the West Lakes area and who has a cafe and coffee shop and estimates that his staff numbers will be reduced as a result of the proposals to put on the agenda the introduction of Sunday trading.

At least we do not have that in front of us, because certainly on this side of the House we are universally, 100 per cent strongly opposed to the extension of Sunday trading. We have always been very consistent about that. The voters know that we on this side of the House will support small business; we will support people who work in the retail area and ensure that they and their families are protected in terms of Sunday trading.

Ms Rankine interjecting:

Mr WRIGHT: We do indeed. It is good to hear the member for Wright pipe up in the background—a very good member, and a very good comment. Believe it or not, I have also received a submission from Eudunda Farmers, and I was delighted to receive it, because we represent the broad spectrum. You would expect the farmers to be going to the Government, but in a total lack of confidence they have come to me, putting forward their submission in regard to the review of shop trading hours. I know that the member for Hanson has looked—

Mr Lewis interjecting:

Mr WRIGHT: The member for Hanson has looked closely at the submission from Eudunda Farmers, and I would actually regard it as more important than the Oodnadatta fishers, to which the honourable member referred. I have received a number of other submissions, but there is one in which I think the Minister would be interested. I can see that he is vitally interested in my contribution and in the debate, and he may be interested in this one because, despite the fact that it comes from a small retailer in South Australia, this person actually lives in his electorate. I know that this person has written to his local member of Parliament, and to the best of my knowledge the local member has not replied, but what more would you expect? A copy of this submission has been sent to me. It was directed to the Minister in his capacity as the local member as well as the Minister who has the carriage of this legislation. It is from Spend-Less Shoes, which is a footwear retail outlet with 59 stores in Australia: 20 in South Australia, 20 in Queensland, 11 in Western Australia, seven in Victoria and one in the Northern Territory.

Mr Lewis: Who is their local member?

Mr WRIGHT: The Minister over there; he is not even listening. This retailer lives in the Minister's electorate. You know how people live in houses and actually write to their local member? Anyway, he has written to his local member. This business has some 59 stores Australia wide and 20 in South Australia, so you would regard it as fairly significant. It regards itself as a specialty retailer.

This letter is from Spend-Less Shoes, Minister. He refers in his correspondence to you, Minister, in case you have not read it, to the recent changes in weekday trading in the suburbs and city as being a major blow to small business and specialty retailers for the following reasons: specialty retailers cannot open the hours of the major stores such as

Coles, Target, K-Mart, Myer and Woolworths, because of overheads, costs and staffing. The major stores have very little increase in overhead costs in staffing because they are already employing night fill staff. For Coles and Woolworths to open extra hours it is only a minimum wage increase: for specialty retailers to open extra hours it is a crippling cost.

For small business and specialty retailers, this is the worst possible outcome. It means shopping centre traffic will be spread over longer hours, but part of those hours will be when specialty retailers are not open. Not only does the specialty retailer have a labour staffing and costing disadvantage compared to major stores, they also have an enormous rent disadvantage, paying an average rental in a regional shopping centre of \$1 000 per square metre compared to a major store rental of approximately \$150 per square metre.

I could go on and on, but there is a range of reasons why small business will be disadvantaged. It is very important that we listen and take heed of the plight of small business, because this increase will be to their disadvantage. The amendment put before us by the member for Ross Smith is something we should all strongly support, because it will ensure that greater protection is given to those people who exist in the big shopping centres.

If we are not careful, before long we will find more and more of these small specialty shops going out of business. If you go around these big shopping centres, have a close look at them and talk to the small specialty shop owners, you will see that most of them are not doing well. Obviously some are doing well but many are not, and you only have to go to some of the areas at Marion and out to West Lakes and Tea Tree Gully and look at the floor space that exists in these shopping centres to see that. It will get worse unless we can turn around business and give some heart and protection to small business, as we should be doing.

In conclusion, in my very first contribution in this Parliament in my maiden speech I made reference to shopping hours and spoke about the problems that additional shopping hours caused to small business. It is an entree for the big shopping centres to get more market share. It is an easy situation because they have night fill staff there. It is easy to put one or two more people in place and will not be anywhere near the same cost or burden to them as it will be for small shops to stay open, operate and continue to get their market share. It is all very well to say that they do not have to trade or stay open, but we all know what takes place in practice. The pressures are applied and demands are put on them by big shopping centres. When it comes to their licence next time around it is put into their clause that they have to open certain hours or there will be penalties.

The amendment that the member for Ross Smith has foreshadowed will not overcome that altogether, but it will at least give greater protection to the small shop owners in the big shopping centres. If we are to get the balance correct we must not only protect big business and ensure that the big shopping centres continue to trade but ensure that all the shopping centres and small shops that exist in those shopping centres, the strip shopping centres and all shops in the various communities are able to trade profitably. If that is not able to happen, we will lose more people and more employment and more of those shops will close as greater pressure is put on small business and shops in the community.

It is all very well for some people to be of the view, as is the member for Fisher, that we should have open slather. There will be some arguments and contributions that we only have to look to other parts of the world to see that we should

simply have open slather. We are not other parts of the world. We do not have population bases like they have in London, Tokyo and New York. As the member for Elizabeth quite correctly says, even they do not have open slather. If you analyse some of the trends that exist in those big shopping centres around the world where they have been more flexible with trading hours, you will find that they are not staying open like they once were.

Ms STEVENS (Elizabeth): I support the Bill. As the member for Lee said, this Bill is a giant backdown by the Government in terms of what it originally hoped to achieve in changing shop trading hours. Members on this side, including the shadow Minister, the Leader and other speakers, have exposed the duplicity and dishonesty of the Government in terms of its promises and statements both before the 1993 election and in its planned sell-out to the big operators before last year's State election. The interesting point is that before us is an enormous backdown and all that the Government could get away with in the face of massive opposition from the community in relation to a change in shopping hours. Just as the member for Lee said, the tiny changes that have been made will probably not be taken up by too many businesses at all.

Before this debate was in full swing, as a consumer I supported deregulation of shopping hours for my own benefit. However, reading the correspondence and talking to people, particularly small shopkeepers and workers, about the issues that affect them has led me to change my position. I will share with the House tonight some of those views that made me change my view.

I received a number of letters and contacts from constituents who worked in the retail motor trade, all of whom were absolutely and implacably opposed to Sunday trading. I also received a telephone call from and had a conversation with the proprietor of New Spot Motors in my electorate, also firmly against Sunday trading for that industry. Another constituent has a snack bar in Rundle Mall and contacted me a couple of weeks ago to say that all the small traders he knew in Rundle Mall were dead against any changes in current shopping hours and were very unlikely to take up the option of the increase in hours to 9 o'clock for week night trading.

I must say, though, that the detailed and lengthy submission I found the most compelling actually came from the owners of the Munno Para Shopping City Complex—a complex which is outside my electorate and which is in the neighbouring electorate of Napier, but certainly people in my electorate shop there as well as at Elizabeth City Centre and other local shopping centres. They sent in a very comprehensive submission which said it all and which covered all issues, and I will put some of it on the record. The submission states:

As owners of the Munno Para Shopping City Complex, owners of Munno Para Foodland, and also operators of several small retail businesses, with a work force of over 250 employees, we wish to voice our strong objection to any further deregulation of the retail trading hours, and more specifically to Sunday trading. Our objection is not motivated by any self-interest. On the contrary, Munno Para Shopping City, consisting of two large supermarkets, a discount department store and some 48 specialty stores and services with plans for further expansion, will be in a position to benefit from any extended trading hours. Our objection is based on principle, for we believe total deregulation has the potential of destroying hundreds of South Australian family businesses and also, due to our involvement in the retail industry, we know from experience that there is no need or demand for extended trading hours. . .

Total deregulation of shopping hours would be a disaster for the City of Adelaide and the State as a whole. The small population of Adelaide cannot sustain unrestricted trading hours. The cost could be horrendous not only on economic grounds with small businesses going broke, but also the social cost could be very high with more family breakdowns, as there will be more children at home without parental supervision. Even in Melbourne with a population three times that of Adelaide, according to reports hundreds of small retail family businesses have been forced to close down and thousands of jobs lost since deregulation of trading hours in December 1996.

They go on further to pose questions and then to answer them, as follows:

Who are the protagonists who push for extended trading hours? Certainly not the thousands of South Australian family business operators, the 60 000 shop assistants and their families or the vast majority of consumers who are opposed to extended weekend trading hours. The chief advocates for the seven day unrestricted trading hours seem to us to be a handful of the large interstate owned shopping centre developers, and the large retailers with interstate headquarters wanting to increase their market share.

Is there an objective to monopolise the South Australian retail industry by curtailing the effectiveness of the small independent operator's trade? Deregulation seems to have little to do with consumer need or the tourist industry.

Does the public demand and/or need seven day trading? A number of surveys carried out suggest that over 70 per cent of respondents believe that the present shopping hours are sufficient. However, we believe there is no need to undergo expensive surveys to determine the demand for extended trading hours. The answer is simply there to be seen in a very practical manner within the retail shops and in particular within supermarkets.

If there was any need or demand you would expect to see large numbers of customers shopping to the last minute of trading. To the contrary, by 5 p.m. there are very few customers within stores, and although shopping centres stay open until 6 p.m. specialty stores within centres tend to cease trading at 5.30 p.m. as there is a lack of customers, with the exception some supermarkets remain open until 6 p.m.

In the past when closing time on Saturdays used to be at 12 noon, Saturday morning trade was the busiest time of the week. Often customers had to queue up to be served, therefore, a clear case to extend Saturday trading hours. Now even on Saturdays after 4 p.m. customer numbers within the shops are very few.

The submission continues:

Is it fair for some retailers to be restricted from trading seven days a week whilst others are able to trade? Some of the people who call for fairness in the marketplace are the owners of large, mostly regional shopping centres with all of the huge advantages enjoyed by their complexes. Such advantages include prime locations with concentration within their centres of all major retailers. . . In contrast to this, the small shopping centres are positioned in poor locations with the added disadvantage of limits placed upon them by Government planning regulations restricting any potential for growth in the floor space for these centres. The owners of these small centres and their retailers we believe would gladly trade their 'fortunes' with the 'disadvantaged' developers and large chain retailers.

Are certain aspects of the present retail trade legislation anti-competitive? Often Government puts regulations in place specifically to preserve competitiveness by preventing monopoly situations from occurring in the marketplace.

One of the arguments promoted is that deregulation will increase competition. This agenda relies on the premise that a maximum number of competitors will remain in the marketplace. If deregulation actually drives a large number of independent retailers out of the market, then the result would be removal of many competitors and an actual reduction in real competition. Given the near dominance of the large chain retailers who already control approximately 75 per cent of the supermarket trade, for competition to occur there must be a strong independent retailer presence in the marketplace as well as the chain retailers. South Australia is the cheapest State in Australia to purchase foodstuffs. This is not by accident or by the generosity of large chain retailers. The real reason—a strong independent sector who not only competes with the 'chains' but also competes very fiercely among themselves.

We emphasise real competition occurs not by extending further trading hours but by retaining the maximum number of competitors

in the marketplace. Deregulation seems to have little to do with consumer needs.

It continues:

Who will benefit if trading hours are deregulated and who will be the losers? An even greater control of the retail trade with instant increase in property values and profits for owners of large shopping centres and large retailers. At the other end of the scale, reduced value in smaller shopping centres and financial ruin for many small retailers and small shopping centre owners. The first victims will be the very many small family businesses such as delicatessens, take-aways and small grocery stores, food shops who operate seven days not by choice, but for the simple reason that they cannot compete with the large retailers during normal trading hours. Further, the owners of small shopping centre properties face financial ruin if they lose some of their tenants. All these people are South Australian families. They live, work, invest and spend their hard-earned dollars in South Australia. They create employment for themselves and their families and the community.

It continues:

Will deregulated trading hours create more jobs? The effect of deregulation of trading hours, we believe, will lead to an increase in unemployment queues. Experience shows that when you concentrate retail trade in fewer hands for every one new job created two are lost elsewhere and, further to this, more people will lose full-time jobs to part-time and casual employment.

They go on to make some other points and they talk about the whole issue of tourism and the furphy about deregulation of trading hours being a requirement for a positive tourist industry. They talk about other issues affecting small retailers. On reading that submission and after speaking with John and Nick Chapley and their family, who own and run the Munno Para Shopping City Centre, I am convinced that those points are clearly brought out.

The other issue I raise is the letter that came with the Adelaide City Council's submission on shop trading hours. That letter includes five recommendations for consideration by the Department for Administrative and Information Services, as follows:

The Adelaide City Centre should retain exclusivity of Sunday trading.

The quantum of shopping hours should be maintained at existing levels but retailers be given a choice of how this quantum is applied.

