HOUSE OF ASSEMBLY

Wednesday 3 March 1999

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

VERMONT COMMUNITY KINDERGARTEN

A petition signed by 92 residents of South Australia requesting that the House urge the Government to continue the 1998 level of funding to the Vermont Community Kindergarten throughout 1999 was presented by Mr Conlon.

Petition received.

FAIRBANKS-VORWERK ROADS INTERSECTION

A petition signed by 2 005 residents of South Australia requesting that the House urge the Government to order the redesign and reconstruction of the intersection of Fairbanks and Vorwerk Roads in the District Council of Grant was presented by Mr McEwen.

Petition received.

REGIONAL DEVELOPMENT

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

Leave granted.

The Hon. R.G. KERIN: Regional development is particularly important to the State of South Australia and this Government is strongly committed to enhancing the economic and social well-being of rural communities. We recognise the contribution of regional economies to the State, we recognise the importance of regional communities and we recognise the importance of having a healthy social infrastructure. The Regional Development Task Force was established late last year to conduct extensive consultations with representatives of regional communities, local government and business. This Government strongly believes that extensive consultation with the people actually involved is vitally important, but is equally important to implement policies and actions which address their concerns.

A report released last week by the Human Rights Commissioner talked about the large number of problems in the bush, however he did not take up the challenge to suggest ways to address them. The Premier today received an interim report from the Regional Development Task Force. The Government will consider the recommendations of this interim report and conduct further consultations with the task force before receiving the final report in April.

However, in immediate response to the interim findings, I wish to announce that an Office of Regional Development will be established within my portfolio to take responsibility for the coordination of Government actions. In addition, a Regional Development Council will be established as a partnership between Government and the community to assist in the advancement of regional development in this State. This council builds on the model of the Food for the Future Council, which very successfully blends the energies of the business community and all levels of government into coordinated action.

An important theme in the interim report is that regional development is not just about economic development, and that enhancing regional development is not just about the Government spending more money in the regions—it is about improving relationships between Government and those trying to get their regions moving to establish better partnerships and outcomes.

I look forward to announcing further aspects of the Government's response and call on the Opposition to support Government activities which encourage and enhance the development of South Australia's all important regional communities and economies.

HAMMOND, Dr L.

The Hon. M.H. ARMITAGE (Minister for Government Enterprises): I seek leave to make a ministerial statement.

Leave granted.

The Hon. M.H. ARMITAGE: In the House yesterday, in responding to a question from the member for Napier, I tabled a document detailing all the payments to Dr Laurie Hammond as I had been informed.

An honourable member: Have you found more?

The Hon. M.H. ARMITAGE: No, absolutely not. I wish to correct a minor typographical error, which in no way alters either the amounts paid or the purpose to which they were applied. In respect of the subsequent consultancy payments, the Government Business Enterprise Ownership Consultancy is attributed to the University of Adelaide rather than the Department of Premier and Cabinet. This was a simple transposition error, for which I apologise.

LEGISLATIVE REVIEW COMMITTEE

Mr CONDOUS (Colton): I bring up the ninth report of the committee and move:

That the report be received and read.

Motion carried.

Mr CONDOUS: I bring up the tenth report of the committee and move:

That the report be received.

Motion carried.

QUESTION TIME

EMERGENCY SERVICES LEVY

The Hon. M.D. RANN (Leader of the Opposition): Can the Minister for Emergency Services confirm that, on top of the $100 million tax measure announced yesterday, South Australians will face an extra $110 million emergency services levy to be introduced from 1 July this year and, if not $110 million, exactly how much will be collected through the levy? More than a year ago, the Government first announced plans for the new levy to be raised from 1 July this year. The Government's Emergency Services Fund Committee reported in May last year that to adequately cover a range of emergency services plus the requirements of the new Government radio system, the levy would need to raise $110 million per year. That figure was established before the Government announced that the radio network cost had blown out to $250 million.

The Hon. R.L. BROKENSHIRE: I think the most important thing about this question is the fact that our Government is getting on with the job of ensuring that there

is a sustainable future and a commitment to get on with looking after, first, the lives of South Australians and, secondly, their property. Whilst I would expect that the Opposition Leader would want to run around all over the place spreading innuendo, as he always does, let us get a couple of things right about the emergency services levy. First, that levy will replace an *ad hoc* and disjointed system, which is virtually a dog's breakfast, of looking after emergency services with regard to the South Australian community. This levy is a dedicated levy. It will pick up the fact that 30 per cent of the people—

Members interjecting:

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

The Hon. R.L. BROKENSHIRE: —in this State do not contribute. That is not fair; that is not equitable; and this levy is all about ensuring that we take on the responsibilities that have been highlighted for 16 years and were not addressed by the Opposition.

Mr CLARKE: I rise on a point of order, Mr Speaker. Standing Order 98 provides that the Minister must answer the substance of the question without getting into debate.

The SPEAKER: Order! The Chair takes the point of order fairly seriously. I ask the member to come back to the substance of the question; he was starting to stray.

Members interjecting:

The SPEAKER: Order!

The Hon. R.L. BROKENSHIRE: When all the work has been completed, I will be happy to report to the Parliament on what the new levy will cost.

GOVERNMENT RADIO NETWORK

The Hon. G.A. INGERSON (Bragg): Will the Minister for Information Economy indicate—

Members interjecting:

The SPEAKER: Order! I issue a general warning to everyone on my left.

The Hon. G.A. INGERSON: —to the House the accuracy or otherwise of statements made by the member for Hart in relation to the funding provisions of the Government radio network?

Members interjecting:

The SPEAKER: Order! The Minister can answer this as he sees fit, but I do not believe that the Minister is responsible for the remarks and opinions of the member for Hart.

The Hon. M.H. ARMITAGE: As always, the Speaker has identified the nub of the matter. I in no way intend to be responsible for the statements of the member for Hart. This morning on 5AA, the member for Hart, in his role as shadow Treasurer—

Mr ATKINSON: I rise on a point of order, Mr Speaker. The member for Bragg has clearly asked the Minister about the accuracy of a report in the media, namely Radio 5AA; he is not responsible to the House for what a member of the Opposition said on 5AA.

The SPEAKER: Yes; and I believe that the Minister confirmed that. On that basis, I withdrew leave for the continuation of the question and call on the member for Elder.

Members interjecting:

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

Mr Foley interjecting:

The SPEAKER: Order! I warn the member for Hart for continuing to interject when I called him to order. Let us have some silence and stop this interjecting and conversations across the Chamber when one of his own colleagues is standing on his feet behind him waiting to speak.

Mr CONLON (Elder): Thank you for your protection, Mr Speaker. My question is also directed to the Minister for Emergency Services.

Members interjecting:

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

Mr CONLON: How much money collected annually through the emergency services levy will go to pay for the $250 million Government radio network? When plans for the levy were first announced, the then Minister indicated that part of the levy would go towards the cost of the new radio network, which was quoted then as being in excess of $120 million. In its report last May, the Emergency Services Fund Committee indicated that $30 million a year would have to go from the levy each year towards the radio network. However, since that report, the Government has revealed that the total network cost has jumped to $250 million.

The Hon. R.L. BROKENSHIRE: I am pleased that at last that the Opposition is recognising the fact that we have to do something that it did not do when it was in government for 11 years, that is, address serious issues such as the Government radio network. Clearly, as it stands now, the radio network has been breaking down all over the State. We are committed to improving it from an emergency services point of view. In the fullness of time, when I make a statement to the Parliament about the levy, you will hear what will happen.

JOBS WORKSHOPS

Mr CONDOUS (Colton): Will the Minister for Employment advise the House of any employment initiatives as a result of the jobs workshops debate?

The Hon. M.K. BRINDAL: As members on this side of the House are aware, this Government is committed to creating real jobs for South Australians. I note that last night the Leader of the Opposition in a bipartisan way agreed that the most important thing on the agenda for all South Australians is jobs—and real jobs.

The jobs workshops, as members know, were a great success and they generated some excellent policy initiatives, among them the establishment of an Employment Council. Unlike those opposite and, in particular, unlike the member for Hart—and I ask the member for Hart whether he has worked out how to operate his disc yet; he seems to have had a lot of trouble—this Government has policies aimed at helping South Australians to get a job, policies which focus on generating employment and policies which encourage employers to take on more people. Our policies are designed by local people for local people and we think that South Australians know what is best for them. We do not just adapt sloppy or snappy slogans such as 'Labor listens'—

Mr Foley: 'Going all the way'!

The Hon. M.K. BRINDAL: Well, the point is that we get out there. We not only say we listen: we actually hear what is being said to us and then we act on it. Members opposite can say what they like. Their record is on the board for everyone to see: ours is being written as we speak, but we are actually doing something, not just talking about doing

something. No Plan Rann cannot even plagiarise his State and Federal colleagues' Labor policies. He has to traverse the globe looking for a policy. Bob Carr will not talk to him, because they have nothing in common.

Mr CLARKE: I rise on a point of order, Mr Speaker. Standing Order 98 provides that the Minister should answer the substance of the question and not enter into argument.

The SPEAKER: There is no point of order at this time. The Minister is still staying within Standing Orders, but I ask him to keep to them.

The Hon. M.K. BRINDAL: Sir, it is, as you say, within Standing Orders. Bob Carr plans to privatise electricity. Bob Carr realises how important that is to his State—what it will do to create real employment opportunities—so the Leader of the Opposition will not be borrowing his policies. Kim Beazley cannot be tainted with those opposite, so Rann has no choice but to attempt to fill his policy void with trips to see Tony Blair.

With what policies did the Leader of the Opposition return after five days at 10 Downing Street? Labor appears to have retained nothing, to have learned nothing, to have no plan and to have no new idea. Since then we have heard nothing new coming from Labor. One wonders how Tony Blair reacted to the visit. Who is it who wanted to meet him? For how long did he meet with him? He certainly did not come back with any new ideas. While Rann is searching for policies—

The SPEAKER: Order! Would the honourable member, in referring to members opposite, please use their electorates or titles.

The Hon. M.D. Rann interjecting:

The SPEAKER: Order! I do not need assistance from the Leader of the Opposition.

The Hon. M.K. BRINDAL: While this Leader of the Opposition is searching for policies, this Government is implementing them—policies that will create jobs for South Australians, jobs for our kids, and policies that will free up employment, giving the employment market and business the opportunity to employ more staff.

As well as announcing the establishment of the Employment Council, we have announced the introduction of the Youth Pathways program, which will amalgamate the Regional Towns and Community at Work program to form the Working Towns program and encourage employment in regional South Australia.

An honourable member interjecting:

The Hon. M.K. BRINDAL: The interjection from opposite was, 'What about Clarks Shoes?' Well, I, like every colleague on this side of the House, regret greatly what has happened at Clarks Shoes, but what did this Government do about Clarks Shoes? It did everything possible to retain the jobs; so did the workers down there. Everybody in this State put their back to the wheel and tried their best. In the end, management made a decision, as management is entitled to make a decision, but it does not fall to the discredit of this Government that it got out there and tried; neither does it fall to the discredit of any worker at Clarks that they increased their productivity by 30 per cent. Rather than sit there day after day saying, 'What about Clarks Shoes?' and chortling about the misery of South Australians, let them get on with the job; let them help us to create real jobs for South Australians instead of indulging in cheap political tricks.

BAKER, Hon. S.J.

Mr FOLEY (Hart): My question is directed to the Deputy Premier. Did the previous Treasurer, Stephen Baker, mislead the people of South Australia and the Parliament about the budget brought down by the Olsen Government before the last State election—

The Hon. G.A. Ingerson: Why don't you go and ask him?

Mr FOLEY: —I just might do that, Ingo—when the previous Treasurer said that the budget for that year would be in a small surplus, that tax increases would not be needed and that the budget was on track?

The Hon. G.A. INGERSON: On a point of order, Sir, I do not believe that any member of this House is responsible for actions of a member who is no longer part of this House.

The SPEAKER: The Chair would like the member for Hart to put the question again to the Chamber.

Mr FOLEY: Thank you for the opportunity to replay my question, Sir. My question is to the Deputy Premier. Did the previous Treasurer, Stephen Baker, mislead the people of South Australia and the Parliament about the budget brought down by the Olsen Government just before the last State election when the previous Treasurer said that the budget for that year would be in a small surplus, that tax increases would not be needed and that the budget was on track?

The SPEAKER: The question is out of order on the basis of his lack of responsibility—

Mr Foley: I can understand why they would not want to answer that question.