To provide certainty to the retail industry and South Australian business in general, a five year moratorium should be set and criteria for further deregulation established based on agreed growth in population and gross domestic product figures, or some other measure such as retail sales indicators.

A State Government Centres policy should be developed which makes specific reference to controls over future regional shopping centres growth. Effective retail monitoring and measuring indicators should be developed for the city and State as a matter of priority.

I would appreciate the Minister's comment on those recommendations and an indication of whether the Government has given any consideration to adopting any more than the first recommendation which relates to Sunday trading in the City of Adelaide.

I will conclude my remarks at that point. I believe that the Labor Opposition can hold its head high in relation to this matter. It is the only Party that has maintained a consistent position. It has listened carefully to workers and small retailers, and it has done what it said it would do: opposed Sunday trading, stood up for small operators, and tried to get a fair and balanced result.

Ms WHITE (Taylor): My colleagues have put the position of the Labor Caucus very well, so I will not repeat their arguments. I support this Bill. Like my colleagues, I have received a number of submissions from a range of retailers and motor traders who have strongly put the case

against Sunday trading. However, I am disappointed that we have heard from so few Government members during this important debate. Obviously, that is a reflection of the embarrassment with which they view this huge backdown on undertakings given to the retail sector by each of them as well as the Premier and the Government.

Earlier this year, the Labor Party conducted a one day phone-in on the issue of shop trading hours. Because this is an important issue and because I received so much correspondence from the community regarding its concerns about the extension of trading hours, in company with about a dozen volunteers who staffed the phone lines I took part in that phone-in for several hours. During that period when I was constantly answering calls—there were a large number of calls from each of the categories of retail operators, workers and customers—I think I took only one phone call from a retail customer who supported the extension of shop trading hours.

The response surprised me, because the media had been promoting the concept that all of Adelaide wanted shop trading hours extended. Adelaide's newspaper had certainly asserted that, and the Government had maintained that its proposal for extended shop trading hours and Sunday trading had wide support. However, that was not borne out by the phone calls that I took on that day.

As I have said, I am disappointed that Government members have taken so little interest in this debate, particularly given the large volume of correspondence that they would have received. I would have thought that at least they would take an interest, but their lack of interest is indicative of the disunity within the Liberal Party on this issue. This was drawn to my attention when I heard the Minister refer to the fact that this legislation was the optimal outcome, a good result, but in the very next breath the Premier said that this piece of legislation was all he could manage to get through Parliament. Obviously, disunity within the Liberal Party goes to the leadership as well. This is not only a backdown from the undertaking that the Premier gave to various parts of the retail sector but, as the member for Lee said, it is also a squib.

Regarding the phone-in that Labor conducted, the common concern that was put to me by people from all three sectors (retail operators, workers and customers) was that there is only a finite amount of money and that extending trading hours would not increase the absolute amount of expenditure by the public on consumer items. Concern was also raised quite often about the impact that extended trading hours would have on the lifestyle of retail workers and operators.

I answered one telephone call that involved a sector to whom we have not given much thought during this debate, and that is the cleaning industry, the many people who clean shop premises after they have closed. Currently, they work late after 9 p.m. closure on Friday night in the city and Thursday night in the suburbs. Cleaners start work at about 9.30 p.m. and finish well after midnight, and that has quite an impact on their lifestyle. For every hour that trading is extended, they will start their work later, and that will impact significantly on their family life. The cleaning industry is a significant part of the retail sector, but that aspect has not entered into the debate.

As a committed representative of the electorate of Taylor, I live in the electorate (at Paralowie), I work in the electorate—I would spend more time working in the electorate if the Treasurer would allow me to shift my office there—and I

shop in the electorate. Most shopping in the electorate of Taylor consists of small strips of shops.

Mr Lewis interjecting:

Ms WHITE: I don't know anything about that, but I will raise another issue about that at another time. I also shop in my Leader's electorate which has two major retail shopping centres: Salisbury and Hollywood Plaza. I do quite a bit of my shopping at Hollywood Plaza. I have been lobbied particularly strongly by retail operators and workers at Hollywood Plaza and also at the Salisbury shopping complex. For the reasons outlined by many of my colleagues, they are particularly worried about the influence of the large retailers on the management of their shopping centre and the influence of those large retailers over them.

Of course, any extension or restriction of shopping hours deals with the balance between the large and small retail sectors. I am told that around 80 000 workers are employed in the retail sector in South Australia. The Small Retailers Association has indicated that 80 per cent of the food sector is held by the major food chains, whereas 20 years ago it was half that figure, and that this is grossly higher than is the case in any other country. The association also claims that the small retail sector employs three times the number of people per dollar turnover than do the major retailers. I cannot confirm whether those figures are correct. However, the retailers in my electorate and in the electorates surrounding it, in which my constituents shop, say that they are particularly concerned about the influence of the major retailers and that that needs to be considered in legislation such as this.

My concern is that we look after all sectors, all interested parties in this debate—the customers, the operators and the workers. Like my colleagues, I doubt that the major businesses in the city centre will make use of the extension of shopping hours until 9 p.m. during the week as outlined in this Bill. I am concerned that small retailers in the suburbs are not forced into trading when it is not profitable for them to do so during the week, and I wonder whether we will see another round of this debate when it comes to the issue of Sunday trading in the suburbs. As we know, certain commitments have been given to the major retailers about Sunday trading in the suburbs. The Bill before us does not deliver on those promises. Obviously, there will be a lot of pressure on the Government to reconsider that. So, I will monitor with great interest the progress of this debate in the future.

I support the Bill. I understand that there will be an amendment from our side of the House later, which I also support. But I ask members particularly to take heed of the concerns of the small retail sector because, without it, so goes our competition in the retail area.

Mrs GERAGHTY (Torrens): I believe that almost everything that can be said has been said—

An honourable member interjecting:

Mrs GERAGHTY: Sorry Minister, but I think—

The Hon. Dean Brown interjecting:

Mrs GERAGHTY: Yes. I would like to share—

The Hon. Dean Brown interjecting:

Mrs GERAGHTY: If the Minister for Human Services hasn't heard it, I am happy to regurgitate it all again. I refer to an article in the *Advertiser* of Saturday 26 September this year, which was written by Greg Kelton and Miles Kemp. In part, the article states:

The Government is under pressure from within on this issue, with several backbenchers, including former Lord Mayor Mr Steve Condous, warning he will not allow any changes that could

disadvantage the city. That means he will not support Sunday trading in the suburbs.

An honourable member: He didn't say that.

Mrs GERAGHTY: If it is in the paper, it is true. Like the member for Colton, I do not support Sunday trading in the suburbs either—as has been stated by other members on this side. But we do not support it for different reasons—not because of the disadvantage to the city but because we have concerns about local traders and workers in the metropolitan area.

Mr Atkinson interjecting:

Mrs GERAGHTY: Indeed, I am.

Mr Atkinson interjecting:

Mrs GERAGHTY: I am sure you can explain that one to me later, Michael: I am confused. As we know, many small traders are struggling to make ends meet and to cover just their overheads, not to mention earning enough income to support their families. I believe that the community in general—and certainly the people in my electorate—do not support extended trading hours. Opening until 7 p.m. on weekdays certainly will not increase the cash flow of traders, because people do not have any extra money: they do not have extra money in their pocket simply because the shops are open until 7 p.m. As we know, there is just so much money in the community, so there is no way in which extended trading hours will increase that amount of money.

There are several small supermarkets in my electorate, and one just outside it, who rely on after hours trade to survive: it is the only thing that keeps their businesses afloat. For example, there is one small supermarket at Holden Hill (which is in the member for Florey's electorate) that is very important to our local community, because a lot of people around that area do not drive: they walk to the supermarket, do their shopping and take it home. If we were to lose that supermarket, for example, those families, and particularly the elderly, would be greatly disadvantaged. Extended trading will create problems for that supermarket in particular, and one other. If we are to consider shop assistants and workers in the industry and the small business person, we have to consider the disruption to their family life. Their family environment will suffer, and mums and dads will not be able to spend quality time with their family. I am sure it has been said before that very few, if any, jobs will be created through extended trading hours. These days, many jobs have been casualised and many workers have had their hours reduced. So, there is very limited benefit to the community.

The small traders in major centres will be forced to open longer, because we know that, otherwise, in some way they will have their lease agreements terminated or they will not be renewed for some technical reason. Workers and small traders are very concerned, and I know that other members have been inundated with correspondence, as have I. I would like to share a few of these letters.

An honourable member interjecting:

Mrs GERAGHTY: Yes.

Mr Atkinson interjecting:

Mrs GERAGHTY: The member for Spence has no need to be suspicious of me. A letter that I received from a person by the name of Alex Rinaldi states:

I am employed in the retail motor industry by a subsidiary company of Adtrans Group Limited. Enclosed is a copy of the submission made by our managing director to the State Government on the subject of the current review of the Shop Trading Hours Act 1977.

Both my employer and I are opposed to any extension of the trading hours as they apply to the retail automotive industry. I would appreciate it if you would read and consider the submission. . .

That was a very extensive submission. Further, Robin, Nelson, Peter and Brian all sent in letters. They are all employed in the retail industry at Peter Davey Toyota and are opposed to any extension of retail trading hours as they apply to the retail motor industry. They say:

I know from experience that there is sufficient time available for people to purchase a motor vehicle within the existing trading hours of Monday to Saturday inclusive. Any move to deregulate trading hours will impact unfavourably on my employment by increasing overheads.

No doubt they are concerned about their job security. Another letter from the Newsagents Association states:

The Newsagents Association of South Australia Limited represents approximately 189 retail only newsagents, 112 home delivery only newsagents and 118 combined retail and home delivery newsagents throughout the State. The association is concerned that the current Government of South Australia has decided to re-visit the issue of extending shop trading hours. Small retailers, independent supermarkets and the City of Adelaide (as a retail centre) will be the losers in any extension to shop trading hours. We have enclosed a copy of a summary of the association's concerns regarding shop trading hours.

That, too, was a very compelling argument put forward in that summary. There is also a letter from the Elizabeth Grove Shopping Centre and Croydon Park Shopping Centre. According to the letter from Peter Jenzen, the Owner-Manager, in part his concerns are:

In other words, the loss of hundreds of full-time jobs in small business cannot be replaced by part-time jobs. . . The argument that interstate and overseas visitors cannot shop in Adelaide is not absolutely correct. Adelaide already enjoys a wealth of shopping areas and tourist attractions that cater specifically for weekend trade. . . Due to lack of demand, Thomas Cook have ceased operation of their money changing facilities on Sundays. I believe that it would be acceptable to change some of these trading hours—

and he is talking about a very minor change—

but I feel that it would be unwise and unnecessary to totally deregulate. . .

He certainly urges that we do not allow seven day trading.

Mr Lewis interjecting:

Mrs GERAGHTY: The problem is that perhaps there is just not the market for it. All these groups feel abandoned by this Government, and so they should, because the Government is not really concerned about the small traders and is certainly not concerned about the community in general. It is a shame that the Government was not more honest with South Australians prior to the last election. The Government reneged on its promise not to sell ETSA and on its commitment to small traders and workers. We in the community believe that members of the Government had their fingers crossed.

Mr De LAINE (Price): I support this Bill with mixed feelings. The Shop Workers Union and the Small Retailers Association are fairly happy with the provisions of this Bill, so I will support it. There are three main groups who are directly affected by legislated shopping hours. First, there are small businesses themselves. They are the backbone of our economy, providing much needed services and, collectively, employing a very large number of people in the community, particularly young people. The second group is comprised of the workers themselves who are employed by small business. The whole system works only because of these people. They are the ones who provide the service and who directly contact

the customers, our constituents, who shop and buy goods in these establishments.

The third group is comprised of the customers themselves, our constituents. These people are enormously important, but there is only so much money to go around and increasing shopping hours does not make any more available. All it does is spread the available money more thinly across the board. For this reason, it becomes unviable for many small businesses to open at certain times and for much longer periods of time. I am opposed to the complete deregulation of shopping hours, because in my opinion at present there are quite adequate provisions and opportunities for people to shop, and unlimited shopping is unnecessary. There are only 1.4 million people in South Australia, and of those about 1.1 million reside in the Adelaide metropolitan area. Proponents of deregulation of shopping hours try to compare South Australia with New South Wales and Victoria and also major overseas cities, but that is quite ridiculous.

People who work in other occupations already have adequate opportunities to shop, with many supermarkets opening very early in the mornings. For some years now we have had late night shopping on Thursday nights in the suburbs, late night shopping in the city on Fridays, and Saturday and Sunday trading in the city. I believe that there are more than adequate opportunities for people, no matter what their circumstances, to get to shops to do their much needed shopping.