The SPEAKER: That is not the point. The Chair is only interested in the technicalities of the Standing Orders. The Chair has ruled accordingly.

The Hon. M.D. RANN: On a point of order, surely this Government has responsibility for its own budget, unless they want to walk away from it right now.

The SPEAKER: Order! The question was specifically phrased in reference to Mr Stephen Baker, a former member of this House, and the Chair has ruled accordingly.

GOVERNMENT RADIO NETWORK

The Hon. G.A. INGERSON (Bragg): Will the Minister for Information Economy inform the House about the funding provisions of the Government radio network?

The Hon. M.H. ARMITAGE: I thank the member for Bragg for his question about a very important issue. I make the point in answering the question about the funding provisions of the Government radio network contract that I have been consistent in the past in referring matters related to the specifics of the contract to the Hon. Robert Lawson as Minister for Administrative Services—a practice which I fully intend to continue. Having said that, I am pleased to answer the question because this question is not about the network itself but about the funding provisions of the network and the credibility of the shadow Treasurer—the same would be Treasurer whose well known statements about his support for privatisation and asset sales were made quite clear to this House yesterday in quoting his previous statements.

I consider that the member for Hart and the Leader of the Opposition have demonstrated considerable naivety in the past 24 hours by demanding to see the $247 million Government radio network identified in the last budget. They have conveniently overlooked a number of facts. The first fact is that the Government radio network contract is a seven year

contract; I repeat—a seven year contract. I am quite sure that whilst the shadow Treasurer and Leader of the Opposition claim to have been diligent in looking through our budget papers, I challenge them to look through the budget papers of the Bannon Government when the present Leader of the Opposition was both the Minister and a senior adviser and the Arnold budget when the member for Hart was a senior adviser, and see there whether there is any provision for the GRNC.

Mr CONLON: On a point of order, Sir, your having ruled that the Government is not responsible for the former Treasurer, I do not think the Minister can be said to have responsibility for Treasurers or Premiers that preceded him.

The SPEAKER: There is no point of order.

The Hon. M.H. ARMITAGE: Thank you, Sir. If they did that, they would find there was no entry there because they never commenced the project. They simply ignored all the warnings and did not instigate the project as a result of the Coroner's report. There is no entry, despite the running down of the emergency services networks, inexorably, over a number of years whilst they were in Government. They did not make a provision, despite various proposals, studies, reports, consultancies and so on. In almost 10 years they never commenced the project.

Fact two. Even if they had started the project, they would not have identified the full and complete cost of the project, including the contingencies, the foreign exchange, the training and so on, as we are doing in our costings. It simply was not within their nature to do so. As every South Australian knows, to their most unfortunate personal economic detriment, an absolute disaster befell South Australia's economic future under the Bannon and Arnold Labor Governments. The economic damage caused by their wrong-headed, no learning sort of style—perhaps fiscal mismanagement—is not lost on any South Australian. We cannot lose sight of the fact that both the current Leader and the Leader in waiting were central to those State Bank disasters.

Members interjecting:

The Hon. M.H. ARMITAGE: The Leader of the Opposition makes some expostulation that he was not responsible. Let us face the fact that, of the 47 members in this Chamber, only one person was sitting around the Cabinet table who had any immediately identifiable role in fixing the State Bank disaster before it caused these economic woes for South Australia. It was not anyone on this side of the Chamber and was, indeed, the Leader of the Opposition. I have asked hypothetically before: I wonder how the Leader of the Opposition felt on the first day when he was sitting in Cabinet around the table and in came the briefing from presumably the Treasurer to say, 'Look, it is really terrible. We have lost $1.5 billion.' I wonder how he felt next time around.

Ms HURLEY: Mr Speaker, I rise on a point of order. I wonder what is the relevance of this history lesson in answering the question.

The SPEAKER: Order! What is your point of order? You do not have a point of order.

The Hon. M.H. ARMITAGE: Thank you, Sir. I wonder how the present Leader of the Opposition felt when the second briefing was given to Cabinet. How did he feel at that stage as Minister for Youth Employment, I believe, with figures like 35 per cent of youth unemployed? Not only had he failed in that but he had also failed in his true fiscal duty to South Australians. The Leader of the Opposition prides himself that Labor listens. Why was he not listening? In those days—

Mr FOLEY: Mr Speaker, I rise on a point of order. The issue is about relevance. It was a question about statements I made on the radio and not about issues relating to the State Bank.

Members interjecting:

The SPEAKER: Order! The last sentence of the Minister's explanation strayed into debate and I ask him to come back to the question.

The Hon. M.H. ARMITAGE: Thank you, Sir. For the member for Hart's benefit, that was the question that was ruled out of order and we are not answering that question. Returning to the theme, I wonder how the present Leader of the Opposition felt on that final day. There had been two briefings already about the State Bank going wrong and causing such financial pain. Every person other than the Cabinet of South Australia was in those days hearing the dogs barking that things were wrong because the bank was being used as a source of last resort around Australia. That is why we insured people in Hawaii and why we insured—

Members interjecting:

The SPEAKER: Order! I warn the member for Elder for interjecting.

The Hon. M.H. ARMITAGE: It is why we owned golf courses in Queensland and why we had been—

Members interjecting:

The SPEAKER: Order! I warn the Leader for interjecting.

The Hon. M.H. ARMITAGE: —involved in horse leasing and so on instead of providing police, doctors, hospital beds, education and so on. I just wonder how the Leader of the Opposition felt during those days when he could see South Australia's future ebbing away. Maybe some of the media might ask him so that it is not a hypothetical question but a direct question. So, fact 3: all members opposite seem to forget—as evidenced by some of their questions today—that just a short time ago the Opposition line was that the emergency services levy was to pay for the GRNC. That does not suit their picture today so they change their line.

Members interjecting:

The Hon. M.H. ARMITAGE: On radio today the member for Hart was saying that the power bill increases are to pay for the GRNC, which is completely opposite to what the Opposition was saying not long ago. If the Opposition took the time, first, to read the budget and—

Mr Foley interjecting:

The SPEAKER: Order! The member for Hart knows better than to display items in the Chamber.

The Hon. M.H. ARMITAGE: If members of the Opposition did take the time to read it and to understand the budget process, they would recognise that a specific dollar amount for this seven year project cannot be provided until such a time as the tender process has been completed and negotiations are under way. But I refer the member for Hart and the Leader of the Opposition to Budget Paper 2, Table 1.3 on page 1-5, which states:

> The Government has also made provision for a Government radio network and computer aided dispatch system that will be of significant benefit to the emergency services areas, in particular, because of the commonality of the system across these areas.

Mr Foley interjecting:

The SPEAKER: Order! I warn the member for Hart for the second time for disrupting the House.

An honourable member: Hear! Hear!

The SPEAKER: Order! I do not need any help from my right, whoever that was.

The Hon. M.H. ARMITAGE: It is clear that this Government has heeded the call of the Coroner from 1983, unlike the previous Government, which sat on its hands and did absolutely nothing. At the end of all this discussion, what is not clear to me—

Ms Hurley interjecting:

The SPEAKER: Order!

The Hon. M.H. ARMITAGE: Despite all the noise from the Opposition benches opposite, what is not clear to me is whether the Opposition is in favour of or against the provision of a Government radio network to ensure the safety of South Australians. I have not heard them at any stage say that, despite 11 years of ignoring this problem, which has been identified in the Coroner's report—

Ms Hurley interjecting:

The SPEAKER: I warn the Deputy Leader.

The Hon. M.H. ARMITAGE: I have not heard one member of the Opposition say, 'This is a good idea to protect South Australians.' I look forward to that actually occurring.

Mr Conlon interjecting:

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

The Hon. M.H. ARMITAGE: In looking forward to that occurring—an admission from the Opposition that protecting South Australians is a good idea—I make the point that the ETSA power bill increases do not pay for the Government radio network, they pay for the Opposition's State Bank disaster.

REGIONAL DEVELOPMENT

The Hon. G.M. GUNN (Stuart): Will the Minister for Industry and Trade advise the House what the Government is doing to support regional development in South Australia?

The Hon. I.F. EVANS: Certainly, everyone in the House would recognise the honourable member's strong commitment to development in the regions. As the Minister for Industry and Trade I welcome the interim report of the Regional Development Task Force and certainly the suggestions of establishing an Office of Regional Development and a council for State development, as outlined by the Deputy Premier in the ministerial statement that he made earlier. I think the structure suggested is very similar to the Food for the Future strategy, which is seen as a success in that particular industry. Certainly, we look forward to working with the council and the office to provide further regional development in South Australia.

Currently, as the honourable member would know, 14 regional boards are funded by DIT and there has been a slow transition of a new resource agreement with the boards. The country board funding has increased from $150 000 to $170 000 per annum on a three to one funding share with local government. Metropolitan boards have seen a funding increase of approximately $40 000 to $60 000 on a one to two funding share arrangement with local government. On average, over five years, the board structure has supported outcomes along the lines of about 320 jobs per annum retained, which is about 1 600 or 1 590 jobs per annum being created and investment somewhere around $70 million. Certainly, the regional development boards have been quite successful since their creation in the work that they are doing.

There are also some opportunities for regional development under some Federal schemes or joint Federal-State schemes; for example, the regional telecommunications infrastructure fund, in relation to which I know the Minister for Government Enterprises has a keen interest in trying to get more affordable telecommunication costs to regional South Australia. Approximately $26.5 million was originally allocated for that scheme. South Australia has already benefited to the tune of around $8 million under that scheme, and obviously the Government and various agencies are working with companies to try to get the best long-term benefit for regional South Australia through that scheme.

Under the rail reform program, in which the member for Bragg has had a significant interest being the chair of that committee, approximately $18 million was allocated. There is still about $5 million or $6 million up for grabs under that particular scheme. That has been successful for bringing around 600 jobs, both direct and indirect, to the regions.

It is important to point out that it is not only the big projects that are funded under the various schemes. It is interesting to look at a lot of the small South Australian companies that have been assisted in the various regions. Sometimes there are criticisms of the program; for example, it only chases the big fish, if you like, with industry attraction or assistance. However, some small companies are assisted and for the interest of members of the House I will give some examples.

Through assistance a wine industry company within the Monarto area created 15 jobs with an investment of about $1 million; in Murray Bridge, a pig industry was assisted, involving only six jobs but important jobs to the people who have them; Irrigation Products at Murray Bridge was assisted in the creation of 25 jobs and it invested about $1.5 million; through value adding in the potato industry, a company at Pinnaroo was assisted with 40 jobs and an investment of something like $4 million; in Lameroo, stock food production, 12 jobs and an investment of about $1.2 million; in the South-East there was development with export packaging, sheds and a cool storage facility, 23 jobs, about $800 000; and in the Murraylands area, coolroom and packaging, 10 jobs and about $.5 million.

It is interesting to see that a wide range of companies from all different sectors in the regions are invested in and encouraged to develop. It is not all 200 jobs here or 400 jobs there. They are not the biggest industries in the State. Importantly though, they are existing South Australian businesses, small businesses, that all contribute to the wellbeing of regional South Australia. While the Government has had some big successes in regional South Australia, such as the Berris or the Big-Ws at Monarto—and we are working with Kistler at Woomera, which is around 130 to 180 jobs—it is important to recognise that lots of small companies in South Australia have been assisted in the regions.

The SPEAKER: Order! Is my intention to make two calls to my left to balance the number of questions.

GOVERNMENT RADIO NETWORK

Mr FOLEY (Hart): Is the Minister for Emergency Services now concerned that the Minister for Information Economy has today admitted in this House that the Government radio network contract is not budgeted for in this budget and is not funded?

The Hon. R.L. BROKENSHIRE: There is one thing that I am concerned about and that is ensuring that within emergency services we have a radio network that will work.

Members interjecting:

The SPEAKER: Order on my left!

The Hon. R.L. BROKENSHIRE: The Government is getting on with the job of putting that Government radio network in place of which a significant portion will be very valuable to every volunteer, every paid firefighter and emergency services officer in my portfolio. That is what I am concerned about. That is where my duty of care is. I will support all the way a contract and a network to be put in place—which you failed to put in place for 11 years.

ELECTRICITY TARIFFS

Mr FOLEY (Hart): That is shocking. My next question is directed to the Deputy Premier.

An honourable member interjecting:

Mr FOLEY: Well, it confirms what we have been saying for the past 48 hours.

The SPEAKER: Order! The member will ask his question.