Many small businesses are run by families, and these hard working people need leisure time to relax and to spend time with their families. This also applies to the many workers employed by small businesses. It is very unfair to force them to work longer hours and to deny them of their time off and those leisure activities they like to enjoy. Many small business people who employ people have told me that, if shopping hours are further deregulated or relaxed, they either will be forced out of business or will have to cut their work force, thereby increasing the level of unemployment, which is already unacceptably high.

I was amazed to find recently that the large multinational corporations such as the large supermarkets have an enormous 80 per cent of the retail market in South Australia, and that is a disgrace. This greedy percentage is quite unacceptable and puts enormous pressure on small retail businesses, causing many to close down. This would be one of the highest, if not the highest, percentage of the share of retail trading in the world. It compares with 10 per cent and less in many overseas cities and countries. As big as the present 80 per cent is, if shopping hours are deregulated further, this already outrageous percentage will be even higher.

I shall quote from a document issued by the Newsagents Association of South Australia, which represents members who for the most part run small businesses. It expresses concerns about any change in shop trading hours as it affects the Newsagents Association. The document states:

The current shop trading hours are said to constrain consumers shopping, and yet every survey known to the association asking if shoppers are happy with current trading hours has indicated that 70 per cent (or more) of consumers wish to maintain the current hours with a further group suggesting that trading hours should be reduced.

I emphasise reduced, not increased. It continues:

If consumers are not driving the call for changes to retail shop trading hours and small retail groups as well as most independent supermarkets are not calling for change, who is?

I would say that it would be this Government, backed by the large retailers and the big supermarket chains that I have mentioned. The document continues:

Following the deregulation of shopping hours on the eastern seaboard two of the largest supermarket chains are reported as continuing to grow their market share of sales while at the same time increasing prices, at the cost of small business and independent operators.

According to the figures drawn from the Australian Bureau of Statistics—per \$ million turnover, small retailing employs some 20 people, while large retailers employ some seven people to effect the same turnover.

That is a difference of 13 people. It continues:

These statistics may be a good measure of labour efficiency but for every million dollars of turnover that goes from small retail business to large retailers, results in big job losses to South Australia.

There is no evidence that can be offered by the association that indicates that the current shop trading hours are restraining the State's economy. On the contrary in other States where trading hours have increased in recent times, we understand that retail sentiment, trading volumes and small business are on the decline. The association believes that in Victoria, since shop trading hours were deregulated, small business failure rates are up by 65 per cent.

One of the consequences of the current Shop Trading Hours Act 1977 is that it tended to discriminate most against some of the largest retailers. However this discrimination (as blunt an instrument as it may be) has the effect of trying to balance the scales between large and small operators in the market place. A market place where in 1994 the committee reporting into shop trading hours indicated that three companies had over 70 per cent of the market share for food stuffs in Australia. We understand that this market share has grown since 1994.

Extensions to shop trading hours during the week has been tried. After the review of shop trading hours in 1994, Friday night late night shopping in the suburbs was tried for approximately three months. After three months we understand the extended trading in the suburbs was dropped due to lack of support. Why are we [then] contemplating going down this track again?

I claim that it is driven by this Government—its ideology—and by big business. While I support the Bill, I issue a word of warning to the Government. On any future moves to tinker with shop trading hours, it must listen to the people who know what is going on, that is, the small business people themselves and the workers who are employed by these businesses. The Government should not be led, as it is now, by the big retailers who support the Liberal Party.

Mr FOLEY (Hart): I commence by saying that this Bill has probably, like none other in recent times, highlighted the pathetic state of the Government. This very important piece of legislation is something into which the Opposition has put its heart and soul—looking at the Bill and debating it tonight. This legislation, which the Premier, the Minister and others have said is another strategic piece of the legislative program, is something about which we have hardly heard a whisper from members opposite. We have hardly had a contribution from members opposite. The so-called protector of the Adelaide CBD, the member for Colton, is yet again silent on this legislation. I would have thought that anyone who should have a contribution to make on this Bill would be the member for Colton. No, to date the member for Colton has chosen not to enter the debate and many other members opposite, whom I would have thought had a small business constituency or who had small businesses in rural or regional South Australia, may well have wanted to contribute to this piece of legislation.

However, I understand that I am the last on the speaking list on this Bill, and this yet again shows, in a glaring example, the pathetic state of this Government: it is a tired Government and a Government of disinterest. It is a Govern-

ment of members who are simply going through the motions and who are not really interested in what I would have thought was very important legislation. The member for Unley has been silent on the legislation to date (I may be wrong and he might have had a word a bit earlier): he has strip shopping in his electorate and I would have thought that, of all members, he would be a bit interested in the legislation. Maybe he is feeling comfortable with his 9 per cent or 10 per cent margin and he can be a little relaxed when it comes to representing the interests of small shop owners and, more particularly, shop workers in his electorate. I thought I would start by highlighting a trend that I know can only lead to the electoral demise of this Government opposite. It is obvious—

Mr Condous interjecting:

Mr FOLEY: I will tell you what, Steve, I am coming back but you ain't. I am coming back, Steve, and so are all of my colleagues, but you ain't.

Members interjecting:

The ACTING SPEAKER (Mr Venning): Order! Members will cease interjecting.

Mr FOLEY: For the member for Colton to say, 'I don't care about my electorate', where was Steve when it came to the West Beach protesters, the people to whom he said one thing before the election and then did exactly the opposite later? The member for Colton came in here one day with a 50 000 signature petition on shop trading hours. We remember what happened to that. The member for Colton should sit back and enjoy his next three years. It might be useful if occasionally he got involved in the debates and issues about which he talks so much.

Mr Condous interjecting:

Mr FOLEY: Well, get up and contribute, Steve.

Mr Condous interjecting:

Mr FOLEY: Oh, we are going to have a contribution. We have needed the member for Colton into a contribution.

Members interjecting:

The ACTING SPEAKER: Order! The House will come to order. The member for Colton is out of order and the member for Hart should not respond to interjections.

Mr FOLEY: Thank you, Sir. I am pleased that we have prodded the member for Colton into feeling ashamed enough to make a contribution in the debate. When it comes to shop trading hours, I commenced my working career as a shop assistant. My first job was at the old John Martin's at West Lakes. My late mother was a shop assistant for many years at John Martin's at West Lakes and I have had quite a degree of experience—

The Hon. M.K. Brindal interjecting:

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

The Hon. M.K. Brindal interjecting:

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

Mr FOLEY: Retail shopping is something with which I have had a degree of experience. The changing nature of shop trading hours is something that causes significant stresses on families. As someone who grew up in a retail family, I know that, when late night shopping came along, it involved an adjustment for families; when Saturday morning shopping came along, it involved another family adjustment; and when Saturday afternoon shopping came along, there was yet again another adjustment. We saw various changes to week night trading and the reality is that it does put a significant impost and difficulties on families. The reality is, I believe, that we

now have in South Australia more than adequate hours within which one can shop.

Whilst I accept the Bill, I am not convinced that the extra hours are necessary in suburban shops. Whilst the freeing up of shopping hours is inevitable and has been inevitable in some part to accommodate changing work patterns for many in the community, it is without any foundation to suggest that greater flexibility will add more to economic activity. There are only certain dollars to go around. We can now shop all day Saturday, and Sunday in the city, and we are talking about extending week nights for suburban shops. These are more than adequate hours. The reality is that one section of the community is under enormous stress when it comes to increased shopping hours, that is, the workers, and most often those workers in small retail outlets are required to work the extra hours and accept harsher conditions. That is a reality. I have witnessed it and been part of it. I have been part of it in my family and it is a fact of life. As I said, I do not subscribe to the view that we need total or any more significant deregulation to accommodate any surge in economic activity.

I have been interested in the Government's approach to this because, as we know, the Premier is following a pattern he established when he came back as what the *Financial Review* called the 'loser of the century'. He said, 'Gee, what can I do? I know what I'll do. I'll copy the agenda of Jeff Kennett: I'll sell my electricity assets. Bang!' What else did Jeff Kennett do? He decided that he would have some local government reform, so in came the Premier with a small dose of local government reform. What did Jeff Kennett do? He deregulated shopping hours. So, he thought, 'Oh, dear, I'd better get in there and deregulate shopping hours.' At the end of the day the Premier came up with a solution that this Minister released to the public as a modest package of reforms.

I think the Premier must have something in for this Minister: he seems to be setting him up all the time. Within an hour or two of Minister Armitage releasing this package, the Premier was blaming the Labor Party for the package of reform that this Minister has come up with. I am not sure what the Minister for Government Enterprises has done to the Premier (I suspect that I do know—that he does not vote for him), but it seems that, whether it is the MFP, ETSA or shopping hours, our good friend here, the Minister for Government Enterprises, seems to be getting the raw end of the stick when it comes to the Premier.

The Hon. M.H. Armitage: I fix them all.

Mr FOLEY: And he fixes them all. That is obviously an issue between the Premier and the Minister for Government Enterprises. In Melbourne a few months ago I had a meeting with Graeme Samuel, the Chair of the National Competition Council—the other NCC—when we discussed the issues involving competition policy and competition payments. I met with Mr Samuel at the time when Rob Lucas in another place, this Minister and perhaps even the Premier were making statements that significant competition payments were at risk if South Australia did not deregulate our shopping hours. That was an interesting conversation that I had with Mr Samuel. I am not about to reveal its content, other than to say that there was no doubt that Mr Samuel would like South Australia to deregulate shopping hours completely. I will hand it to the Minister and the Treasurer: they were correct; that was certainly the message that Samuel was giving, although I suspect that, particularly given the fact that we were on the eve of a Federal election, Peter Costello

was not about to withhold competition payments to South Australia because Graeme Samuel in Melbourne thought it was a good idea.

That meeting with Mr Samuel left me in no doubt that his position and that of the NCC make it a body we must watch carefully. I say to some of the rural members here that, if you thought that his comments on shopping hours were somewhat significant, dictatorial and extreme—

An honourable member: Who?

Mr FOLEY: Graeme Samuel of the National Competition Council; you should have heard what he was saying about upstream water. I would suggest that a rural based Party such as the National Party, parts of the Liberal Party and the Independent benches watch this space when the National Competition Council starts to talk about water and see how it affects the river and users of water in terms of the cost of that water and whether or not water should reflect the true cost of delivery.

Mr Lewis: Hear, hear!

Mr FOLEY: If you want to implement that policy in the Murray Mallee along the river I suspect the good voters of Mannum might have a different view. That was just a side issue. We on this side support the Bill. The Labor Opposition has conducted a good debate; we have constructively embraced the process. I must put on the record that you, Mr Acting Speaker, were one member who spoke eloquently on this Bill. As a former Minister you no doubt have your own frustrations when it comes to shopping hours, but perhaps the lack of interest from the Government benches has said a lot about the tired state of the Liberal Government, as it is really running out of puff when it comes to the legislative framework. My words may well have spurred on one or two extras, but it is clearly a Government out of puff, out of steam and limping its way towards electoral defeat.

The Hon. M.H. ARMITAGE (Minister for Government Enterprises): Regretfully, I move:

That the time for moving the adjournment of the House be extended beyond 10 p.m.

Motion carried.

Mr VENNING (Schubert): It is great to see you in that position, Mr Acting Speaker, and certainly you give a presence. I will make a few comments about the previous speaker. The Government gave Opposition members every opportunity to speak on this occasion, and certainly they have spoken. I support this Bill, and I am very pleased that the Opposition has also supported it, although you would not think so, listening to the speeches of some members opposite who spoke very negatively about it. All the same, I do appreciate the support members opposite are giving, because this is a very difficult issue. We know that whatever we do we will hurt somebody, and we have all been very heavily lobbied on the issue.

I wonder whether Caucus steamrolled some members opposite or whether they were simply putting something on the record so that they could say they had said something in the debate. I can understand their position. We are certainly dealing with a very difficult issue here. I had to agree with some of the speakers opposite. When the member for Ross Smith said that we will be 'transferring power to the majors' I gather he was talking about the major supermarket chains. I would have to agree that in some instances the measure can certainly play into their hands. I am pleased that the car yards are exempt from this legislation. Late night trading does not

assist them, because most people buy cars during daylight hours, either on week days or at the weekends.

As a member representing country people, I am mindful of two points of view straight away. One is that country people visiting the city appreciate longer trading hours. Often they come to the city to do business and, after business is complete and they have loaded their truck or been to the abattoirs, they like to have as much time as possible in the shops to buy their supplies, because many of these people come from areas where they simply do not have the choice to buy much of the merchandise they need. An extra three hours in the city or an hour in the suburbs will certainly be appreciated by members of the rural community. The other point is that country people, particularly in my area in the Barossa Valley, already enjoy completely open trading where, in most cases, if people want to open they can. In particular, Port Pirie saw 24 hour trading for a while, but it was cut back to a self-governing situation of approximately 12 hours. Country traders and businesses generally can and do have open trading hours.

Tourism areas that I represent, particularly the Barossa, want to see greater flexibility in relation to tourism, particularly with respect to the fuel stations and especially after hours. If you are in the Barossa and heading north to Port Pirie it is very galling to realise that no fuel stations are open after 9 o'clock all the way to Port Pirie. In the tourist season this can be a real trap, with people having to knock up a fuel agent after hours. I certainly hope that with flexibility we will see many of our people catering for tourists and staying open longer. The Labor Party's comments tonight on the change in trading hours reminded me that it was a Labor Premier, Hon. Don Dunstan, who brought about the greatest change in trading in this State, particularly when we saw the end of 6 o'clock closing. I would say that the biggest change we have seen in this State in relation to trading for the past five decades has come from Labor itself. Hearing some of the speeches tonight, I wondered whether members opposite ought to get out the history books and consider some of the moves that have been made by their own colleagues before them. We certainly live in times of great change.

Again in relation to tourism areas we would like to see many of our venues and shops open for longer hours. We know that the reason they are not open in many cases involves penalty rates. That is another political potato that we do not want to get onto tonight, as for many people it is a difficult issue. People involved in tourism—the cooks, the guides and winery people—need flexibility in their hours so that they can work when the demand is there. The cost of keeping people on after hours or on weekends when the tourists are there is prohibitive, so we see closed doors. It is not working. I am sure a workplace agreement with these people could mean that they could take off that time during the week or even extra time for working on weekends. I would like to see the situation freed up.

We will be governed at all times by public opinion and public practices. We know that people will vote with their feet and shops will not remain open anywhere at any time unless it pays. That will dictate exactly what we do now and in future. I agree with the member for Ross Smith when he said that extended hours will favour the three major supermarket chains. We know why: because they can stay open all night with one checkout person in place and a huge area of floor trading space behind them, whether it be a supermarket or hardware store. It is difficult to make it any other way. I have to agree with the member for Ross Smith on this issue.

We have to assess our situation versus other States and other countries. Adelaide is said to be a small city and shops do not need to be open these extra hours. We are also told that there are only so many shopping dollars to go around, and that is probably the case. How it is shared around is the problem. It is competitive, but what is not competitive today? In some areas that concerns me.

As we visit other States and overseas we appreciate being able to shop when we get there. We usually arrive in a city empty handed and need essential supplies, and to see closed doors can be very disturbing. The same applies to visitors coming to Adelaide. For tourists coming here and to see closed doors, before the city was open on weekends, must have been unnerving. At least now the CBD is open on weekends.

Ms Ciccarello interjecting:

Mr VENNING: I have been out to Norwood. The honourable member is interjecting out of her seat. It is a marvellous precinct on the weekend. People want to see activity, and shopping creates activity. You need to create your own precinct with these shopping areas. The member for Norwood must know that, as it is an attractive precinct out there. We have come a long way since six o'clock closing when we had five and a half days trading.

Mr Clarke interjecting:

Mr VENNING: I know that this is probably an interim measure we are dealing with tonight.

Members interjecting:

Mr VENNING: I said 'probably'; I will say 'at least for a few years'.

Members interjecting:

Mr VENNING: I said 'probably'—we may be.

The Hon. M.H. Armitage: News to me.

Mr VENNING: I will clarify the position. It may be an interim position—it may go back the other way; it may reverse. It has done that in the past. Whoever would have thought years ago that theatres would be back in popularity like they are today? We thought video recorders would destroy the theatre industry. We are living in times of great change and nobody would dispute that. The matter involved in this measure could go either way. People will be able to adapt to the new change to be brought in, and in years to come future Governments will decide which way to go—whether to revert to daylight trading (closing at 5 p.m. or 6 p.m.) or go to a full open franchise, which would concern me. It would be too big a change even to contemplate at this time: that is for future Parliaments to consider, but not this one. This Government does not intend to move again on the matter. The Minister was quite horrified when I mentioned it. However, things do change and people may wish to change back.

I was very concerned with the closure of John Martin's, although I am not sure that it was directly a result of shopping hours. I am very aware of how competitive it is out there in the marketplace, particularly with the arrival of the huge new shopping centres in the suburbs. I was sad to see the demise of Johnnies, which provided a great service to the State. I shopped there and it was sad to see it go. I welcome the increase in hours from 6 p.m. to 7 p.m. in the suburbs. It will be an advantage to me and will encourage me to shop in the suburbs more often after finishing work at 5.30 p.m. or 6 p.m. Also 9 p.m. closing in the city will be a great advantage to many people, and I know that it will be well received.

I congratulate the Minister on the hard work he has done on this issue. The Minister and I do not always see eye to eye

on some things and have a few spats occasionally. I publicly congratulate the Minister on doing his homework. He has undertaken an excellent consultation process. I have not previously seen a Minister deliver a controversial measure to the Party room and have 99 per cent of members agreeing with it. It is a very good compromise. That was the case—I do not deal in half truths or fibs.

Members interjecting:

Mr VENNING: We all thought that it was a very good compromise. He did the consultation. That is why the Labor Party has chosen to support it. The Minister has done his work thoroughly, undertaken consultation and been rewarded. I say to the Minister, 'Well done, you have pulled off a coup', because it is a very difficult issue and has been well received. I feel for all those in the industry who may regard it is a threat: I hope it will not be a threat to them. We need to address shopping hours, and this Bill is a very good middle of the road attempt to change without destroying the industry. I support the Bill.

Mr LEWIS (Hammond): This is not the end of life as we know it: this is a new beginning. It is a pity it is not bigger; it is a pity it is not greater. There would be far more opportunity for more people to spread their wings and try their skills at providing services to the wider community which seeks the retail services which are an alternative to wasting their money on poker machines, for which they get nothing. The tragedy is that 60 years ago most of the people of our age would have seen the benefits that can come and only come when they measured very carefully the amount of money they had in the household purse in deciding what it was they must purchase that week. I refer back to 1938—before the Second World War, after eight years of depression—when people were very careful about what it was they chose to spend their limited funds on.

Shopping then took on a meaning relative to survival. It was reinforced during the Second World War when we were all subjected to rationing, where you not only had to have the money to purchase whatever it was your heart desired but also had to have the ration tickets to go with it. Whenever you set out to ration anything it leads to the development of a black market, because there are those people who will offer whatever it is that is rationed at a higher price than you have to pay for it if you are required to pay and have the ration tickets.

That is the way in which things were done. We did not do that in the family in which I was born and grew up because ration tickets continued right through my early childhood. In the family of which I was a member there was always a surplus of sheets of ration tickets because we produced everything, it seemed to me, that we needed whether it be shoes, clothing, food, tallow, soap or whatever. I do not see that necessarily as a virtue, but it struck me as quaint that people would come to my mother offering all sorts of inducements to get some ration tickets to buy this or that or whatever else it was they wanted to purchase lawfully one way or another.

An honourable member interjecting:

Mr LEWIS: She did not give in to bribes. Of course, she gave them what they desired at no cost. She was willing to help anyone. This mentality, this mindset comes from that experience in our society. Nowadays shopping is no longer about purchasing the absolute essentials of life and nothing more. For all of us, without question, shopping is as much a leisure activity as it is an essential of life.

Mr Clarke: Like hell it is.

Mr LEWIS: It is a leisure activity. The member for Ross Smith can choose, as he knows, shirts of any colour. If he needs a shirt, he does not have to buy himself unbleached calico and go home with a pattern that he has borrowed from a cousin, cut the shirt and then sew it himself. Indeed, he can buy a boxed shirt or have one tailor made—indeed, more than one in all probability—from a variety of materials in different colours in a way which will enable him, at the beginning of each day, to choose a shirt that will fit his mood and fit his form for that day, which would be no mean feat!

That is what I mean by shopping having become a leisure activity. People want to mull over at leisure what it is they will purchase to satisfy their need for that particular item. It will not be an item of a generic description where there is only one kind. There is a whole array of brand names and styles from which they can choose. That is the first essential difference between where we got shopping hours from in our ordered society and where we are now.

The other thing I tell members immediately is that it does not matter what hours you put on when you can open your shop depending on what type of shop it is and where it is located in the metropolitan area of Adelaide or in the rural countryside of South Australia. It does not matter any more, because you can log on the net and do your virtual shopping from home. You do not even have to visit premises so long as you are satisfied that the goods you obtain from a vendor are sufficiently guaranteed, and you will be able to select whatever it is that suits your fancy—the size, the shape, the colour, the flavour, or whatever.

To that extent then, it is inane—not just silly, but quite inane—for us to imagine that we are in some measure regulating the behaviour of society by saying that we will change the shopping hours a bit this way or that way. I commend the Minister for his patience in dealing with such trivia—as he has had to—in coming to a conclusion which best fits as much as you can get of a consensus in the change and certainly suiting the majority of people who seek that change without making the minority who are uncomfortable too uncomfortable in the process.

It has been an incredible piece of political, if you like, divining. The Minister has walked around with a political dowsing stick to find out which way it bends in all circumstances and all directions, and he has carefully plotted the points and the direction of stress and movement of the dowsing stick in the process. That is called divining. He was not divining for water: he was divining for where the majority of support was among consumers, retailers, landlords who own the premises, the people who lease them and the people responsible for arranging the leases of them. I commend the Minister for that.

Whilst I commend all members of the Opposition for saying they support the Bill, I have to tell them all that damning it with faint praise was hardly a sane contribution to a debate of this kind—including the member for Hart. It was hardly sane. The other thing that I noted was the absence of any remark whatever about the opportunity that is now afforded to small business people who have been long suffering and who have been bled nearly white by the leasing agents and landlords of the strip malls that the member for Taylor was trying to think of. She was talking about strip shops, but she really meant strip malls. Strip shops are those places where you get your gear off.

Members interjecting:

Mr LEWIS: No-one has paid yet, so I will not do that. The most interesting part of this legislation is that retailers now no longer need to have fixed premises. Indeed, they can be flexible such as they are in Singapore and other places where they have equally small populations. Singapore had much lower levels of prosperity 30 years ago, but now it has levels of prosperity amongst its 3.4 million people equal to, if not greater than, our own. By having deregulated shopping hours on the stinking, flat island of Singapore very close to the equator, they have turned themselves into a shopping mecca for the world. By having deregulated hours and deregulated terms of trade, they have pulled themselves up by their bootstraps out of the mud and the mosquitoes to build themselves the kinds of lives, homes, premises and future that we all wish for our children.

Notwithstanding the other aspects of control that have been on their lives, I say that it is through deregulation and the use of the free market in a sensible way that that has been possible. There are nowhere near as many poor people in Singapore as there are in South Australia.

Members interjecting:

Mr LEWIS: And they have not got anywhere else to which to flee like our poor mite. As a result of the early clauses of the Bill, it is now possible for a small business entrepreneur to take their trailer or caravan, fit it out and stock it with the kinds of things that they believe the consumers are interested in, take it to those places where they expect the customers will be and sell those goods. They will do that in less than 40 hours a week—not 80 or 90—and they will not have to struggle to pay the rent. They can go whenever it suits them; start trading when it suits them; and close the doors and stop trading when it suits them. Altogether, that is the direction in which small business that is feeling harassed and harrowed by the difficulty of meeting the rent and trying to find someone to staff the premises when the landlord requires the premises to be opened, and so on, is heading. No: close the premises, tell the landlord to get nicked, get a caravan, and trade in a way which will give you a good income and plenty of time to enjoy your life.

Members missed that point in the debate, and I commend the Minister for including it in the legislation. It has never been done before in a way that shows that we understand what it is, because there will be markets around the metropolitan area into which these ephemeral trading arrangements become possible. It is not possible to look after everyone: you cannot please all the people all the time, and this legislation does not go anywhere near far enough to do what I believe ought to be done, but it certainly goes some distance in the right direction. Unlike the member for Schubert—

Mr Clarke interjecting:

Mr LEWIS: Schubert: he was the bloke who made the Grange back in 1951 that fetched \$21 000.

An honourable member interjecting:

Mr LEWIS: It fetched \$21 000 for a bottle.

An honourable member: It was \$24 000.

Mr LEWIS: Any advance on \$24 000? I have \$24 000.

The Hon. M.H. Armitage: It was \$24 500.

Mr LEWIS: At \$24 500, it is sold to the Minister. That is what I call free enterprise. He was criticised by the rest of the winemaking fraternity, at the time that he set out on that enterprise, for making a wine which was undrinkable and which would be an absolute failure. Yet, in consequence of his understanding of the chemistry involved in the must that he produced and the direction in which consumer tastes were heading, he has become a household word at the dining tables

of discriminating diners not only in this State and this nation but also around the world.