Mr FOLEY: Given that ETSA Corporation's 1998 Annual Report states that in 1997-98 the corporation achieved a record operating profit after tax, a record operating revenue of over $1 billion and a 35 per cent increase in capital spending, how does the Government now justify using the pretext of ETSA's capital works budget for the Olsen Government's $100 million tax increase? The Treasurer's press statement of yesterday states that tax will, and I quote, 'help fund maintenance, repair and other capital expenditure on our generators and other electricity businesses'—despite $300 million provided for in the Budget.

The SPEAKER: I presume that the Deputy Premier is replying on behalf of the Premier.

The Hon. R.G. KERIN: Yes. Basically, what the Treasurer is referring to is the fact that, because we are not selling ETSA and we are holding onto it, there are additional costs. But what seems to have happened over the last 24 hours since the Treasurer announced the power price increases is that the shadow Treasurer has gone to great lengths to try to get away from the stark choice that has been put to the Labor Party of whether or not we sell and we do the things that follow from the sale, or whether we keep it and we have the power increase and whatever else. He has talked about a range of things. This is one which is to muddy the water, to get away from the absolute starkness of the choice that faces the Opposition.

I do not know how the PSA and the Fire Brigade people, and a few others, would think in relation to this, but the Minister for Government Enterprises mentioned this morning that the shadow Treasurer had said that the Government radio network blow-out was part of this. That was one of his tactics. The other aspect that a few of the unions might be interested in is the fact that he also blamed the wages blow-out for the fact that we need to collect another $100 million. The Leader was out on the steps the other day supporting wage increases, and I believe that, like power, where Opposition members come from the Bob Carr side of things to some extent, they may feel the same as members on this side about some of the wage increases that are asked for.

Basically, the Opposition is trying to ignore the choice, and the starkness of this choice will not go away by the Opposition clouding it. We can either have the sale, which creates a fund, reduces the debt, reduces the interest, which allows us to spend more money on ongoing things, and removes the risk that we face, or members opposite can keep to the line it has taken and we have increased power prices, as was announced yesterday. We can go without the fund and the economic activity and the jobs that that creates. We can continue the high debt. We could have high interest and we can go into some risks of State Bank proportions like the Labor Party took us to before. The choice is clearly with the Opposition Parties.

GOVERNMENT RADIO NETWORK

Mrs PENFOLD (Flinders): My question—

Members interjecting:

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

Mrs PENFOLD: Can the Minister for Emergency Services advise the House of the benefits of the Government radio network?

The Hon. R.L. BROKENSHIRE: I thank the member for Flinders for her question. I know that she has an intense—

Mr Koutsantonis interjecting:

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

The Hon. R.L. BROKENSHIRE: I know that the member for Flinders has an intense interest in the Government radio network contract because, as an active hard-working member for Eyre Peninsula, she is only too well aware of the fact that the current system fails to deliver for emergency services on Eyre Peninsula. With respect to the question about the emergency services side of the Government radio network contract, the simple answer is that this new network contract will allow us to be able to save lives. I would have thought that anyone who was interested in the welfare of the South Australian community would be right behind our Government when we have shown the initiative, the intestinal fortitude and got on with the job that the Leader of the Opposition and the Opposition in general when they were in Government would not get on with.

Mr Conlon interjecting:

The SPEAKER: Order! The Minister will resume his seat. I warn the member for Elder for the third and last time.

The Hon. R.L. BROKENSHIRE: I know that the Opposition is continually getting more and more upset when it sees this Government getting scores on the board, getting jobs, projects and rebuilding South Australia. And of course members of the Opposition want to make a joke of it, because they are embarrassed. They are as embarrassed as the colour of the red of the jackets that a lot of them have on, which shows the true colour of the Labor Party—sit back there in the 1950s, do nothing, say nothing that is constructive and let this State run down. Well, we are not about this.

In 1983, as a member of the CFS, I happened to be involved in the Ash Wednesday fires—and it is a pity that some of those on the other side were not involved. We were out there trying to do our level best to save lives and property and we had a radio network that absolutely failed. In fact, at the end of the day, we had to turn that radio network off. The whole thing was jammed, we could not get a direction from headquarters, we could not get a direction from our group officer in region one and we could not even talk to our other trucks to see what was happening down the road. Some members might think that that is fun, but you come out there in a situation like Ash Wednesday and you see what you

offered up to us as emergency services workers when you were in control in 1983. On top of that, nothing was done—

An honourable member interjecting:

The Hon. R.L. BROKENSHIRE: Who said it's rubbish? There is no rubbish about this fact. You go and talk to the emergency services workers who were there in 1983 and ask them how supportive—

Mr HILL: I rise on a point of order. The Minister keeps referring to the Opposition as 'you'. I believe that is out of order.

The SPEAKER: I uphold the point of order and ask that the honourable member refer either to the Opposition or to specific members.

The Hon. R.L. BROKENSHIRE: The do nothing—

Members interjecting:

The SPEAKER: Order! There is too much audible conversation and interruption going on.

The Hon. M.H. Armitage interjecting:

The SPEAKER: Order! I warn the Minister for Government Enterprises.

The Hon. R.L. BROKENSHIRE: The do nothing Opposition members may well smile, but I would recommend that they go out and speak to those people who had to work back in 1983 with, effectively, a defunct radio communications network.

Mr Koutsantonis interjecting:

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

The Hon. R.L. BROKENSHIRE: The important thing for the Parliament to understand today is that we have got on with the job. The matter of Government radio networks is nothing new. In fact, Government radio network work was done by the Opposition when it was in Government, but when it saw that it had to make some tough and hard decisions that is where it stopped. As a result of that, let me give the Parliament a few examples of where we currently have problems in emergency services. First, a police officer travelling between Keith and Bordertown at the moment is quite often out of radio range. Not only is that police officer out of radio range with the current Government radio network contract but there is no mobile telephone, either.

I would have thought that the Opposition would have got right behind the Government on this issue, because the Opposition says that it is there for the blue collar workers, that it understands how hard it is and how much we should care for the workers. I would think that the fundamental thing when caring for a worker is occupational health and safety. I have a duty of care and so does the Government. I know the Opposition spokesperson does not like this, because he likes to support the UFU-run waste of taxpayers' money. What a nonsense. The fact of the matter is that we want a radio network contract that will work between Bordertown and Keith. I want to see a situation with emergency services where a police officer at one end of a rural town—

Mr Conlon interjecting:

MEMBER FOR ELDER, NAMING

The SPEAKER: Order! I name the member for Elder for deliberately interrupting the business of the House and going against the authority of the Chair. Does the member for Elder wish to be heard in explanation?

Mr CONLON (Elder):I wish to be heard. I apologise, but, Mr Speaker, I will say this: I have just been insulted by this fellow—

The SPEAKER: Order!

Mr CONLON: —and I do not see why I should have to put up with it.

The SPEAKER: Order! The member is out of order. The member has an argument with the Chair and has to justify his reasons for continuing to interject after the Chair brings him to order. The Chair is not interested in the arguments that are going on to and fro across the Chamber so much as the fact of the deliberate flouting of the authority of the Chair when members are brought to order. Does the member have anything else to say in explanation?

Mr CONLON: Yes, Mr Speaker. I do not think that my interjections have been any more disruptive than the dopey answers we have been getting in Question Time today.

The SPEAKER: Order! I do not think the member is helping the situation at the moment.

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

That the explanation not be accepted.

The Hon. M.D. RANN (Leader of the Opposition): There has been vigorous debate and interchange on both sides of the House today, as there was yesterday, with persistent abuse and flouting of the Standing Orders by Ministers and members opposite. In the interest of establishing a calmer Parliament so that there can be both rigorous and vigorous debates—

Members interjecting:

The SPEAKER: Order!

The Hon. M.D. RANN: —without the sort of abuse that we saw yesterday by the Premier without him being pulled up for flouting orders—

The SPEAKER: Order! The Leader is now out of order. That is getting beyond the terms of this debate.

The Hon. M.D. RANN: —I believe that the member's explanation should be accepted.

The House divided on the motion:

AYES (23)

Armitage, M. H.	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. (teller)
Kotz, D. C.	Lewis, I. P.
Matthew, W. A.	Maywald, K. A.
McEwen, R. J.	Penfold, E. M.
Scalzi, G.	Such, R. B.
Venning, I. H.	Williams, M. R.
Wotton, D. C.	

NOES (19)

Atkinson, M. J.	Bedford, F. E.
Breuer, L. R.	Ciccarello, V.
Clarke, R.D.	Conlon, P. F.
Foley, K. O.	Geraghty, R. K.
Hanna, K.	Hill, J. D.
Hurley, A. K.	Koutsantonis, T.
Rankine, J. M. (teller)	Rann, M. D.
Snelling, J. J.	Stevens, L.
Thompson, M. G.	White, P. L.
Wright, M. J.	

PAIR(S)

Meier, E. J.	De Laine, M. R.
Olsen, J. W.	Key, S. W.

Majority of 4 for the Ayes.

Motion thus carried.

The SPEAKER: Order! I ask the member for Elder to retire from the Chamber.

The honourable member for Elder having withdrawn from the Chamber:

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

That the member for Elder be suspended from the service of the House.

Motion carried.

GOVERNMENT RADIO NETWORK

The Hon. R.L. BROKENSHIRE: Another example of the importance of the radio network for emergency services is that, I have been advised, in a rural town on Yorke Peninsular in the member for Goyder's electorate, radio communications will not work when one police officer is in the northern part of the town and one is in the southern part the town. I have been advised that, when the MFS was involved in the $15 million grain silo fire at Port Adelaide, the current radio network broke down. Recently in my own area, the radio network did not stand up to the requirements of an efficient network to address the dramatic fire at Port Stanvac, I have been advised. These are but a few examples of the current situation, and there are others. We would also like to see more pagers delivered to volunteers, as volunteers are vital to emergency services. Our Government is so appreciative and so proud of what those volunteers do. However, given the way the Government radio network is currently structured, we cannot get pagers out to those volunteers. When this new radio network contract comes into existence, we will be able to bring in a common computer aided dispatch information technology system.

As recently as only two weeks ago at Anstey Hill in the north, a fire occurred, fortunately, in the evening. Had that fire occurred early in the morning on a day similar to Ash Wednesday, with the same wind velocity, we could have had a life-threatening major catastrophe involving much loss of property and economic opportunities for South Australia. I ask the Opposition: what value does the Opposition put on a failed Government radio network which did not deliver and which did not have in place the right sort of computer aided dispatch programs in the scenarios that could have occurred whereby we had another Ash Wednesday fire? We are a responsible Government. The signals have been put forward to the Parliament for a long time. It is about time they got on with supporting the Government with this contract, because this Government is delivering again. We have delivered on promises, whether it is road—

Mr FOLEY: I rise on a point of order, Mr Speaker. The Minister is clearly now debating the answer, and I ask that you rule him out of order.

The SPEAKER: Order! I uphold the point of order. The Minister is definitely straying into debate. He can either come back to the question as a factual reply or wind up please.

The Hon. R.L. BROKENSHIRE: In summary, the bottom line is that our Government will not put the lives of South Australians at risk. This radio network contract is required. When the people see the roll out and the opportunities in looking after the community of South Australia, they will fully support what the Government is doing. That is the reason why we are in Government and the Labor Party is in Opposition.

The SPEAKER: Order! The member is now starting to stray into debate.

PILCHARDS

The Hon. M.D. RANN (Leader of the Opposition): My question is directed to the Deputy Premier and Minister for Primary Industries. Given comments by the program manager of diagnostic science at the CSIRO that evidence points to the 1998 pilchard virus as being exotic, can the Minister now fully explain to the House why observations in the SARDI report about the use of frozen imported pilchards at the time of the 1995 and 1998 pilchard kills, and a warning for our aquaculture industry about quarantine risk, were doctored? The Opposition now has a copy of the executive summary of the SARDI report, which states:

Although the origin of the viruses may never be established, there are several implications for aquaculture. The first is that feeding large tonnage of imported frozen fish as feed is an activity which could present a high quarantine risk.

Was that part of the report deleted and, if so, why?

The Hon. R.G. KERIN: This question was answered last week. In fact, a ministerial statement was made. I went away and got all the facts, and I came back on Wednesday and made a ministerial statement. Three questions were asked last Tuesday. Every one of those three questions contained statements of error and, of course, that gave the Opposition a run on the media for a few hours while we checked the facts.