An honourable member interjecting:

Mr LEWIS: No. I am talking about the man after whom the electorate is named, not the member who represents that electorate. Whilst speaking about this, let me state that what I have seen in some of the counties and cities in California compared with other counties and cities in California clearly illustrates that the direction in which legislation has gone in recent years in South Australia is the direction which produces the greatest economic benefit and success for retailing as a leisure time activity. If you look at those counties which still regulate shopping hours in California, they are 'back-woods'.

Mr Foley interjecting:

Mr LEWIS: It can also be spelt the other way. That illustrates the point that, in places such as San Diego, where you can open when you believe you will have customers to serve and close when you are too tired to go on serving them, you will do better, because the turnover per square metre in Nordstrum stores in San Diego city in San Diego County is greater than in counties further north and east. There is no difference in the advertising dollar that is spent on promoting the products that are put on the shelves in those stores, so it must have something to do with the customer's perception of what is available.

As I have said, shopping dollars are dollars spent in leisure, and they are in direct competition with other so-called leisure time activities such as gambling on poker machines. I think it is a better activity for people to be involved in shopping than to sink their money into poker machines, because shopping is not addictive but poker machines are.

I heard the remark that we need to make it possible to close shops in time for cleaners to be able to clean them and get home to be with their family before they go to bed. The easy way to do that is to clean the shops in the morning or, more particularly, to do what is done now in Californian supermarkets or any other place on earth where supermarkets are open 24 hours a day, and that is to clean them when there are the least number of customers in the store. That might be at any time of the day on any day of the week at a time that causes the least inconvenience to customers and has the least impact on the profitability of the store. There is no necessity to close a store merely to clean it.

This is like saying that you should not clean the toilets in McDonald's or any other take away/fast food outlet, hotel or airport if those premises are open for trading. It is done all the time; toilets are cleaned whenever necessary. It is a pity that they do not clean the toilets more often in Spencer Street Railway Station in Melbourne. I have been there at different hours of the day on different days of the week and I have never seen a cleaner at work. I have always seen the signs, but the toilets are always a mess.

Notwithstanding my belief that greater flexibility is built into the legislation by the inclusion of the provisions in clause 5 which amends section 13 of the principal Act to make it possible for us to do so much more by way of proclamation and avoid the unnecessary bickering that goes on prior to a debate of the kind which is taking place in this House, this debate does not contain the kind of ill will that you find amongst bigots in the community—and so much the better. I commend the Minister for this legislation, and I commend the Bill to the House.

Mr CONDOUS (Colton): I did not intend to speak on this issue. The member for Hart said that I did not want to make a contribution. My reason for that is that I am happy with the Bill and what has been proposed after major input. I never intended to support deregulation because I knew that that would kill every small business in South Australia and we would finish up with major supermarket chains and centres controlling retailing at the expense of small businesses, which would lose thousands of jobs in South Australia which would never be replaced by the large businesses.

I have experienced this in recent shopping trips to K-Mart and Target. Whilst in those stores attempting to buy merchandise, I have asked for a shop assistant. People who shop in those places regularly would know that there are no shop assistants readily available. You virtually have to go to a check-out and ask for someone and then drag them all the way back to the department and ask them where the product is. The reason for this is that large businesses such as these do not have to provide a service in order to survive. They know that they are needed within the community because of their ability to sell merchandise far cheaper than anyone else. So, they treat you as a number when you come into the store to buy.

I see that the member for Hart has left the Chamber. I thought that he would have wanted to listen to my contribution. He said that he was brought up in retailing and that he worked in John Martin's as did his mother. I worked behind the counter for 30 years continuously in five small businesses employing about 40 people. I made my bread and butter out of retailing in small business and nothing else. Today, I am still a proprietor of a small business which employs six people. Most of our clientele come from small businesses and, therefore, I am interested in making sure that they are given a fair deal from this legislation.

What members on the other side of the fence do not like to admit is that they have never made a mistake, that mistakes are made only by government. The member for Hart said that the Government is running out of steam. That line has been used ever since these places were built. Whether in South Australia, Victoria or New South Wales, the Opposition always says that the Government is running out of steam. Let us go back to August 1993 and recall what the Labor Government did in respect of shopping hours. We have heard so many members opposite talk about the welfare of people who work in shops and shopkeepers needing to have a life, but when the Lynn Arnold Government—

Mr Scalzi interjecting:

Mr CONDOUS: Will you just be quiet for a minute? The Arnold Government decided in August 1993 to allow all businesses to remain open—I cannot remember whether it was until 9 or 9.30 p.m.—five days a week. Do members remember this, or do I need to refresh their memory? At that time, the Arnold Labor Government allowed all supermarkets to remain open until 9 or 9.30 p.m. That went on for four months until the Liberal Government was elected in December and stopped it. If members opposite want to talk about destroying small business, the move in August 1993 was the greatest threat to small business that has ever happened. Thankfully, the former Labor Government made that decision only three months before it went out of Government, because if it had made it three years before it went out of Government there would have been no small businesses left.

I did not make the decision. I went into the Party room to fight for what small retailers want. I spoke to 300 small independent supermarkets such as Foodtown, Foodland and

Serv-Wel, as well as many small businesses. The clear message that I received was, 'If you deregulate, we are finished, over and done with; if you allow the major chains and supermarkets to open on a Sunday, you can wipe us out. In 12 months we'll all be gone.' I was determined that that would not happen, as far as my Party is concerned. I went there and I delivered that.

Today, this Government has delivered no open trading on a Sunday. The only place that will trade on a Sunday is the City of Adelaide. The Government has decided to allow the suburbs to trade for an additional hour. The supermarkets now close at 6 p.m., and they will be allowed to trade until 7 p.m. My recommendation to the Government in the Party room was that the city be allowed to trade until 7 p.m. on Monday, Tuesday and Wednesday and then until 9 p.m. on Thursday and Friday, because I believe that the city should be treated totally differently—and I will tell members why.

Westfield pays millions of dollars a year in advertising fees—admittedly, that money is contributed by the tenants, not by Westfield—to draw as many people as it can into its centres. Something like 80 000 to 90 000 people travel from the suburbs to work in the city on a daily basis, and at 5 p.m. or 5.30 p.m. we say to them, 'There are buses standing around, there are trains ready and there are trams sitting there to take you home as soon as you leave work.' Why do we drive those people out of the city when we have a captive audience that we want to keep in the city? That is why I recommended trading until 7 p.m., because I know that housewives do not get up at 7.30 a.m. to be ready to shop by 9 a.m. Women usually go in to shop after 10 a.m. If you look at the trends—

Ms Ciccarello interjecting:

Mr CONDOUS: The member for Norwood says 'Oh': because she worked at the library, she wanted to shop at 8 a.m. But everyone does not work in a library: there are a lot of housewives out there who want to shop in the city. Throughout the whole of South-East Asia, the shops do not open until 11 a.m. In Europe, the shops do not open at 9 a.m.: they open at about 10.30 or 11 a.m. The thing to remember is that we have 80 000 captive people working in the city.

In addition, in relation to the Convention Centre—and the Opposition has to take part of the credit (I am quick at handing out credit where credit is due) because it created the Convention Centre, which has been a magnificent contribution to South Australia—we have now decided to take it one step further by spending an additional \$55 million so that we can double the 60 000 bed nights to 120 000 bed nights. Conventions usually finish at about 5 p.m., which means that, if a person attending a convention wants to take something home for his child or his wife, he has half an hour in which to shop. It cannot be done in half an hour.

As a former Lord Mayor of the city, I thought that it would be wonderful to look down Rundle Mall at 7 p.m. on a Monday, Tuesday and Wednesday and see the shops retailing, instead of closing down. We have given them an advantage. They do not have to trade until 9 p.m.: it is their option. If they collectively decide that their trading hours will be from 10 a.m. to 7 p.m., they will tell the community of South Australia. However, we are saying to them that, if they want to take the option of trading until 9 p.m., they can do it.

We have many special events that are now coming together. We have the three day horse event, we will soon have the V8 racing and the Down Under cycling event, and we have had the sports car rally. They are special occasions for which the city now has locked into legislation the ability

for retailers to trade if they want to. They can make an announcement through the press and say that, because of a special event, the city has decided that on Thursday and Friday of a particular week, they will trade until 9 p.m. And if they want to do that for the whole week from Monday to Friday, they can. I lived in the city in the early 1940s—

Ms Rankine interjecting:

Mr CONDOUS: You wouldn't remember, so you didn't enjoy the thrill of it.

Ms Rankine interjecting:

Mr CONDOUS: No, that's right. I feel sorry for you, because you didn't know what the true Adelaide was. So keep on gabbling like a canary and we'll let it all go. When I lived in the City of Adelaide in the 1940s, it was one of the most wonderful places, and I feel sorry for people who have not experienced that, because Adelaide was a vibrant, beautiful city. There were no suburban shopping centres at that time, so everyone shopped in the city.

Members interjecting:

Mr CONDOUS: Well, 9 to 5. But this is what I am trying to get at. When I lived in the city in the early 1940s, there were 45 000 people living there. Today there is—

Ms Rankine interjecting:

Mr CONDOUS: Is she still gabbling on? You would make a bloody good parrot for someone. In the early 1940s, when we had 45 000 living in the city, we had a vibrant city. What is happening today—and all credit to the Adelaide City Council—is that the residential population of the city is now building up more quickly—

Ms RANKINE: I rise on a point of order, Mr Acting Speaker. I believe that the member for Colton reflected on me inappropriately during his speech.

The ACTING SPEAKER (Hon. G.A. Ingerson): There is a mechanism by which to do that, and it is up to the member to do it.

Ms RANKINE: I am the member on whom he reflected, Mr Acting Speaker.

Mr CONDOUS: I could have called her a galah but I called her a parrot instead.

Ms RANKINE: I ask that the member for Colton withdraw the comment.

The ACTING SPEAKER: I would like the member for Wright to establish her point of order, because I am afraid that I did not hear it.

Ms RANKINE: The member for Colton called me a parrot, as I understand it, and I believe that reflects on my credibility—and a canary.

The ACTING SPEAKER: I do not consider that to be unparliamentary. The member for Colton.

Ms RANKINE: It is very unparliamentary.

Mr ATKINSON: I rise on a point of order, Mr Acting Speaker. Erskine May lists a whole range of unparliamentary expressions, and it is always unparliamentary to compare a member with an animal or bird of any kind.

The ACTING SPEAKER: Is the member for Colton prepared to withdraw his remark?

Mr CONDOUS: No, I am not, Sir. It was not meant in a vindictive way. The honourable member opposite was interjecting continuously, she was absolutely breathless, and I referred to her as a parrot. I could have referred to her as a galah, but I did not. If people look at what is happening in the city at the present time, they will see that there is an enormous influx of people wanting to come back to live in the city. And that is great, because we see—

Ms RANKINE: I rise on a point of order, Sir. I am sorry, Mr Acting Speaker: can you please clarify for me that your ruling is that to call me a parrot and a canary is not derogatory?

The ACTING SPEAKER: I have asked the honourable member whether he will withdraw and, consequently, I am not ruling it unparliamentary.

Members interjecting:

The ACTING SPEAKER: Order! In the context of the debate, I ask the member for Colton to continue.

Mr CONDOUS: I was saying that the reason why we have treated the city differently is that there is an enormous influx of people, who are now seeing the benefits of living in the city. The East End market development is enjoying enormous popularity. A new development is about to start on the corner of Frome Road and Grenfell Street, and another new development called The Warehouse is about to start in Wakefield Street. The Karidis Corporation is developing units all the time, and I believe that these shopping hours that we have laid down for the city will be an even greater catalyst for people to come back and live in the city, because people will say, 'I want to live where the action is continuing all the time.' The Adelaide City Council was concerned, and expressed to me that it wanted the city to be treated specially. That is why the city is the only place that is allowed to trade on a Sunday, and I think it should continue to do that.

I believe that the Bill is a good one. Members are concerned about possible trading until 9 p.m. every night in the city, but I would be very surprised if the traders in the city decided to trade until then. I believe that the Retail Trades Association will get retailers together and they will probably make a decision to trade from 10 a.m.—David Jones is already now opening at 10 a.m.—until 7 p.m. from Monday to Wednesday and then until 9 p.m. on Thursday and Friday. I believe that we have saved small business, and we have allowed the city to have an advantage. We have not allowed the deregulation of shopping hours, which would have destroyed small business, and I believe that this is a great Bill.