The Hon. M.D. Rann interjecting:

The SPEAKER: Order!

The Hon. R.G. KERIN: The particular one to which the Leader refers today insinuates that either I, one of my staff or the department changed the report. There was a clear insinuation.

The Hon. M.D. Rann interjecting:

The SPEAKER: Order! I just warned the Leader of the Opposition that he has been called to order.

The Hon. R.G. KERIN: Thank you, Mr Speaker. It is a clear insinuation that either I, my staff or the department changed that report. That is absolutely false and it was shown to be false last week in the ministerial statement. Unfortunately, when you prove things false, it does not tend to get the run in the media that the initial misleading statements create. The *Age* newspaper in Melbourne today revisited the same mistake. The reason was explained in the ministerial statement. Members opposite obviously did not listen last week. It was explained that a national committee is looking at the pilchard deaths. That national committee—

Ms Hurley interjecting:

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

The Hon. R.G. KERIN: —commissioned SARDI to do a report. So we have a national committee which consists of scientists—

Mr Hanna interjecting:

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

The Hon. R.G. KERIN: —from other States, CSIRO, AQIS and other people. They have commissioned a report from SARDI. The SARDI report went to that committee undoctored—exactly the way the SARDI scientists wrote it. So, there is no interference. It was commissioned by them and it did not have to go through my office, anyway. They are a service provider. Please listen, so we do not have to revisit this.

The Hon. M.H. Armitage interjecting:

The Hon. R.G. KERIN: I already told them this once. It did not have to go through my office. It went undoctored from SARDI to the national committee—it gets there as done—as the scientists, who are responsible for that report, actually wrote it.

As stated in the ministerial statement last week, when it got to the national committee, they did peer review, which scientists tend do—I never totally understand how they always do it, but they do peer review. The scientists were sitting around the table with two of the authors present. The committee—

An honourable member interjecting:

The SPEAKER: Order! The Deputy Premier has the call: let us listen to the Deputy Premier.

The Hon. R.G. KERIN: You obviously share my frustration at getting the messages through. That committee asked the two authors who were present how they came to the conclusions based on the evidence that the report contained. It was then discussed. It was found that those two conclusions were statement and not supported by fact or scientific evidence given within the report. It was, therefore, with the agreement of the authors that those two recommendations were withdrawn. It was nothing to do with me; nothing to do with my staff; it was not at the departmental level but at the national committee level.

We cannot get much clearer than that. Unfortunately, this has been misreported. The idea of a cover-up really does reflect back on my department. I do not like that; I do not think it is fair on good hardworking people. They worked extremely hard, as they do with any outbreak of disease. It is most unfair and totally incorrect. The facts were put on the table last week. Members opposite have obviously ignored the facts. The question is up again today. The *Age* newspaper report today was totally irresponsible in that it was given access to the truth of the matter yet chose to print the old story and ignore the update of Wednesday when the facts were put.

EMPLOYMENT

Mr HAMILTON-SMITH (Waite): Will the Minister for Industry and Trade explain what the recent report by the Victorian Employers Chamber of Commerce and Industry on the States says about the economic performance of this State in comparison with the rest of the country?

The Hon. I.F. EVANS: It was absolutely fascinating to see what the Victorian Employers Chamber actually found about the South Australian economy when it did its 1999 States' report, which has been published now for about six or seven years by the Victorian Employers Chamber of Commerce. It is a comparative evaluation of the performance of the various States from a business perspective. It is fascinating to look at what the Victorians are now saying about the South Australian economy. The report states:

> Victoria and South Australia are the only two States to have improved their overall relative position over the past seven years. South Australia's improved position can largely be attributed to a robust rate of economic growth that is underpinned by low inflation and a sustained high level of business investment.

It is not South Australians saying this and it is not the Government saying this: it is the Victorian Employers Chamber of Commerce and Industry, an independent assessment of the South Australian economy.

Mr Clarke interjecting:

The Hon. I.F. EVANS: What the member for Ross Smith does not appreciate is that they may be from a business background but they have independently reviewed the business environment in all States. What they are saying about a comparison through all the States is that South Australia and Victoria are the best two; over the past seven years they are the best two. That is what they are saying. They are better than Queensland, better than Western Australia and better than New South Wales. That is what they are saying:

> South Australia's improved position can largely be attributed to a robust rate of economic growth. . .

That is what they are saying, for the benefit of the member for Ross Smith. The report goes on and measures the State against 12 indicators, six of them economic and six of them financial. Across the six economic indicators, South Australia ranks second overall in the last report. In 1993, when the member for Ross Smith's mob were last in government, under the economic indicators—and it would be no surprise to anyone—we were equal last. Over the past six or seven years, the Government has lifted that so we have gone from last to second.

In fact, the score in relation to South Australia given the Chamber's index in that time rose from 30 when the member for Ross Smith's crowd had control of the budget to something like 56.7 under this current Government. We have doubled the score as far as economic indicators go when compared with interstate. Importantly, the Chamber's indicators also show—and this is something the Government has been arguing now for some time—that productivity has grown in South Australia since 1993 and, indeed, it has grown more in this State than in any other State.

This will fascinate the member for Ross Smith: guess what drags down the South Australian performance? It is the performance of the six financial indicators. So, economically the State Government has it about right, but what drags us down is the financial indicators. The report acknowledges that there have been significant advances since 1993 in areas such as debt reduction and restraint on business taxes, but it still scores us as an overall fourth amongst other States in relation to financial matters. Economically we are second, financially we are fourth. We are second to bottom in relation to—

Mr Koutsantonis interjecting:

The Hon. I.F. EVANS: The member for Peake would be interested to know that issues such as the net debt, the net interest payment and the credit rating in relation to South Australia's debt are dragging us down. It is not the Government saying this: it is the Victorian Chamber of Commerce. The business community in Victoria is saying that South Australia has its economy about right, but it has not got its financials right. It is just another string to the bow, another argument if you like, as to why South Australia has to dispose of its power assets to free up the debt so we can continue to address not only the economic issues but also the financial issues.

Ms Rankine interjecting:

The Hon. I.F. EVANS: If the member for Wright wants another reason why we have to address this, she only has to go to the press today to realise that New South Wales is heading down the path, under any Party, to get rid of its payroll tax. Today the National Party, as part of its election platform, is promising payroll tax reform; the Liberal Party, under its power asset sell-off in New South Wales, is

promising payroll tax reform; and the Labor Government said in its today's paper that New South Wales will cut payroll tax—if it gets more money from the Federal Grants Commission the New South Wales Labor Government will use that to reduce payroll tax.

So the New South Wales Labor Government is saying that when it gets some spare cash it will reduce payroll tax. Under the power sell off New South Wales will have $500 billion extra to put into attacking South Australian business by reducing payroll tax, so the warning bells are there in relation to New South Wales. It does not matter whether it is Labor, Liberal or the Nationals that win power in New South Wales as far as Government is concerned: the fact is that New South Wales will use its surplus money to reduce payroll tax. The Labor Opposition has to ask the South Australian business community how we will compete in South Australia if New South Wales, Victoria and Queensland go down the path of reducing their payroll tax. Every Party in New South Wales is out there saying they will reduce payroll tax. If you lock us into $700 million a year interest payments, which will go up when interest rates go up, the big question business wants to know is: 'How will you be competitive in South Australia and how will you keep business here?'

GRIEVANCE DEBATE

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

Ms BEDFORD (Florey): I report to you, Sir, and to members in the House about the special visit we hosted at Parliament House on Monday 22 February by the members of the Grimethorpe Colliery Band. The band sprang to prominence in the movie *Brassed Off*, filmed in 1992, that told the story of a struggle in a town in England during the time of the coal pit closures during the term of the Thatcher Government when thousands of people lost their jobs. Against the background of that very sad and sorry spectre we saw the spirit of the community come behind the brass band as they fought their way to the national finals, and eventually won a competition in London. In no small way, Sir, thanks to your assistance, we were able to host them for a visit.

They came to Adelaide on a whistle stop tour, landed at 4.30 p.m., came to Parliament House at 5.30 p.m. and whizzed off to the Thebarton Theatre for their concert at 8 p.m. The weather was extremely hot and it was a trying afternoon for them as they navigated the traffic to get to us. However, waiting for them at Parliament House was a group of 20 students from my local schools involved in brass bands and the school music program. It was an absolute thrill for them to be involved in that afternoon tea and to meet and speak with these people who have made music their life's work and career.

The children are involved in several bands. We had children from the Modbury High School under the tutelage of Mr Reg Tapman, who has enlarged their music program and they will be involved in the brass band competition in Mount Gambier later this year. We had students from The Heights School under the tutelage of Ms Maria Zollo and children who came through Ms Coralie Tate, who is involved with the Banksia Park Primary School. They are responsible for a service each year on Remembrance Day with a group called the Dawn Patrol. They run the Remembrance Day service completely. These children are primary school children and put on a terrific show. Coralie is also involved with the Redbacks Band and City of Tea Tree Gully Concert Band.

We were able to arrange the visit through a stroke of luck which saw one of my constituents, a Mr Harry Hirst, being instrumental in arranging a visit. Mr Hirst's brother, Mr Ken Hirst, was a former band secretary. Without that link we would never have been able to arrange the coup. As far as I am aware, our Parliament is the only Parliament they visited. The musicians were extremely generous with their time, signed autographs and gave the children a great deal of encouragement.

On that day members of the South Australian Police Band were also present. This was a unique opportunity for them to exchange ideas and speak to other world famous musicians. The South Australian Police Band recently returned from an overseas tour where they wowed audiences in the U.K. They have been invited to return next year and again face chronic funding problems, so I urge everybody who is able to get behind the Police Band and assist them in their efforts to again give South Australia world prominence. They bring back nothing but good reports with them.

The story of the movie *Brassed Off* talks about the solidarity that happened in the community and how music brought people together. It is important that we do what we can to encourage young people in our areas to become involved in things like music where they not only have something to do that is worthwhile but can entertain other people. Coralie Tate and her group are working with us now to arrange a concert for later this year—the Year of Older Persons—where the children will be putting back into the community and entertaining older people. They also visit nursing homes and it brings a great deal of happiness to people in those places. I thank you, Mr Speaker, for helping us arrange that visit and pay special tribute to Ms Elaine Grove, the catering staff and the building attendants who made themselves available as the bus came up and made the visit very pleasant.

The member for Fisher and I were present at the concert later that evening and it was evident from the number of people crammed into the Thebarton Theatre the importance of music in our lives and the great joy that brass bands brought to the audience that evening. The performances were virtuoso, and anyone who has any chance to be involved in music would have shared the pleasure and excitement that was brought to the audience that night as the music was performed.

Mr HAMILTON-SMITH (Waite): I rise to speak on the proposed sale of ETSA and the elimination of State debt, a matter that has dragged on far longer than it should have. The ALP seems to have missed the point: that the State owes $7.5 billion—debt we inherited as a consequence of the incompetence of the former ALP Government. It has also missed the point that ETSA and Optima in the deregulated electricity market will come under increasing pressure. It is not surprising from the ALP. The State Bank fiasco showed its business acumen and at the very time the State Bank was collapsing ALP Governments in Western Australia and Victoria were mirroring that poor performance by running up billions of dollars of debt for taxpayers in those States. We

are still trying to overcome the legacy left to us by those ALP Governments. Well done!

It is not surprising from a Party with little or no knowledge of business, spawned as it has been from the union movement and the Public Service, to fill an important role in political life in this country, but one which has too frequently during our history ignored the holistic picture of what is best for the country. That is why the Opposition has consistently failed to understand what the competitive electricity market will mean for South Australia and the risks we are to face. ETSA and Optima will simply become a liability to the taxpayer. We are already seeing it with Western Mining Corporation announcing its abandonment of ETSA as its supplier of electricity in favour of a Victorian company.

There are a number of good reasons why ETSA and Optima should be sold—the first is simple: debt, debt, debt. We have Queensland, New South Wales, Western Australia and Victoria all looking to be debt free within the next few years. If one breaks ranks and cuts payroll tax or other costs of doing business, we simply will not be able to match it. We will finish up with something like 8 per cent of the country's population and 23 per cent of its debt. Competition is going to lead to a drop in revenue for ETSA and Optima.

That is the second reason for selling ETSA and Optima: risk, risk and risk. You cannot have an entity, which has had a monopoly, go to a competitive marketplace and expect profits to increase. It is a bit like an electricity supplier the equivalent of Woolworths setting up next door to the corner deli, with ETSA and Optima being the corner deli, and the massive power production entities now set up in New South Wales and Victoria representing the large market suppliers like Woolworths. We are talking about companies with a market capitalisation well beyond the entire turnover of this State.

The third reason for selling ETSA and Optima is simply commonsense. A business with falling revenue and rising costs does not work, a point that seems to be consistently missed by the Opposition. How can we afford to upgrade the extensive facilities owned by Optima and ETSA in the years ahead without either increasing taxes or cutting services? It is not only the ALP that needs to bear the brunt for the incompetence of blocking the ETSA and Optima sale. Equally to blame are the Democrats, who have shown themselves in this debate to be nothing more than gnomes and fairies at the end of the garden and who are totally incapable of facing up to the complexities of the issue.

Also, the Independent member of the Upper House, Hon. Nick Xenophon, has deserted the constituency that elected him in a circumstance where he could have extracted considerable benefits for the anti-pokies lobby but decided to play God with the future of ETSA and Optima. It is a very disappointing state of affairs and I await with interest the run up to the next election as I earnestly wonder whether the ALP's policy will be not to sell ETSA, not to increase taxes, not to do away with the taxes we have imposed but simply to charge forward in the idle hope that everything will work out at the end of the day. It will not work out at the end of the day and it will be an ultimate irony if the ALP were ever to come to Government and then be faced with the ETSA/Optima debacle.

Mr CLARKE (Ross Smith): Sir—

An honourable member interjecting:

Mr CLARKE: I see that the member for Stuart is here and could not pass up the opportunity. I would like to comment on the member for Waite's contribution, because I get fed up with this born to rule mentality of not only the member for Waite but members on the other side generally. When they refer to the Opposition they refer to our alleged lack of business acumen, suggesting that we are a bunch of used up hacks from the union movement or whatever, but what do we have when we look at members opposite? For example, the member for Stuart has been in this House for a long time. When was the last time he got out in the manufacturing industries or ran a small business or anything of this nature on a full-time employment basis to refresh his memory of what life is like in the hard world of commercial reality? We heard this from the member for Waite, the ex-Army officer. There is nothing wrong with being an ex-Army officer, because the Army does a wonderful job in defending Australia's shores, but there is nothing unique about their experiences that make them so much greater than those on this side of the House in governing this State.

The Government has had five years governing this State and the Liberal Party is so unused to governing since the loss of Tom Playford that it finds it all too hard. So, for the past 15 months, as the member for Elder pointed out the other day, since the Government miraculously fell over the line in the 1997 election, it has just circled in a holding pattern similar to the aircraft (although I cannot think of its name) that goes around in circles. The member for Stuart is familiar with it and is probably its chief pilot.

I come back to the issue of the sale of ETSA and Optima Energy. If the issue is so important and, as the member for Waite said, if it is so much commonsense that we sell those assets, then clearly the South Australian public would be perceptive and receptive of the arguments being put forward by this Liberal Government. Let us have an election. Let us forget the referendum that the Democrats and, in particular, the Hon. Nick Xenophon are talking about. Let us have a motion by the end of next week put forward by the Premier specifying that this ETSA legislation is a matter of special importance. If it gets knocked back by the Upper House, let us have an election. If the Upper House is so obstructionist, let the Premier put forward a referendum proposal to abolish the Legislative Council and the Government would have every member of the Labor Party voting with the Premier. That is our longstanding Party policy.

If the Premier wants to do something about the Legislative Council, if he says it is so obstructionist, if he says it is going to cause a catastrophe for this State because he cannot get the legislation through, first, he should go to an election through a motion of special importance, have it knocked back and go to an election, or put forward a referendum to abolish the Legislative Council or, even if he wanted to keep an elected House like the House of Lords, he could reduce the powers of the Legislative Council to hold up legislation beyond a certain period of time, such as is the case in the House of Lords. It is within the powers of the Premier to do that and, in terms of the abolition of the Legislative Council, because of its policy position the Labor Party would be obliged to support him.

Why does not the Premier take those steps? He will not do so because he is basically gutless on this issue and he knows that he will get creamed at an election. The member for Stuart would be a fond but distant memory in this place because he would be retired back to his farm, learning what it is like to have a bit of soil under his fingernails again, after 27 or 30 years of being in this place. The member for Waite may or may not make it back over the line, but certainly they would

be a rump, even smaller than the Labor Party was after the 1993 State election. At the very least the Premier ought to have the guts to say that the Upper House is comprised of a bunch of no accounts, lazy X, Y and Zs, obstructing the State's progress and say, 'Let us put a referendum up to abolish it', and he would have my vote.

The Hon. G.M. GUNN (Stuart): Let me say to the member for Ross Smith that my electoral future is a lot more stable than his. If I want to come back to this place, I will come back, but I do not believe that the honourable member will have that opportunity. I am very happy to face the electorate at any time. Let me refer to the real issues facing the people of South Australia. We are told continually, particularly by the member for Elizabeth (when she looks as though she has been eating lemons for breakfast) in her usual sneering fashion in this House, that the people of South Australia want more health services.

Ms KEY: Mr Speaker, I rise on a point of order. The comments just made are not only an insult but are an insult to all the women in this Parliament and I ask the member for Stuart to withdraw them.

The SPEAKER: There is no point of order. If the member for Elizabeth had been upset by the remarks made, I am sure she would have risen to her feet.

The Hon. G.M. GUNN: Mr Speaker, the last thing in the world I would want to do is upset the member for Elizabeth.

Ms STEVENS: Mr Speaker, I rise on a point of order. I am certainly upset by the remarks. I am offended and upset and I ask that the remarks be withdrawn because they reflect not only on me but on all women in this Parliament.

The SPEAKER: The honourable member has made her point of order. In asking the member for Stuart to respond, I ask him to reconsider his remarks.

The Hon. G.M. GUNN: I indicated when I was interrupted, Mr Speaker, that I was happy to withdraw if the remarks upset or offended the member. I did not realise she was so thin skinned while being able to give a handout—

The SPEAKER: Order! I ask the member for Stuart to withdraw the remarks.

The Hon. G.M. GUNN: Mr Speaker, I am happy to withdraw the remarks.

Ms STEVENS: Mr Speaker, I rise on a further point of order. The member for Stuart went on to compound the offence by saying that I was thin-skinned, and I think that ought be withdrawn also.

The SPEAKER: The Chair did not hear that and, if the member did say that, I ask him to withdraw it.

The Hon. G.M. GUNN: If it has upset—

The SPEAKER: No qualifications; the honourable member either withdraws or does not.

The Hon. G.M. GUNN: Of course I withdraw, Mr Speaker. I understand the Standing Orders. It is clear that members of the Labor Party are intent on distraction, trivia and nonsense. That is why they put the member for Ross Smith on his feet to talk about everything but the real issues. The point I was making before I was interrupted was that members of the Opposition do not really want to address the real issues. They stand in this Parliament—

Mr Clarke: Have an election.

The Hon. G.M. GUNN: It will not affect you; you will not be participating.

Mr Clarke interjecting:

The Hon. G.M. GUNN: They talk about the provision of services, but they do not want the Government to have the resources to provide those services. What do they want in this State? Do they want to give opportunities to people? Do they want better infrastructure and services, or do they want to continue to maintain assets, which, in the long-term, will have a diminished value and will not give them a return on their investment. They have a choice. In any commercial activity, if you are not prepared to face up to the difficult economic decisions, you will fail. It is not a matter of whether ETSA and Optima are sold; it is only a matter of when. Everyone knows that the circumstances prevailing in South Australia are such that that is in the best interest of South Australia. Western Mining has indicated that it will be looking elsewhere to buy its electricity, unfortunately. Who will be next? Will it be a number of those other companies? What will be the result if 20 or 30 of the leading—

Mr Clarke: Why would a private company want to buy ETSA if all these people are leaving?

The Hon. G.M. GUNN: Why would you want to continue to own an asset which will diminish in value and not give you a return? Why would you want to?

Mr Clarke interjecting:

The DEPUTY SPEAKER: Order! The discussion across the floor will cease.

The Hon. G.M. GUNN: I do not mind the honourable member; give him his moment of glory in the sun, if that is what he wants. However, I do know that the people of South Australia want an improvement in their services and that can happen only if the Government has access to revenue. The only other thing is, I say to the honourable member—

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

Mr HILL (Kaurna): I stand today to speak about trees and tree planting. I do not do it as a tree hugging hippy, but as someone who is seriously concerned about the problems associated with our farming communities. Recently, I asked the Minister for Environment a question about the extent of tree planting and revegetation in South Australia and how long it would take to revegetate 1 per cent of the State. The Minister kindly provided me with some information which I would like to provide to the House and emphasise because I think it is of interest. The Minister has told me that in 1996-97, 3.98 million trees were planted, which does sound like a lot of trees. She then tells me that in 1997-98, 6.5 million trees were planted, and that in 1998-99 it is intended that 7.7 million trees will be planted. That does sound like a hell of a lot trees.

In fact, at a greater rate of planting, she tells me at the rate of 10 million trees being planted a year, it would take 25 years to revegetate 1 per cent of the agricultural lands. Members will get an idea of what a comparitively small number of trees are being planted. If members then take into account that native vegetation clearances are going on at the same time, it will take—and I am sure the Minister for Primary Industries will be interested in this—some 49 years before 1 per cent of the agricultural lands have been replanted. At the rate of 10 million trees being planted a year, that is a phenomenal amount of plantings and a very slow period in which to get some sort of measurable result.

The Minister has told me that the 1 per cent target over 25 years will mean that 168 300 hectares of the State—that is, at the rate of 6 732 hectares a year—need to be revegetated. As I said, in 1996-97, the Native Vegetation Council approved 3 324 hectares for clearance. That gives a net gain of 3 408—and thus it would take about 49 years to replant

1 per cent of the State. On the other side of the coin, in 49 years the Native Vegetation Council will have approved the clearance of some 162 876 hectares of our best land for clearance, and that is about 1 per cent of the State as well. So, at the same time we are planting all these trees, the Native Vegetation Council is approving clearance of them.

In 1996-97, the area revegetated, which was 2 607 hectares, was less than the area approved for clearance, which was 3 324 hectares. So in 1996-97, we went backwards. In 1995-96, there were 158 applications for clearance and 127 were approved; and in 1996-97, 198 applications for clearance were made and 149 were approved. In these two years only a total of 25 applications were knocked back. One should ask whether the Native Vegetation Council should be renamed to become the 'Native Vegetation Clearance Approval Authority', given its high rate of clearance approvals.

While many people think that most native vegetation was cleared before the turn of the century, that is not the case. In South Australia, native vegetation declined in the agricultural area by 17 per cent (or 651 600 hectares) between 1975 and 1988. That is an extraordinary figure: 17 per cent disappeared in 13 years, yet at our current rate of replantings it will take us something like 49 years to replace 1 per cent. How long would it take to replace the 17 per cent that was lost in those 13 years?

Protecting native vegetation and all the arguments about biodiversity are something that the Government is not really serious about, especially when we take into account the fact that over $60 million was paid by the previous Government in compensation in the early 1990s to land owners to stop land clearing. It would be interesting to find out how many of those land owners who have taken the money have subsequently gone out and asked for clearance or who have illegally cleared. It is not just that we want trees for the sake of trees; there are important economic reasons as well. We all know about the carbon credit schemes that have been proposed around the world. Through tree planting there is a chance of gaining some carbon credits and some income for this State. It is important for desalination and it is important for the agricultural economy as well. Interestingly, if one looks at the statistics, it is clear that the greatest amount of clearance in that period of 1975 to 1988 was in the South-East.

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

The Hon. R.B. SUCH (Fisher): Recently, I had the pleasure of representing the Premier at a graduation of Fast Track, which is a program for entrepreneurs based on the experience of the Kaufman Foundation in the United States. It is intended to help promising entrepreneurs develop their business more effectively and, importantly, to create employment. The graduation was attended by 14 participant entrepreneurs from South Australia. It was attended by Greg Loudin, who was the major consultant involved, Dr Courtenay Price from the United States who developed the program originally, John Doughty from the University of South Australia, Mick O'Neil from the Business Centre, Professor O'Brien from the University of South Australia and also Bob Taylor from the University.