The Hon. M.H. ARMITAGE (Minister for Government Enterprises): It is slightly later than I thought I might have been making this speech, but in doing so I thank the Opposition for its support of the Bill. But can one imagine a more mealy-mouthed lot of support for any proposition ever put up in Parliament? All the speeches from the Opposition detailed how this Bill is likely to have an armageddon-like response on South Australia's economy, yet the Opposition supports it. Why? In looking for an answer, I thought back to the much lamented Independent Labor member and former Labor Minister Terry Groom.

Mr Atkinson: A top bloke.

The Hon. M.H. ARMITAGE: Yes. The Independent Labor member Terry Groom indicated in one of his final speeches to this Parliament that the reason he wanted to become an Independent Labor member of Parliament was that he was tired of South Terrace dictating to North Terrace. Despite the alleged horror of what, according to the ALP, this Bill does, the ALP members support it without amendment. Why? Because South Terrace has told them to and because deep down the ALP knows that this advance in shop trading hours is well pitched.

The member for Hanson kept on saying that following the passage of this Bill shops will be open. No; the honourable member is wrong. Following the passage of this Bill, shops

can be open for longer hours. The member for Hanson talked about many surveys, inputs and reactions which she and other members of the ALP had had. Many said that there ought to be no total deregulation. Well, we have not done so. Despite all the reactions—and the member for Hanson detailed many that were allegedly negative to any extension of shop trading hours—the ALP supports this measure.

As members of the House know, during the review we had 700 submissions, many of which particularly focused on whether the consumers wanted this measure—whether there was a demand for it. As almost all members opposite said there is no demand for this, the only thing that I can say is to look at the experience in Victoria, where 12 months after deregulation had occurred the local council of Bendigo held a referendum to see whether the consumers, the people whom allegedly the Opposition represents, wanted to re-regulate. For members opposite, the fact is that 77 per cent of consumers said they wanted no change: they actually wanted the deregulated hours to remain. Why? Because it is convenient and they like it.

I acknowledge the contribution of the member for Bragg, the former Minister, as he obviously knows all about the difficulties which shop trading hours can cause because of the emotional input involved. The member for Kaurna called this a Mickey Mouse Bill, before pledging his support for it. I remind the member for Kaurna that, notwithstanding his allegation, the boardrooms do not discuss the Liberal Party in this matter: I assure the member for Kaurna that the boardrooms, in relation to shop trading hours, talk only about the ALP and its resistance to any progress. I again remind the member for Kaurna, who said that customers will have less choice after this Bill is passed, of the 77 per cent support in Bendigo for the hours there. I repeat that the member for Kaurna is also having two-bob each way, saying that this is a lousy Bill but supporting it. Clearly, he also is obeying his masters on South Terrace.

The member for Ross Smith said that this is all about market share, with the big end beating up on the small end of town. Well, the big end is not happy. The member for Ross Smith quoted some alleged minutes which said that Sunday trading would occur. Clearly, they have not got what they as the big end of town wanted. It is illogical for the member for Ross Smith to say that the big end is beating up on the small end, because factually in this Bill the big end does not get what it asked for.

The member for Ross Smith also said, in relation to his amendment which he intends to move, 'We will have to revisit the whole Retail and Commercial Leases Act.' I would contend that his amendment might be more appropriately moved when, if ever, the ALP revisits the whole Act. The Opposition's amendment will be opposed by the Government not because it is necessarily wrong but because there has been absolutely no consultation about this at all. The member for Ross Smith and I have already found a number of loopholes as big as a truck in this particular clause. The Government intends—

Mr Clarke: No.

The Hon. M.H. ARMITAGE: The member for Ross Smith and I have discussed what happens if there are, for argument's sake, 300 lessees in a shopping centre. Does that mean that each one of them serially can call a meeting? The member for Ross Smith said to me, 'I acknowledge that we have to deal with that.' The Government will oppose that amendment at the moment on the basis that we intend to consult with the Retail and Commercial Leases Advisory

Committee, the appropriate body. I know that the member for Ross Smith will understand why we will do that, because on Wednesday 5 March 1997, when I as Minister for Health moved to see that there would be a smoking ban in restaurants, something with which the member for Ross Smith actually agreed—he identified that he personally agreed with it. He spoke loud, long and passionately against it being brought into Parliament. I would like to quote his rationale on 5 March 1997 for opposing something or other. The member for Ross Smith said:

We [the Opposition] have not had an opportunity to discuss these amendments with the various constituent groups affected by this very important legislation, whether it be the restaurant and hotel industries, the anti-smoking lobby or anyone else. We have not had an opportunity to talk to those interest groups on the Bill and we have not had a chance to determine a position on the amendments placed before us.

As has been said before, what goes around comes around to the member for Ross Smith. As I said, we will oppose the amendment because we are uncertain of what consequences may flow from it. Until we have fully consulted with the stakeholders, which we intend to do quickly, we will oppose it.

I particularly thank the member for Hartley for his contribution, because I have to advise the House that the member for Hartley has rigorously represented his electorate and its needs throughout the whole consultation period. Indeed, the member for Hartley and I have had many discussions about this Bill, and he has made the position of his electorate and of his electors crystal clear to me as the Minister responsible for this legislation.

The Leader of the Opposition said, 'Westfield is spewing, because they didn't get what they wanted.' Even if one assumed that that was correct, it is interesting to note that this blasts a complete hole in the member for Ross Smith's argument that this is a case of the big end of town beating up on the small end of town. The Leader of the Opposition is saying—

The SPEAKER: Order! The member for Ross Smith.

The Hon. M.H. ARMITAGE:—that the big end of town did not get what it wants. I guess the member for Ross Smith should not be surprised that the Leader is blasting holes in his position, because I am happy to advise him at some stage about who I am informed is circling and circling, perhaps like a buzzard. There is one in the House now and there is one not in the House but with a connection to the former friend of the member for Ross Smith who is eagerly awaiting events soon.

The Leader of the Opposition has basically taken the bleeding heart position and kept faith with the unions, according to his statement. He has kept faith with small business. All I can ask is, if he is so keen to support the unions, and they allegedly do not want Sunday trading, and if he has kept faith with small business, why did the Leader not move an amendment to remove Sunday trading from the city? Why? Because he knows it is popular; because he knows it is an extraordinarily good move. The member for Spence indicated—

Mr Atkinson interjecting:

The Hon. M.H. ARMITAGE: No, I am not going to get unpleasant: I am just going to debate. The member for Spence indicated that we can extend hours as much as we like but retailers themselves will not always extend into the hours on which we extend: why then should anyone worry about total deregulation? If it is, as the member for Spence was saying, for the actual retailer to make his or her decision as to when

he or she will trade, why bother about total deregulation? Why not deregulate completely and the retailer will make the decision? I know why: because the member for Spence is a totalitarianist. He wants to make absolutely sure that no-one can make any choice about any matter unless the member for Spence dictates what it is.

Factually, his position is completely illogical. The member for Reynell talked of the decreased employment which would flow from this piece of legislation. I understand why the member for Reynell would say that, because it is a populist position. The member for Reynell's contribution ignores the facts. The Bureau of Statistics' figures, and I emphasise not the Liberal Party's figures, not politically biased figures and not ideologically driven figures, show a surge in business and employment 12 months after freeing up trading hours in Victoria. The ABS figures show that Victoria's retailers grew by 7 per cent—10 times the national rate—and 11 200 jobs were created. They are the figures. They are not emotionally derived, ideologically pure material for the member for Reynell. These are the ABS figures: in the 12 months since deregulation in Victoria retailers grew by 7 per cent, 10 times the national rate, and 11 200 jobs were created.

The member for Reynell also says that clearly we are interested only in big business and that we ignored small business. I would like to quote to the House a letter written by the Small Business Advisory Council to the then Minister on 5 May 1998. The letter relates to the issue of extending retail shop trading hours in South Australia. The Small Business Advisory Council developed a position paper on retail shop trading hours and, among other main points which the report raised, is the following:

There is a need to increase the allowable opening hours of retail traders in South Australia on the basis of ensuring competition in the retail market and so that retailers are able to more easily adjust to the needs of consumers.

The Small Business Advisory Council wrote that. It also wrote:

It is essential that any reform of current retail trading hours arrangements occurs in a manner that has a minimum impact on small retailers.

We agree. It also wrote:

The most desirable option for reform, in terms of minimising any impact on small retailers, would involve a progressive extension of trading hours over time.

We agree with the Small Business Advisory Council—not the big end of town. The final point I wish to quote from the Small Business Advisory Council letter is in its review, where it states:

A climate of total deregulation should not be introduced until the impact of a progressive increase in trading hours has been adequately assessed.

Again, we agree. This is no particular move immediately to deregulation, like the Opposition is apparently suggesting. The member for Norwood identified that in various surveys she has done in her electorate 95 per cent of her businesses want no extension of trading hours at all, yet the member for Norwood is voting for the Bill. I wonder why she is not standing up for the businesses she mentioned on The Parade, etc.—because the union bosses have told her not to and she is capitulating.

The member for Norwood read a long letter to the House about Ferrari and Alpha Romeo dealers who said, 'Please don't extend the hours in which cars can be traded.' We have not. I thought it was of particular interest that the member for Norwood identified in the ambience of The Parade that

people can have this wonderful lifestyle where they can go to the cafes and they can come out and window shop. Window shop! How patronising of the member for Norwood. She is prepared to let them window shop at any hour but, if they see anything they want to buy, the member for Norwood will not let them.

As to the people who actually like to have their product passing from their shelf, where they have paid for it and it is in their inventory and costing them money—people who would like to pass it to a consumer who wants to buy it—I wonder what they would say to the member for Norwood? They would say, 'Please let us sell our articles.' Yet this is what we get from a Party which just prior to the 1993 election allowed supermarkets to trade to 9 p.m. Monday to Friday. What hypocrisy!

The member for Lee identified that all members of the Labor Party received hundreds of submissions asking for no change at all. What does the member for Lee do? He supports the Bill. Why?

Mr Wright: I'm not sure I said that.

The Hon. M.H. ARMITAGE: With respect, I ask the member for Lee to identify in *Hansard* as soon as he can his exact words and I shall read into *Hansard* tomorrow or at some stage exactly what he said. I am prepared to say that they may not be his exact words, because I do not take shorthand, but I can tell the member for Lee that they are as close to the words that he said that I could get down. Anyway, what does the member for Lee do, given that the sentiment of what he was saying was that he had received hundreds of submissions asking for no change at all? What does he do? He supports the Bill. Why? Because, clearly, he is obeying his masters in the union movement and because he knows that this is a good piece of legislation, despite the charade that has gone on on the other side of the House. The member for Lee says that this is a very poor and shoddy piece of legislation, yet I ask him: where is the amendment correcting it?

There is none. Why? Because he is in fact voting for the legislation. The member for Elizabeth said that as a consumer her original view was that she was a supporter of deregulated shop trading hours. Why? Because they make it easy for consumers, as is identified in Bendigo, where 77 per cent of consumers, offered the chance to go back to regulated trading hours, said, 'No, thank you.' I contend to the member for Elizabeth that her view as a consumer is exactly what consumers want. That is what they are telling us on a regular basis. The member for Elizabeth also said (I think that she was quoting from a letter, so maybe it is a quote of a quote) that 'thousands of jobs have been lost in Victoria since deregulation'. Wrong! I quote again. The ABS figures show a surge in business and employment over the 12 months since trading hours were freed up in Victoria. The ABS, not the Liberal Party, shows that Victoria's retailers grew by 7 per cent, 10 times the national rate, and that 11 200 jobs were created. So, all I can say is that the member for Elizabeth's emotional argument was factually wrong.

The member for Elizabeth also talked of a 'furphy' about tourism being boosted. I will quote two paragraphs from a letter written by the Tourism Council of Australia on 14 April 1998 to one of the officers of my department who has been dealing with this matter, as follows:

The council has a national policy position which supports flexibility when trying to cater to the shopping patterns of both domestic and international tourists. Trading hours have been identified as a significant area of dissatisfaction for international

visitors, particularly from some of Australia's fastest growing visitor sources. Close to half the visitors from Asia responding to surveys have indicated dissatisfaction with the times when shops are open. Other countries have expressed dissatisfaction as follows: Japan 34 per cent [a third of Japanese tourists], United States 24 per cent [a quarter of United States tourists], Canada 28 per cent, Germany 14 per cent and other Europe 12 per cent.

The next paragraph in this letter—from the Tourism Council of Australia, not some member of the Liberal Party helping us to formulate an argument—states:

Research undertaken supports this statement, finding tourists are generally committed to itinerary activities such as leisure activities during the day and prefer to shop during the evening.

So, the member for Elizabeth says it is a furphy about tourists. Well, do all the members opposite want the tourists who come to South Australia to be less satisfied than they might be? Do they not want tourists who come to South Australia to be able to spend their money so that South Australian business people can do well? The Tourism Council of Australia tells us that tourists prefer to shop during the evening, and we will allow them to do that.