One of the points that was made during that very impressive gathering was recognition of the efforts of the previous Minister for Trade (Hon. Graham Ingerson) and a tribute was paid to him in respect of the fact that of all the Governments and Ministers in Australia with which these people had had dealings in trying to get such a program established in Australia for the first time, it was recognised that he (as the then Minister for Trade) had been the most responsive. He had responded quickly and provided some significant funding so that this program could occur.

As a result of that Fast Track initiative here, all those businesses have expanded and all the entrepreneurs are looking forward to taking on extra employees and undertaking exciting developments. So, it is another example of South Australia leading the way. I commend that program and trust that we will see further examples of it being offered here in South Australia.

I would like to touch on an educational issue, and that is the system which currently exists in our State schools, the library system called Dynix, which was due to be replaced, I understand, some years ago. I was pleased to hear today from the Minister for Education that there will be an announcement shortly in relation to updating that system to what is likely to be called the Automated Library System. That is a major step forward, because many schools are having literally to put bandaids—technological bandaids, that is—on the current Dynix system. So, I commend the Minister and urge him to implement that new system as soon as possible, because schools in my area and elsewhere are having to try to cope with an outdated system in their libraries.

I commend the Minister for the recently announced review of the Education Act. I believe that that is long overdue. Indeed, I have written to the Minister on many occasions suggesting that our State school system could be made more efficient, not simply in monetary terms but in educational terms and I believe it is long overdue for a thorough investigation and moves toward improving that already very good system. Indeed, such things as the possible extension of operating hours, programs offered, as well as greater local management, etc, can all be considered in the context of the review of the Education Act. I commend that review to all members and trust that they will make an input and encourage their communities to do so too.

Another matter that is of longstanding interest to me is the 618 bus from the Aberfoyle Park area to Marion, and I am delighted that the Minister (Hon. Di Laidlaw) has responded positively once again, extending that service until at least July 1999, and indicating in a recent letter that her department is looking at the possibility of further integration of that service with other TransAdelaide operations. So, I am pleased with the Minister. I am also pleased with her recent offer to jointly fund a pedestrian bridge over the Field River, which is much needed on Chandlers Hill Road to provide greater safety for pedestrians on what is an 80 km/h speed zone and where pedestrians have to share a narrow bridge with those high speeding vehicles. So, on both accounts, the Minister gets full marks and I look forward to naming that pedestrian bridge the Diana Laidlaw Bridge when it is constructed—hopefully, in the near future.

ECONOMIC AND FINANCE COMMITTEE: STATE FORESTS

The Hon. G.M. GUNN (Stuart): I move:

That the twenty-seventh report of the committee, on State owned plantation forests, be noted.

The South-East region, commonly termed the Green Triangle, encompasses the lower South-East of South Australia and western Victoria. This region is one of Australia's largest consolidated areas of softwood plantation, which covers 147 000 hectares. A high proportion—60 per cent—of the softwood plantation in the Green Triangle is located in South Australia. The State Government is the main forest owner in the South-East, with Forestry SA managing 71 per cent of all softwood plantation resources in the region. The size of the State's forest resources underlies its vital role for the sustainability of the local timber processing industry and employment in the region.

In February 1998, the Economic and Finance Committee resolved, on its own motion, to undertake an inquiry into the State owned plantation forests. The committee intended to examine the value of the State owned plantations, contractual arrangements for the supply of roundwood and address the issues of privatisation of forest assets. The inquiry started in May 1998 and took place over a period of 10 months. In the course of the inquiry the committee consulted with the key stakeholders within the Government, private sector, industry bodies and the conservation movement.

The committee undertook a regional site inspection to visit the South-East of the State. This site visit provided the committee with important insights into the State owned plantation forests and first-hand knowledge of the timber processing industry in the region. The evidence provided to the committee once again reaffirmed the importance of the plantation forests to the region's economy and the local community as a whole. The inquiry has revealed that the bulk of the logs from the plantation are locked up in long-term supply agreements. The committee believes that an attempt to sell the plantation with these agreements in place may result in sale proceeds being below the true value of the asset.

The major recommendation to emerge from this inquiry is that the Government retain ownership of the State forests. While the committee believes there is a strong argument that Forestry SA can be considered an appropriate business for a commercialisation or privatisation, such a move should only proceed provided the State Government takes steps to ensure that prospective structural reform will not have a negative impact on the level of employment and the efficiency delivered for non-commercial activities in the South-East region.

In conclusion, I would like to take this opportunity to thank all people who have participated in the inquiry, including witnesses, those who provided submissions and those people who assisted the committee on its field inspection, members of the committee and the committee staff, who have worked diligently to ensure the successful completion of this important inquiry. I commend it to the House.

Motion carried.

PUBLIC WORKS COMMITTEE: BOLIVAR WASTE WATER TREATMENT PLANT

Mr LEWIS (Hammond): I move:

That the eighty-ninth report of the committee, on the Bolivar waste water treatment plant—proposed activated sludge plant and ancillary works—be noted.

The waste water treatment plant at Bolivar was constructed in the 1960s. It is the largest of the four major waste water treatment plants in the Adelaide metropolitan area and currently serves a population of about 600 000-odd people, which is about 60 per cent of the Adelaide metropolitan area.

This project involves the construction of an activated sludge plant and ancillary works at an estimated cost of $72 million. It constitutes a part of an environment improvement program for the Bolivar plant to achieve compliance with the legislative requirements of the Environment Protection Act of 1993. Therefore, as part of this environment improvement program, SA Water proposes to undertake the following works. First, the construction of a new activated sludge plant and ancillary works to replace the biological filters, which are the single most significant sources of odour at the plant. It will reduce the pollutant load on the existing maturation lagoons, which will also minimise the release of odours from the lagoons and reduce the concentration in the final effluent. Secondly, there is the collection of foul air from the primary tanks and other parts of the process and the treatment of the foul air in either soil bed filters or the activated sludge plant. The third part is the construction of sludge thickening facilities to improve sludge digestion performance and to control the odour emissions from the sludge lagoons.

It involves the construction of gas separators and flares to remove gases from the digested sludge transfer mains and reduce the volume of odorous gases being discharged at the sludge lagoon inlets. Finally, it involves associated works, including modifications to the grit removal process—that is, early on in the treatment—the settling tanks—the clarifiers or whatever you want to call them—and the construction of a new primary pump station.

An economic evaluation undertaken for the project indicated not a net present value but a net present cost of $79 million and a benefit-cost ratio of .17. However, a revised economic evaluation—after the committee insisted on bringing to account other benefits that would result from it—based on the benefits from the development of an additional 3 500 houses or thereabouts made possible as a result of the proposed works, indicates a net present cost reduced from $79 million to $9.5 million, with a benefit-cost ratio of .9, which is much better. However, still it is a cost not a value. It ignored the benefits to the marine environment in that it did not bring to account the value of the seagrass meadows that would be saved or the enhanced level of harvesting of King George whiting which would be sustainable in perpetuity as a result of the retention in a sustainable management arrangement that is now possible following these works of a greater area of seagrass meadows and recruitment of a greater number of King George whiting, and I will come to that later.

The evaluations also indicate that the present value of the economic benefits achieved over the life of the project, which will be 50 or more years, is about $14 million, and that will result mainly from the improved environmental benefits and the increased value of the properties which are currently affected by odours from Bolivar but which were not excluded from development because they are within the sort of medium to mild zone of effect. In addition, the committee is told that, from an Environment Protection Authority perspective, the largest of the environmental impacts has been the loss of 1 000 hectares of those seagrass meadows in and around the outlet of the Bolivar sewage treatment works, over a 30 year period.

We were told that approximately 200 hectares of seagrasses was potentially at risk if the discharge continued. The EPA advised that the value of the seagrasses is estimated at

$30 000 per hectare per year. That is a huge amount. In financial terms, this represents an estimated value of the potential loss of the seagrasses of $53 million. That is the present value. That changes the complexion of the equation altogether. I am now pleased that this agency—and perhaps others who have the wit to read this report—will realise that they need to take into account the consequences of the whole of the impact of their investment on the State's economy at large, not just the bottom line of their agency, when they are evaluating the value for us as a State of undertaking the work.

Furthermore, I point out to the House that the Centre for Economic Studies has conducted a study of the project and made an assessment of the value of benefit to the fishing industry, in particular that of the King George whiting, if the discharge is stopped. If the loss of seagrass is minimised, that benefit, attributed to the King George whiting fishery, will be approximately $1.5 to $2 million, with other species also being affected, but in a much lesser way.

On Wednesday 2 December, a delegation of the Public Works Committee inspected the Bolivar site and its surroundings. We were able to see first-hand how the current process operated and, indeed, to smell that. It is on the nose, even though it was operating properly. More specifically, the committee saw how the primary screens trapped solid matter, allowing the waste liquid to be channelled to the primary sedimentation tanks—and they are 6 metres deep—for aeration and the formation of sludge.

Committee members also saw how this liquid flows into the secondary filters, the trinkling tanks—a very expressive term—where a biological process takes place in that the bugs begin working on the material that they can digest. There are 12 of those tanks, and they are a major contributor to the odour experienced on the site and in the neighbouring regions. Whilst we were there on that inspection, as I have said, we experienced the pungent odours that come from the trinkling tanks and the existing open channel system.

Finally, the committee saw the vacant area where the new activated sludge plant will be constructed to replace the existing biological filtration treatment process. We understand that the most significant environmental impacts associated with the existing plant are the loss of seagrass, the proliferation of ulva—that is, sea cabbage—believed to be in part associated with the amount of nutrients, predominantly nitrogenous nutrients that are discharged from the plant into the gulf waters, and also the odour nuisance to the adjoining community. We noted that the proposed works will replace the existing biological filtration treatment process, which currently contributes over half the odour from the existing plant, and the new activated sludge plant will collect and treat those gases from other areas of the plant.

The committee recognises that this project is a necessary prerequisite to eliminate that problem, that is the odour, and more importantly it will contribute to a reduction in the potential impacts of the treated waste water being discharged into that marine environment. We were told that the proposed project is expected to deliver significant benefits to the local as well as the broader South Australian community. Those nutrients otherwise being discharged into the gulf will now be put into and used as a resource in the Virginia pipeline scheme, enhancing the production of horticulture crops in that area. It will provide an opportunity to implement protection policies for the aquifer on the northern Adelaide Plains region in that it provides an alternative source of water for irrigation of those crops, and it will minimise the amount of nutrients discharged to the gulf, which will enhance the long-term sustainable yield of recreational and commercial fish.

The odour nuisance will be gone, and it will prevent any further outbreak of odour in any major context. Real estate values on the land nearby will be enhanced as a result of the removal of the odour problem, and it will also enhance the public image of both the Government and SA Water Corporation as being environmentally responsible and responsive to public concern.

Notwithstanding what I have just said, the committee strongly recommends that the Government Energy Agency examine the commercial viability of the gas that will be produced as a result of the new process and provide figures stating the anticipated quantity and composition of the gas so produced and whether it could be used for any commercial purpose. If it cannot be used for commercial purposes, the committee recommends that reasons be given for that. Secondly, we recommend that agencies notify the Auditor-General of any contracts to be let not subject to competitive tendering before submitting their projects to the committee for consideration. Accordingly, approval of this report should not be taken as a precedent for the committee approving any future projects that involve contracts that have not been subjected to competitive tendering processes.

The third recommendation is that the disposal arrangements for effluent in treatment works for other provincial cities be reviewed and that, in circumstances where it is possible, that effluent be offered for sale to the private sector by competitive tender for a tenured period not exceeding eight years in any instance.

If we do all that, particularly the last one, we will establish new industries, probably of a horticultural nature, based on the use of that effluent in all the places where common effluent disposal schemes currently aggregate the amount of water which passes through households and other facilities in those provincial towns and thereby expand employment opportunities and incomes to the regions. This is not an insignificant resource and, at present, it is being treated as a problem when, in fact, it should always have been treated as a resource. The committee now sees that point.

My personal opinion is that it may be that the Environment, Resources and Development Committee wishes to look at that. I do not mind if it chooses to do so but, along with other members of the Public Works Committee, I believe that we ought to take that proposition by the scruff of the neck and get on with it. I want to make another personal comment, that is, at present the disposal arrangements for the effluent from Murray Bridge, for instance, are not satisfactory. It is being placed in an open lagoon on the Army firing range under the terms of the contract which were concluded with the Army when no other party could be found about six years ago. Indeed, it is a bit longer than that: it was in the early 1990s.