The member for Hart made the last contribution from the Opposition. My guess is that that was so he was able to use all the arguments of his colleagues so he could look good and hold off the member for Kaurua, but—and I thank him for this—he had the good grace to say that the extension of shop trading hours is inevitable. I certainly thank him for that. I thank all members of the Liberal Party for their constructive debate tonight and for their very positive input over the whole time of the review. I particularly thank all members of the Liberal Party for their vigorous debate in the Party room.

This piece of legislation is particularly important for South Australia, because it will help our economy to grow. I think it is extraordinarily important for the House to know that, despite the alleged contention of this issue, my office has had virtually no input since the Government's position was announced. That to me indicates that most people in South Australia actually believe that this is a reasonable position for the future. So, I thank members on both sides of the Chamber for their support for this piece of legislation, and I look forward to (I hope) its speedy passage.

Bill read a second time.

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

A quorum having been formed:

In Committee.

Mr CLARKE: I move:

That it be an instruction to the Committee of the whole House on the Bill that it have power to consider a new clause relating to retail shop leases.

Motion carried.

Clauses 1 and 2 passed.

Clause 3.

Ms KEY: I refer to clause 3(b) of the Bill. Will the Minister explain to the Committee precisely what sort of premises we are talking about? I understand that there are provisions in the motor vehicle industry. We have received many submissions from that area. If premises sell motor vehicles, boats, trailers and caravans, what is their status with regard to the interpretation of 'exempt shop'?

The Hon. M.H. ARMITAGE: This is one of the glories of dealing with this piece of legislation which, as people have said in the past, has had hotch-potch amendments made to it. The exempt status of a shop is detailed in clause 3(d)(2) and relates to whether a shop has sold 80 per cent of its goods in

the previous seven consecutive days, which would determine what it was able to sell according to the legislation.

Ms KEY: On the basis of the point just made, will the Minister explain the status of a shop or premises that has a variety of goods—probably capital equipment—including motor vehicles, caravans, trailers and so on? What would be the status with regard to exempt employer status? I ask the question because a number of motor traders are particularly interested to know what will be the result of this Bill, should it be proclaimed.

The Hon. M.H. ARMITAGE: As identified, I refer the honourable member to clause 3(d)(2) over the page, which talks about exempt and non-exempt shops. This is not a particularly easy clause to understand, but this is how the legislation to this stage has been administered. People would have to look at the immediately preceding period of seven consecutive trading days of the shop, look at the aggregate price of all goods sold in the shop and all of those goods that fall within any one or more classes of goods referred to in paragraphs (b), (d) or (f) and, if it is 80 per cent or more of the aggregate price of all the goods sold at the shop during that period, the shop would then not be an exempt shop according to the clause.

It is defined completely on the percentage of what the shop has sold in the preceding seven days. That is extraordinarily difficult to understand and administer, but that is what shops do at the moment and how the legislation is administered, and it is how it is determined whether they are classified as exempt or non-exempt.

Ms KEY: Unfortunately, I am sure many people will be very confused by that explanation, and I am concerned that we did not have tighter drafting in this instance. I understand what the Minister is saying about the legislation being amended a number of times and that, as a result, we have a difficult Act to understand. When we are talking about the previous seven consecutive days, surely at the moment some of those days would not be trading days. Will the Minister amplify what we mean by 'consecutive days'?

The Hon. M.H. ARMITAGE: As it says in the clause, and as I read out, it is the immediately preceding period of seven consecutive trading days.

Clause passed.

Clause 4 passed.

Clause 5.

Mr ATKINSON: I move:

Page 3, lines 5 and 6—strike out 'Easter' twice occurring and insert 'Holy'.

I regret that the Saturday before Easter is to become a trading day from the year 2000 onwards. If it were my choice I would avoid that. Oddly enough, the Bill as presented to us does avoid that because it refers to Easter Saturday, which is the Saturday in Easter week or the Saturday following Easter. Holy Saturday is, of course, the Saturday before Easter. It is also known as Easter Even. My amendment seeks to delete the words 'Easter Saturday' and insert the words 'Holy Saturday'. As my authority I cite the entry for 'Easter' in the *Oxford Dictionary of the Christian Church*, which reads:

The Feast of the Resurrection of Christ, being the greatest and oldest feast of the Christian Church. Its importance is emphasised liturgically by the long preparation of *Lent and *Passion-tide, by the special ceremonies of *Holy Week, and by the following *Paschal-tide (till the Saturday before *Trinity Sunday), characterised both in E.[East] and W.[West] by the frequent reiteration of *Alleluia at the *Mass and in the Divine *Office, as the expression of Easter joy. In the ancient Church the *catechumens, after watching all Saturday night, were baptised early on Easter Day and

received Holy Communion. The night before Easter was celebrated by the illumination of the churches and even whole cities. In the E. Church the original night vigil had been kept unaltered, but in the W. it was put back to the afternoon in the 10th cent., and to the morning of *Holy Saturday in the 14th [century], so that in the RC Church the first Easter Mass came to be celebrated on Saturday.

The entry goes on for some distance. I cite that entry to prove that the Saturday before Easter is Holy Saturday. Further in that same dictionary the entry 'Holy Saturday' states:

The day before *Easter Sunday, also known as Easter Even (as in the BCP)[Book of Common Prayer].

If the Government wants to achieve trading on the Saturday before Easter Sunday it will have to refer to Holy Saturday and not Easter Saturday because Easter Saturday is a week later.

The Hon. M.H. ARMITAGE: I spoke with the member for Spence about this issue prior to this matter being raised. I contend that, as I indicated to the member for Spence, if we went out tomorrow and asked the first 1 000 people in Rundle Mall whether Easter Saturday fell before Easter Sunday or afterwards, I believe that 1 000 people would say what indeed was meant. However, the last thing I would wish to do is to bring to the House ambiguous legislation. Because I do not wish to do anything which might offend any member of our cosmopolitan, multicultural, multi-racial and, thankfully, multi-religious society, I identify that, between this Chamber and the next, I intend to have an amendment drawn up that will in fact identify to everyone, no matter what their religion, exactly the date to which we refer in this exercise.

I will go to the Holidays Act and look for the definition of what was intended by Easter Saturday in this clause. I intend to suggest that the Government in another place move an amendment whereby this day will be determined as 'the day following Good Friday', which is what it is determined in another Act of Parliament. That will make it completely and utterly unambiguous, and I am sure the member for Spence will understand why I am doing that.

Mr CLARKE: I concur with what the Minister has said, that the accurate description would be 'the day following Good Friday'. In fact, all of the industrial awards in this State that I am aware of say just that when prescribing public holidays.

The Hon. M.H. Armitage interjecting:

Mr CLARKE: Yes. I could never work it out until this issue came about. After 20 years in the industrial relations scene I have now worked out why, in relation to public holidays, all of our awards said 'the day following Good Friday.' I could never work out why it was not called Easter Saturday but, as a result of this exercise, I have now worked it out. I would think that the Minister's view is quite right because it then keeps it in conformity and does not offend any other religion or views by describing it as Holy Saturday. That is not the case with respect to our Muslim brothers, sisters, or whatever else.

When the member for Spence at a recent meeting of the Party did not correct the Shop Assistants Union State Secretary for describing the day following Good Friday as 'Easter Saturday' I thought it had been announced *ex cathedra*, given his high office within Labor unity. I therefore took it as given with respect to Easter Saturday. Nonetheless, I am quite content with the Minister's description of Easter Saturday as 'the day following Good Friday'.

The ACTING CHAIRPERSON (Mr Venning): The Minister is currently writing an amendment. Does the member for Spence wish to withdraw his current amendment?

Mr ATKINSON: I am reluctant to give in to such rampant secularism. We are discussing Easter and the Saturday before Easter is Holy Saturday, and Michael the apostate and the member for Ross Smith cannot change that. I notice that in Schedule 2 to the Holidays Act that day is referred to as 'the day after Good Friday', so I am afraid I must withdraw. I seek leave to withdraw my amendment.

Leave granted; amendment withdrawn.

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

Page 3, lines 5 and 6—strike out 'Easter Saturday' twice occurring and insert 'the day after Good Friday'.

Mr HILL: What will be the effect of this amendment on trading on the day after Christmas Day, which is commonly known as Boxing Day, unless I am to be corrected?

Mr Atkinson: The Feast of Saint Stephen.

Mr HILL: I have been corrected. Will the Minister advise the Committee of the effect of this legislation on trading on Boxing Day?

The Hon. M.H. ARMITAGE: It will have no effect. This amendment has no effect on Boxing Day trading. However, I understand that there is an issue in relation to trading on Boxing Day this year because Christmas Day falls on a Friday. To explain the situation to the member for Kaurua, the process which I undertook as Minister was to address the issue with the Retail Trades Advisory Committee, which is a broadly based committee of employers, unions, retail traders associations, and so on comprising about 15 or 20 people. I asked them for their views on Boxing Day trading this year. The number of people who identified that they wished to trade on Boxing Day was about two or three times as many as those who indicated that they did not want to trade on Boxing Day and, as Minister, I took the majority view. So that is a different matter.

This clause has no effect on it, and the Retail Trades Advisory Committee, which discussed this matter at length about a week ago, came to the conclusion that the best solution to its problem was to allow the relevant Minister of the day the flexibility to determine that Christmas Day would never fall on a Friday. Of course, that cannot be done, but that is the only way of ensuring that the issue of Boxing Day trading does not arise once every seven years. It is a different matter, but I have taken advice from the Retail Trades Advisory Committee and I have taken the majority view.

Mr HILL: I have been approached by a number of traders in the Colonnades Shopping Centre who will be forced to trade on Boxing Day. They will lose money as a result of that, it will ruin their holiday weekend, they will all have hangovers and they are not at all pleased to be doing it. Could I clarify the point the Minister is making—

Mr Clarke interjecting:

Mr HILL: As the member for Ross Smith says, many of them will not be able to get their product because bakers, for example, will not be baking on Christmas Day.

The Hon. M.H. Armitage interjecting:

Mr HILL: Yes, that is right. Will the Minister clarify the point that this means that he or some subsequent Minister can continue to use their discretion to allow trading or not allow trading if Boxing Day subsequently falls on a Saturday?

The Hon. M.H. ARMITAGE: That is actually taken into account in section 13(9) of the Act, which allows the Governor, by proclamation, to authorise the opening of shops during hours specified in the proclamation when it would be otherwise unlawful to open those shops and so on. It is a decision of the Minister and, as I indicated, the process for

this particular year's decision was as follows: I went to the Retail Trades Advisory Committee and I took the majority view and, if there were 15 people who provided a view and each one of those people was an association or whatever, my guess is there would have been 10 who said 'Do trade' and four who said 'Not', so I took the majority view.

Amendment carried; clause as amended passed.

Clauses 6 to 9 passed.

Clause 10.

Mr CLARKE: I move:

New clause, page 4, after line 7—Insert new clause as follows: Amendment of Retail and Commercial Leases Act 1995

10. The Retail and Commercial Leases Act 1995 is amended by inserting the following subsection after subsection (2) of section 61:

(2a) The lessor or the lessee under a retail shop lease (or an officer of an association referred to in section 60 acting at the request of a lessee) may call a meeting of the persons who are entitled to vote in a ballot to vote on a resolution approving different core trading hours for the purposes of subsection (1)(c).

The reason for my moving this amendment is simply that we in the Opposition are trying to give the small traders an opportunity to prevent their being forced to open until 7 p.m. in the suburban areas or potentially up to 9 p.m. in the CBD district, if the landlords of where they have their shops in an enclosed area seek to compel them to do so.

The existing section 61(1)(c) of the Retail and Commercial Leases Act provides:

A retail shop lease may only regulate trading hours, if—
the core trading hours (i.e. the hours for which the shop is required to be open for business)—

- (i) do not exceed 65 hours a week; and
- (ii) have been approved in a secret ballot, conducted in accordance with the regulations, by a majority of at least 75 per cent of the votes cast.

Basically a lease can only tell the small retailer (or a large retailer for that matter) that, if it is within an enclosed shopping complex, the core trading hours cannot exceed 65 hours a week and those hours, whether it be from 9 to 6 or from 10 to 7, as potentially it would be under the Government's Shop Trading Hours (Miscellaneous) Bill, would have to be approved by 75 per cent at a secret ballot of those entitled to vote.

The difficulty with the existing principal Act is this: there is no trigger mechanism in section 61. One could presume from reading it that either a lessor or a lessee could seek to initiate a ballot, but it does not spell it out in the principal Act. Regulation 10 of 134 of 1995 provides:

For the purposes of subsection (1)(c) of section 61 of the Act, a ballot under that subsection must be conducted as follows:

- (a) The proposed core training hours must be incorporated into a resolution to be put at a meeting of the persons who are entitled to vote on the matter.