In that open lagoon the water not only evaporates, concentrating the salt that remains behind, but also seeps away, and careful monitoring of a series of ground water wells around that site needs to be undertaken if the practice is allowed to continue. Nowadays, land-holders adjacent to where the pipeline has been constructed from the effluent lagoons across the river and out to the Army firing range are willing to take that water and use it in a way which ensures that almost, without exception, all of it is used from the root zone of plants, say, olives or vines, and thereby not pose a threat to a build-up of a saline ground water mound, as is the case in the Army firing range lagoon at present. Further, that will create more jobs and create economic benefit in the

community of Murray Bridge, and it is not sustainable or responsible to allow the Army or anyone else to think that they can go on using the water in that way.

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

Ms THOMPSON secured the adjournment of the debate.

PUBLIC WORKS COMMITTEE: LEIGH CREEK COAL DUMPING BRIDGE

Adjourned debate on motion of Mr Lewis:

> That the eighty-seventh report of the committee, on the Leigh Creek coal dumping bridge replacement, be noted and the recommendations adopted.

(Continued from 17 February. Page 801.)

The Hon. G.A. INGERSON (Bragg): I will make a few brief comments on this matter. I have read with interest the report of the committee and there are some areas where I disagree with it, and I would like to put them on the public record because I think it is important.

We need to go back to 1995 and recognise that at that time the Government was put in the position of requiring an independent report on the issues at Leigh Creek. There was a lot of hoo-ha and rumblings about the difficulties at the site, and the Government recognised that an independent report had to be done. As Minister responsible for occupational health and safety at that time, I recommended to the Minister for Infrastructure (the now Premier) and to the Government through Cabinet that we should have an independent inquiry look at all issues at Leigh Creek to see whether the stories that had been run around actually bore any fact or, as a lot of people suspected, involved a fair amount of fiction.

The Government appointed Dr Emmett who was a world authority on cancer problems in the area of oil shale burns. At that time he was Chairman of WorkSafe Australia. He was an eminent epidemiologist, a person whose integrity, in my view, is beyond reproach. He carried out the study in relation to the potential for harmful skin contamination from both the oil shale and the shale oil which, of course, is found in the overburden at Leigh Creek.

I will read the final outcome of his study. I think it is important, with all the innuendo and what I call nonsense that has been put on the record, that these facts from his report be given. It is a report not of the then Minister for Industrial Relations or the then Minister for Infrastructure but of a world renowned expert on the position at Leigh Creek. Before I do that, though, I make a couple of other comments. At the time, I went to Leigh Creek at the request of the union, which was concerned that there was a group of individuals who believed that they had some major concerns from the site. I do not think that there is any doubt they believed that was correct, but the union at the time was concerned that a very small minority were, in fact, not only putting in jeopardy the long-term working opportunities for all at the coalfield but also blowing this issue right out of proportion. It is important to put that on the record because that was the situation at the time. The outcome of the consultancy concluded with the following comments:

> . . . the lifetime risk of extra lung cancer was found to be less than one in 1 000 if the workers were involved in suppressing oil shale dump fires all day, every day for 45 years. . . the risk of skin cancer due to contact with organic compounds (from dump fires) and/or sunlight was not able to be estimated as the suspect compounds could not be detected. . . the lifetime of pneumoconiosis, chronic bronchitis and airway obstruction was very low.

In fact, the world-class consultant found that the risk of cancer from this particular area was not much more than normal. In other words, it was the sort of response that you would have got in the general community. I might point out that, at that time within the Department of Industrial Relations, Dr Lewis was head of the area looking after occupational health and safety, and Dr Lewis, in fact, was the consultant for ETSA on the long-term occupational health and safety issues in relation to all mines, in particular at Leigh Creek.

In the time that I was Minister, there was not one single report from Dr Lewis suggesting that there were any major issues relating to Leigh Creek. It was my understanding at the time that he and his department were making sure that ETSA (as it was then known) was carrying out all the occupational health and safety programs that it should be carrying out on that particular site.

As well as those recommendations, he did say that the records on the site were not as good as he would have liked them to be and expected them to be. He recommended to ETSA that it implement a whole range of records and new processes so that, if there was another investigation, say within five years, there would be substantive records available to show at least some trends that might be coming up. He and I both recognised that in that potential environment cancer may be an off shoot, but in his comments it was stated that it was no more than you would have normally expected at the time.

I understand that Optima Energy has now implemented that recording process and put it in place. Since the time of the consultancy Optima Energy, now Flinders Power, has instigated a rigorous occupational health and safety monitoring program under the supervision of one of Australia's eminent occupational hygienists, Mr Brian Davies. It has recognised that there is a potential problem and put in an expert to look at it. To date the overwhelming majority of atmospheric contaminant personal exposures are well within the relevant occupational exposure hazards, with many samples showing no contaminants detected at all.

Optima Energy has also introduced an extensive health surveillance program. The first phase of this survey is completed with feedback to Leigh Creek staff. No major findings have been made. The Department of Administrative and Information Services now liaises regularly to ensure that that monitoring is carried out.

I note that in 1998 a Mr Mike Wilson, in correspondence with the Minister for Mines and Energy, again raised the issue of concerns at Leigh Creek. I ought to put on record what the magistrate said about Mr Wilson in 1995 at a magistrate's inquiry. The exact words I cannot recall, but he said words to the effect that Mr Wilson was the most incredible witness he had ever had before him. I note again Mr Wilson has been found wanting after a study in this case with an occupational hygienist. In looking at evidence before him, another person has commented on Mr Wilson in relation to a review as to whether appropriate measures were in place at Leigh Creek mine to monitor the health and safety of workers; to review information submitted by Mr Wilson in regard to establishing any causal link between deaths in the material provided and operations of the mine; and if information submitted warranted further or more extensive investigation.

For the second time within three years another expert this time is saying that the outcome of the review conducted was that no credible evidence was again presented by the same person who went before a Magistrates Court, complained again to the Department of Administrative and Information Services and again was found to be incredible. You would have to start to say that this person is having a general go at a whole range of issues that are happening at Leigh Creek. This Parliament ought to know, when people speak out about people of this type, that independent magistrates, experts, are saying that this person is incredible. It is not the Government, Ministers or members of the Department of Industrial Affairs saying that. I know that one member of this Parliament was in that department at the same time. Nobody from that department is standing up and saying that this man is a credible witness. Every now and again in this place, instead of the innuendo that gets thrown around some facts ought to be put on the record and the position at Leigh Creek ought to be properly and correctly assessed and not just played with.

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

Mr LEWIS (Hammond): I thank all members for their contribution. I believe Dr Ted Emmett, the WorkSafe Australia expert, also said that he could not finally conclude whether or not there had been a risk, there was insufficient data available, he did not have access to the records of all the people who had lived or worked in Leigh Creek and he recommended that, if it were possible, a longitudinal epidemiological study be conducted on that data if it were available. On that basis the disquiet that all members of the committee felt was being expressed by those who had written to the committee and appeared before it to give evidence about the problem resulted in our making the recommendations we have. Accordingly, we wish the matter urgent consideration by the Minister for Government Enterprises' Committee of Occupational Health and Safety and a rapid evaluation on the other part, to which some speakers referred and to which I referred in the course of my remarks, of the viability of the oil shale deposit to be found there and elsewhere.

The quality of that shale varies from place to place. There are other deposits outside the existing mine sites at Leigh Creek. At this stage no real attempt has been made to give a realistic evaluation of that in that, when you evaluate oil shale from anywhere else in the world, the standard procedure is to crack it up into small pieces because it is pretty tough, bituminous stuff in most cases and is not brittle but fairly elastic and it takes a hell of a lot of pounding to grind it up. The big difference between other deposits elsewhere in the world and the oil shale we have in South Australia, at Leigh Creek and other similar places, is that it is very brittle. That indicates one other thing, namely, that the amount of heavy viscous materials in the shale is pretty small, so to crack it up into small pieces of less than 12 millimetres in diameter in each of the particles, and to leave it until it is dried to get rid of the water in the pores that are not saturated by the bituminous material so that you can then calculate a yield of hydrocarbons, is not an appropriate way to assess the quantity of hydrocarbons in this oil shale in South Australia.

We know from the evidence we saw on the Public Works Committee that it is very volatile. The oil and gas fractions in the rock immediately escape and burst into flame—spontaneous combustion, with no ignition necessary. They are at the very lightest end and there are far greater proportions of the very light fractions which cost much less to extract from the rock. They require less heat per tonne to get the hydrocarbons out of each tonne or cubic metre of rock. So you would expect not to have such a high yield of hydrocarbons in terms of litres per cubic metre to make it viable. It is stupid—not just silly or unprofessional or unscientific, but plain stupid—for anyone to crack up that shale and leave it to have all of light fractions evaporate from it in keeping with the international standard established to get rid of the water (and this stuff has no water in it). We need to adopt a process of testing it which ensures we trap those light fractions and measure them instead of letting them escape before the measurements are taken. It is silly. Why would you throw half of it away before you begin to evaluate it?

The committee is not expert in that matter and has therefore referred the matter to the Environment and Natural Resources Development Committee and makes all the evidence we have available to that committee in the fond hope that the House will adopt the recommendations to enable that to occur.

Motion carried.

PUBLIC WORKS COMMITTEE: SENSATIONAL ADELAIDE 500

Adjourned debate on motion of Mr Lewis:

That the eighty-eighth report of the committee, on the Sensational Adelaide 500 capital works, be noted.

(Continued from 17 February. Page 866.)

Ms THOMPSON (Reynell): I am pleased to support the motion that this report be noted. The professional manner in which the proponents of the Sensational Adelaide event came before us was much to be commended. The works that we are considering are those necessary to hold the Sensational Adelaide 500 event, which will be happening soon at the beginning of April. The proponents seem to have planned well and anticipated possible problems. They developed modest plans on which they could build if responses to ticket sales exceeded their plans and, from press reports, it is pleasing to note that they have at least met those plans. One matter that may be of interest to the House was discovered in the course of our proceedings and concerned the cost of erecting temporary grandstands. The Sensational Adelaide 500 event will be relying on temporary grandstands, as did the Grand Prix, and the committee was interested to discover just how much this would cost. The Presiding Member questioned Mr Andrew Daniels, General Manager, Sensational Adelaide 500, and the transcript is as follows:

The Presiding Member: What does it cost to erect each seat in the grandstand?

Mr Daniels: The budget cost for grandstand seating is $30 per seat, that is, for hire, erection and dismantling of each seat.

The Presiding Member: This is to bring it on site, install it, make sure it is clean and ready to be sat on and then take it down and remove it afterwards?

Mr Daniels: Yes.

The Presiding Member: Will that be let by tender?

Mr Daniels: Yes, all matters will be let by tender.

The Presiding Member: So, you expect it to come in somewhere around or just under that figure?

Mr Daniels: I sincerely hope so—and I would expect so.

The committee was interested in this evidence because, in addition to seeing the efficient and cost effective way in which Sensational Adelaide 500 people appeared to be acting, this information contrasted with what the member for Bragg

told the House on 26 August 1998 about the cost of temporary seating when considering the options available to the Government on the Hindmarsh Soccer Stadium and the best arrangements for holding Olympic soccer in Adelaide. On that occasion the Hon. Graham Ingerson stated:

> The whole purpose of the development of the Hindmarsh Stadium was the Olympic Games: that it was no more or no less than that. Stage 1 was put together as a development and it was suggested that stage 1 would be practical in terms of the Olympic Games. When the matter was looked at by then Minister Ashenden, it was very clear that there would need to be expenditure of about $10 million (and I believe that that is the exact figure) to put the stadium into Olympic mode and, at the end of that period, there would be nothing left—in other words, it would be exactly the same as the Grand Prix. Having run the Grand Prix for two years, I know that we spent in the order of $10 million every year putting it up and taking it down and, at the end of the day, we have some nice little bits of road out there. In essence the Government made the decision that, if it was to spend $10 million to put things into Olympic mode, it ought to leave something behind afterwards. In other words, it seemed a pretty reasonable decision for the Government to make that, if you are going to spend—

Then the honourable member was interrupted by interjections and he proceeded to say:

> The issue was that we needed to make a decision, which the Cabinet did make: should we spend $10 million and have nothing left afterwards or should we put it into a development that would leave something.

That calculation left me a bit befuddled because, on that information, if it was going to cost $10 million to provide temporary arrangements for Hindmarsh for the Olympic matches, it would have allowed us to erect 300 000 seats and still have $1 million left over to spend on things like communications, scoring and any alterations to the ground that may have been required.