The problem with that regulation is that it does not say who can initiate that meeting. Presumably—

The Hon. G.M. Gunn: You only like to hear yourself talk.

Mr CLARKE: The bear has woken up. I think it would be better for all of us if he went back to sleep.

The Hon. G.M. Gunn interjecting:

Mr CLARKE: I am sorry. It is after the member for Stuart's bed-time. Could we all sing him a lullaby. I see that he is upset. If he did not interject so much—and he should know that interjections are out of order—I would conclude my speech that much more quickly. I thought the honourable member would know that after 27 years in this place.

The ACTING CHAIRMAN: Members will come to order.

Mr CLARKE: One might presume that it would be a lessor or lessee who could initiate such a meeting; however, the regulation does not spell that out. My amendment clearly spells out a lessee or a lessor, or most importantly from our point of view—and I know that this is valued by the Small Retailers Association of South Australia because I spoke to that body's legal advisers on this matter only this morning—an officer of an association referred to in section 60. So, the Small Retailers Association or an association which has been formed to protect and advance the interests of retailers can initiate such a ballot.

As members would be aware, a number of lessees are worried that, if they stick up their hand to convene a meeting to vote on increased hours or changes to the core hours of trading and that does not please the landlord, the landlord will take it out on the lessee at the time of renewal of the lease and make it difficult for that lessee to continue in business in that particular shopping centre. This does happen. Every member of this Chamber at some time would have been approached by a trader with a similar problem.

Through this amendment we are allowing those traders to go to their association and say, 'We dare not raise our concerns by calling for a ballot. We would like you to do this so that we can have a secret ballot to determine the issue as provided for under the Act and regulations. We can do this without the landlord knowing which of us has brought you into play on this matter.' It is a protection measure for small traders, something which I thought this Government would want to support.

The argument that the Government uses against it—and this is why I have also raised this with the two Independent Liberals and the National Party representative in this Chamber—is that it has not had time to discuss this matter with the Advisory Council. That is a bit unfortunate, but sometimes we have to do things quickly.

I remember only too well the Minister quoting from a speech that I made on his non-smoking in eating areas tobacco products Bill. I have learnt from the policy backflips of the Minister's Government when he said he would not sell ETSA and immediately after the election decided to do so. The Minister has shown a great deal of flexibility, and so have I. I particularly draw this to the attention of the Independents and the National Party member: when you are in Opposition, you are not in the driving seat and, if you do not act quickly to take advantage of Government legislation to try to broaden the ambit to protect people, you can lose that opportunity for all time. As we all know, in the private members' system, we get only Thursday mornings to debate these issues, and the Government often does not respond to private members' Bills: it keeps trying to put them off until they drop off the Notice Paper, and we never get anything done.

This is a Bill that the Government wants to get through. It wants to be able to beat its breast and say it has actually achieved something for its retail supporters, no matter how few they may be. I am saying to the National Party member and the two Independent Liberal members that this is the opportunity to strike because, if you do not strike now on a Bill that the Government wants to get through both Houses this week or the following week, you may lose that opportunity for all time.

We know what will happen when it goes to the Advisory Council. The Advisory Council consists of such bodies as the

Building Owners and Managers Association, who will be big supporters of it. The Retail Traders' Association of South Australia represents Coles Myer and Woolworths. Allegedly, it represents small retailers as well but, whenever Coles Myer—who pays the bulk of the wages bill—rattles the can, you know what happens. It is the old golden rule: whoever has the gold rules. The Small Retailers Association is totally in support of this amendment that I have put forward. I do not think the Newsagents Association of South Australia would have any particular hardship. Many of its members would also be members of the Small Retailers Association and would benefit from this amendment.

I do not think there would be any problem whatsoever with the Australian Small Business Association Limited, but Westfield shopping management will have a problem with it. They will not want it at all, and this Premier promised Westfield all day Sunday shopping before the last State election and has not been able to deliver on it. Do you think this Premier will be able to go to Westfield and say, 'I want you to boost up the powers of small retailers; that is how I will repay you for the big sling you have given the Liberal Party at the last State election'? No, he will not be able to do that. He has to eat enough crow by going back to Westfield and saying, 'I cannot give you Sunday trading.' Then there is the Commissioner.

We do not know when the committee will meet, because it meets at the discretion of the Minister—whenever the Minister wants that committee to meet. If it meets next week, that is terrific. But the Minister can find an excuse for that committee not to meet for another year. In fact, under the regulations, it has to meet at least twice a year.

Mr LEWIS: On a point of order, Mr Acting Chairman, the member for Ross Smith has imputed improper motives to all members of the Liberal Party and Westfield shopping centres by saying it gave a big sling, which I presume means a sizeable donation, and that this is in some way a pay off for that. That is quite improper under Standing Orders, and it is also untrue. It is not on the public record anywhere, and not in any circumstances did Westfield or anyone associated with it make a contribution to the Liberal Party.

The ACTING CHAIRMAN: I have sought advice, and the point of order cannot be sustained. It was just a general comment.

Mr CLARKE: When the Electoral Commission's returns come in for donations and we find a few more Catch Tims or whatever else, we will track that down and find out. So, I say to the Independents and the National Party member that I have just read out who is represented on that advisory committee. The committee meets only when the Minister convenes it. It is obliged to hold only a minimum of two meetings a year. So, this matter can be put off for some considerable time. I appeal to members opposite: the amendment that the Opposition puts forward does absolutely no violence to the principal Act.

The principal Act—the Retail Leases Act 1995—already provides for a 75 per cent vote. What we are simply, but most importantly, doing is giving it a triggering mechanism, which it has lacked to date. It allows for traders to call in an association and request such a ballot so that they cannot be exposed to any intimidation by landlords or retail centre management, and I would have thought that that is in everyone's interests. I am fed up to the back teeth hearing from members opposite how we have to change our industrial laws to protect the rights of individual members or employees from being compelled to join unions, or to have rules and

laws in our industrial legislation to say that unions cannot compel members to do (a), (b) and (c), or how we provide financial assistance in our industrial laws at Federal and State levels—legal aid for members to challenge union rules if they believe them to be unfair, harsh or oppressive.

All I am seeking to do through this amendment is grant small retail traders some rights that members opposite insist on giving to employees who are members of unions, or who are not members of unions but are employees in the work force. It is totally inconsistent of members opposite to oppose what we are putting forward and yet to insist on those same rights—in fact, greater rights—for employees or union members in the work force.

The last point with which I will deal, which is a point that has been raised by the Minister—and I have thought about it since I had a casual conversation with him about the amendment—is the issue of the ballot being exercised regularly. I cannot see how one can put a time limit on it because, if this legislation came into force today and ballots were held and there was a sufficient number of people to block trading hours, one cannot say that the traders who will be occupying that shopping centre in five years have to be bound by that decision, when the turnover of the lessees in those businesses might be 100 per cent inside of those five years.

Those new lessees may well want to meet together collectively to make a new decision with respect to core trading hours which reflect different trading patterns, which will emerge on a year by year basis depending on the state of the economy at any one time. So, it would be a ridiculous notion to suggest that, once a ballot is held, that is it. It would be akin to this Parliament, after the 1997 State election, saying, 'With respect to the people who existed and who were eligible to vote in 1997, the numbers that they have elected into Parliament stays the same *ad infinitum*.' If that were the case, there is no way in which you could change the system.

I urge all members opposite to strike while the iron is hot and while we have this opportunity to do something for small traders in this area. Do not be fobbed off by members saying, 'Let us wait for an advisory committee,' and all the rest of it because, frankly, I will end up growing hair and be reafforested as much as the member for Hart while waiting for that advisory committee to come back with a decision that this Government will act on in respect of granting additional rights to small traders.

I am aware that the member for Gordon has a private member's Bill on Thursday with respect to this matter and, whilst there may be other amendments that we can make to the principal Act on that occasion, I simply appeal to him on the basis that we have a Government Bill before us now which the Government wants passed. It may be short notice, but we should latch onto our opportunities as and when they arise. It might not be as much time as members might like for consultation but, when one has the opportunity to do something for someone when in Opposition and not in a Government seat, one grabs it with both hands and acts decisively in the interests of the greater good.

Mr McEWEN: We have wasted all this time debating an amendment to a different Act which would have absolutely no relevance in relation to the Act before us, and I certainly would not be inclined to support the member for Ross Smith. He will have the opportunity on Thursday to move further amendments to the Bill that will be before us then. This was simply a tactic to bring into Government time private member's business. He knew that, and then proceeded to spend quite a bit of time explaining a clause to a Bill that is

not the Bill we are debating. I will certainly not be supporting his action tonight.

The Hon. M.H. ARMITAGE: There are a couple of important facts about which I wish to tell the Committee before informally identifying that the Government will oppose this amendment. First, I am told that in practice this has not been a concern. I think I understand what the member for Ross Smith is attempting to do, but I am informed that the lack of trigger mechanism he has identified has not actually been a concern.

Secondly, the member for Ross Smith says that there is a need to act quickly. This Bill has been in the House since last week, and the member for Ross Smith obviously had the opportunity to identify this amendment prior to that. Most importantly, to debunk accusations that the Government is not interested in small business, it is important for the House to identify that the sorts of concerns that the member for Ross Smith is talking about now were addressed to some extent by amendments to the Retail and Commercial Leases Act in late 1997.

That Act now gives a preferential right to sitting tenants in shopping centres to negotiate and enter a new lease at the expiry of their present lease. These amendments are the first of their kind enacted in any Australian jurisdiction, and they mean that before entering a lease with another tenant the landlord must make a written offer to the existing tenant, in terms no less favourable than those of the proposed new lease. So, the Government has taken into account the objections of the member for Ross Smith. Most importantly, rather than dismissing this amendment, the Government will ask the Retail Leases Advisory Committee to address any unforeseen consequences that arise from this amendment. We think that will be the most appropriate way forward.

For argument's sake, as I noted in closing the debate previously, if any lessee is able to trigger a vote, does this mean that there will be a vote at any time that a lessee chooses to have any issue voted on? What will happen if a lessee changes? Does that mean that he or she will be able to trigger yet another vote on another issue? All those things are matters upon which the Retail Leases Advisory Committee can give us appropriate advice.

Perhaps the main reason why we wish to refer the matter to the advisory committee is exactly the same reason that the member for Ross Smith gave to the House on Wednesday 5 March for opposing an amendment in which he actually believed, namely, that the Opposition had not had an opportunity to discuss these amendments with the various constituent groups affected by the important legislation.

The honourable member went on to say that he had not had an opportunity to talk to those interest groups on the Bill, and the Opposition members had not had a chance to determine a position on the amendments placed before them. Even more importantly, the member for Ross Smith stated:

Putting aside the merits of the Minister's argument with respect to this issue, our objection is to the processes followed and the trampling of every convention with respect to prior consultation and allowing sufficient time for the Opposition to deal with this matter in a proper manner and in a way that it can discuss the issues raised in the proposed amendments with the interest groups in the community.

The member for Ross Smith went on to say, with masterly understatement, 'It is an absolute outrage!' So, we intend to take to the Retail Leases Advisory Committee the spirit of what the member for Ross Smith is attempting to do, and to address it in that forum. We therefore oppose the amendment.

The Committee divided on the new clause:

AYES (19)

Atkinson, M. J.	Bedford, F. E.
Breuer, L. R.	Ciccarello, V.
Clarke, R. D. (teller)	Conlon, P. F.
De Laine, M. R.	Foley, K. O.
Geraghty, R. K.	Hanna, K.
Hill, J. D.	Key, S. W.
Koutsantonis, T.	Rankine, J. M.
Snelling, J. J.	Stevens, L.
Thompson, M. G.	White, P. L.
Wright, M. J.	

NOES (23)

Armitage, M. H. (teller)	Brindal, M. K.
Brokenshire, R. L.	Brown, D. C.
Buckby, M. R.	Condous, S. G.
Evans, I. F.	Gunn, G. M.
Hall, J. L.	Hamilton-Smith, M. L.
Ingerson, G. A.	Kerin, R. G.
Kotz, D. C.	Lewis, I. P.
Matthew, W. A.	Maywald, K. A.
McEwen, R. J.	Meier, E. J.
Olsen, J. W.	Oswald, J. K. G.
Scalzi, G.	Such, R. B.
Williams, M. R.	

PAIR(S)

Rann, M. D.	Penfold, E. M.
Hurley, A. K.	Wotton, D. C.

Majority of 4 for the Noes.

New clause thus negated.

Progress reported; Committee to sit again.

ADJOURNMENT

At 12.1 a.m. the House adjourned until Wednesday 25 November at 2 p.m.