I am left uncertain about this apparent discrepancy in the justification for the course of action chosen at Hindmarsh and this causes me concern. The committee will be further considering the matter of figures and other arrangements in relation to the Hindmarsh Soccer Stadium in the course of its activities this year and I hope at that time that we are able to get information to clarify just what was happening there in terms of the decision making processes in relation to Hindmarsh Soccer Stadium because, as members recall, the committee did not recommend that that development proceed.

With respect to the Sensational Adelaide 500 I have no further comments to make on the evidence put forward in support of that proposal. As I indicated earlier, the proponents seem to be doing a good job by approaching the event in a thorough and businesslike manner as well as using creative marketing mechanisms and I wish them well.

Motion carried.

PUBLIC WORKS COMMITTEE: QUEEN ELIZABETH HOSPITAL

Adjourned debate on motion of Mr Lewis:

> That the eighty-second report of the committee, on the Queen Elizabeth Hospital intensive care redevelopment, be noted.

(Continued from 25 November. Page 409.)

Motion carried.

SOCIAL DEVELOPMENT COMMITTEE: GAMBLING

Adjourned debate on motion of Hon. R.B. Such:

> That the eleventh report of the committee, on gambling, be noted.

(Continued from 25 November. Page 413.)

Motion carried.

PUBLIC WORKS COMMITTEE: ISLINGTON LANDFILL REMEDIATION PROJECT

Adjourned debate on motion of Mr Lewis:

> That the eighty-sixth report of the committee be noted.

(Continued from 11 February. Page 750.)

Mr CLARKE (Ross Smith): I support the recommendations of the Public Works Committee with respect to the remediation project to be undertaken at the Islington Railway site or dump.

The Hon. R.G. Kerin interjecting:

Mr CLARKE: Unfortunately, as the Deputy Premier indicates, this area is in the middle of my electorate, but it is not a dump that the residents of Kilburn are anxious to have. As has already been stated by a number of other speakers to date, it was an area of the Islington railway workshop area, which had been set aside for something like 50, 60 years or more, where progressively under the former South Australian Railways and Australian National a huge amount of toxic wastes were simply dumped into the area, including blue asbestos, sulphuric acid and a whole range of other toxins which have been the cause of great concern to the local residents. Since the report addresses all the key issues, and other speakers have already referred to the technical side, I simply echo those sentiments, but I also want to pay some tributes to the people who have worked so long and so hard in getting this project under way and for the landfill remediation to be taking place.

Basically, this has all come about because of community action within the Kilburn area by Kilburn residents, Housing Trust residents in particular—led very ably by the Housing Trust Tenants Association—Tony Ollivier, Tony Ellmers and the now mayor of the Port Adelaide Enfield Council Her Worship Mayor Johanna McLuskey who was very much involved in it prior to being elected to the old Enfield Council. A number of other people were involved, including Jack Watkins, who is the asbestos liaison officer for the United Trades and Labor Council—

The Hon. G.A. Ingerson interjecting:

Mr CLARKE: —who, as the member for Bragg has noted, is a very good man and who is absolutely assiduous in his pursuit of eliminating asbestos fibres from the work site, from residential housing areas, or from any location where human beings can come into contact with that particular dreaded material and suffer a horrible death some 20, 30 years after first coming into contact with it. It was those people who formed the basic action group which got things going. It commenced during the time when the Labor Party was in power federally, and I will say this, that the Labor Party in power federally was very tardy. It had the misfortune of having what I regard as a very poor attitude on the part of the then Managing Director of Australian National, Mr Russell King, and the management of AN which did everything possible to obstruct and delay the remediation of that old dump site.

As the local State member for that area from December 1993, I had a number of discussions with AN. I also had discussions with former Federal Ministers for Transport, Senator Bob Collins as he then was, and also more

latterly Laurie Brereton as well. The action that the Federal Labor Government undertook in January of 1996 was a decision it should have attended to years earlier—and I regret that it was not taken years earlier. All I can put it down to is I think it was given very bad advice by the management of Australian National at that time. Laurie Brereton, to his credit, when he became Minister and after I and others had contacted him about this site needing remediation, got the CSIRO involved, got the experts out, recognised the problem and put forward $5 million of Commonwealth funding for the remediation of that landfill area.

There was then an election in March 1996 which saw the Howard Government elected. I might say that in the lead up to that Federal election the Federal member for Adelaide Trish Worth was also active in trying to get the landfill site remediated, and she was using it for all it was worth—to which she was entitled—in terms of making political capital out of it.

The Hon. R.G. Kerin: Did you vote for her?

Mr CLARKE: No, I did not vote for her because the Labor Party had already promised the $5 million. As the Leader of the Opposition John Howard promised that he would maintain that $5 million funding if he was elected to Government. We all expected the work to be carried out soon after the election results since both political Parties federally had promised the $5 million. Except there was a problem, because the then Federal Minister for Transport, Mr Sharp, said that they did not have the money and that he would have to have a complete rethink about it. We then had to go into overdrive, and in particular the Port Adelaide Enfield Council, the residents, community groups such as the Housing Trust Tenants Association and Mr Watkins from the United Trades and Labor Council to force the issue with respect to the honouring of that pre-election commitment by Mr Howard—and it was not easily given by Mr Howard or the Liberal Party at a Federal level.

I know that Ms Worth as the Federal member has claimed a lion's share of the credit. I will give her credit because she did work hard to try to seek the remediation of that landfill site and, unlike her, I am prepared to acknowledge the work of my political opponents. However, when one reads her newsletters since that time and since the Howard Government's commitment of $5.5 million to remediate that land, you would believe that the remediation of that land site was due to only one person, namely Trish Worth. That is a demonstrable nonsense. At no time have I read in any of her newsletters her thanks to the people who did all of the ground work when it was not a politically popular issue, when there was not any ground swell of public opinion in a marginal Federal Labor seat and when there were a lot of ordinary people trying to get the best result. Ms Worth decided that she would cloak herself with all of the honours. She was the saviour of Kilburn—you could see her riding on a chariot like Boadicea.

The Hon. G.A. Ingerson interjecting:

Mr CLARKE: As the member for Bragg says, 'She won.' However, the interesting thing about it is that at the last election all the booths in Kilburn swung significantly to the Labor Party. The two-Party preferred vote at the Kilburn booth was 75 per cent Labor. In every one of those areas the Labor Party federally scored between 7 and almost 10 per cent two-Party preferred swings to the Labor Party. Despite her attempted bribes with respect to installing lights at the Kilburn Football Club grounds—the railway transition funds, suddenly we can get lights at the Kilburn Football Club—the Labor Party got 75 per cent of the vote at Kilburn in the polling booth.

Members interjecting:

Mr CLARKE: Yes, we did not win the seat, but that was not because the working class did not vote for us but because further along into North Adelaide, Walkerville, Unley and the like they did not swing to us anywhere near what they should have. As I say, I will not be like Ms Worth; I do pay tribute to the fact that she did help get the money in the sense of forcing the hand of the Howard Government to honour its pre 1996 election commitment. Good on her for doing it. I just wish she would also give generous recognition to the work of the community groups, Jack Watkins and others, who instigated the work from day one when it was not popular, when she would not have even known where Kilburn was on the map. She would not have known how to find her way to Kilburn from Netherby, until she realised that she wanted to get a few votes from that particular area.

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

Motion carried.

MANUFACTURING INDUSTRIES PROTECTION ACT REPEAL BILL

Returned from the Legislative Council without amendment.

STATUTES AMENDMENT (RESTRAINING ORDERS) BILL

Second reading.

The Hon. I.F. EVANS (Minister for Industry and Trade): 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 amends the Domestic Violence Act and the Summary Procedure Act to ensure that South Australia's legislation dealing with restraining orders continues to operate effectively.

The Government recognises the importance of effective domestic violence legislation and considers that the current Act provides a practical approach to protection orders and enforcement. It is generally accepted that South Australia has demonstrated leadership in the domestic violence area and that the Domestic Violence Act, which was introduced by the Liberal Government in 1994, is very effective.

However, South Australia's protection order legislation can still be improved. A number of amendments in the Bill have arisen from suggestions by the former Chief Magistrate and the Police. The remaining amendments arise from consideration of the Model Domestic Violence Laws Discussion Paper released at the National Domestic Violence Summit in November, 1997.

The Bill is divided into several parts.

Part 2 of the Bill will amend section 19A of the Criminal Law (Sentencing) Act 1988. Section 19A, which was inserted into the Act as part of the Domestic Violence Act package in 1994, provides for the Court to initiate the issue of a restraining order where it finds a person guilty of an offence or sentences a person for an offence. During consultation it has been noted that, while it is important that the court may initiate the issue of a restraining order, it must be recognised that there are situations when a victim, for good reason, has not applied for an order. Orders made without the consent of the victim may have the effect of providing less, not more, protection by alerting the defendant to the victim's whereabouts. Consequently, it was suggested that the court should consider the danger or risk to the victim, if the defendant does not know the victim's whereabouts before making the court initiated order. Clause 4 of the Bill makes such an amendment.

Part 4 and Part 5 of the Bill make mirror amendments to the Domestic Violence Act and the Summary Procedure Act respectively.

Clauses 5 and 13 of the Bill will make a number of amendments to section 4 of the Domestic Violence Act and section 99 of the Summary Procedure Act to clarify Parliament's intention and to overcome a number of practical difficulties.

Firstly, the amendment will restate Parliament's original intention in enacting section 4(2)*(c)* of the Domestic Violence Act. Currently, section 4(2)*(c)* provides that domestic violence will be committed if on 2 or more separate occasions, the defendant carries out specified acts, such as following a family member or loitering outside the family member's residence or place of work, so as to arouse a family member's apprehension or fear.

Last year, the case of *Sleeman v The Police* was considered by the Supreme Court. The Court concluded that the words 'apprehension or fear' could not stand alone but had to refer to 'apprehension or fear' *of something*. To this end, it was held that it must be apprehension or fear of personal injury to or damage to property. This interpretation results in paragraph *(c)* being a mere restatement of sections 4(2)*(a)* and 4(2)*(b)*. Clearly, this was not intended by Parliament.

In the second reading speech for the Domestic Violence Bill in 1994, it was recognised that domestic violence is not only physical violence but also includes verbal abuse, threats, intimidation, and other acts to create fear. The dictionary also confirms that the words 'fear' and 'apprehension' may sensibly refer to a 'sensation of dread or unpleasant anticipation'. This is contrary to the view that the phrase 'apprehension or fear' cannot stand alone.

Secondly, the clauses will amend both Acts to provide expressly that a court, when considering whether to grant a restraining order, can take into account any fear or apprehension held by the victim that is based on incidents that have occurred interstate, and can issue a restraining order notwithstanding the defendant is resident outside this State. The amendment arises out of the case of *Hogan* in which a Magistrate refused to grant a domestic violence restraining order on the basis that he could not consider interstate incidents in determining whether a complainant had an apprehension of violence. If this interpretation of the Act continues, a victim would need to obtain the order in the State in which the incidents raising the apprehension occur, and then register the order in South Australia. There are no reasons why the Court should not take account of fears or apprehensions of violence occurring in this State which are based on incidents that occurred interstate.

Finally, the clauses will insert a new provision in section 4 of the Domestic Violence Act and section 99 of the Summary Procedure Act to make it clear that the court has the discretion to confirm a restraining order without receiving any further submissions or evidence as to the grounds for the order, if the defendant disputes the allegations giving rise to the order but consents to the order. The amendment was prompted by the Magistrates Court's advice that on many occasions a defendant will consent to the imposition of a restraining order even though he or she denies the grounds on which a restraining order is sought.

Clauses 6 and 13(b) of the Bill will give the Court the discretion to order that a specified weapon or article (other than a firearm) be confiscated or disposed of. A court will also be able to authorise a member of the police force to enter any premises, on which the weapon or article is suspected to be, to search for and take possession of that item. Currently, there is mandatory confiscation of firearms, yet there are situations where a defendant has used other weapons, such as a crossbow, samurai sword, or other exotic collectors items to threaten a victim. Mandatory confiscation of exotic collectors items is not necessarily appropriate. However, if threats are made with reference to such items, the Court should have a discretion to confiscate them. Obviously, this would not include kitchen knives etc, in relation to which confiscation and disposal would be unmanageable.

Concerns have also been expressed about the current provision dealing with 'out of hours telephone applications'. While the Magistrates Court Act is sufficiently flexible to allow a magistrate to constitute a court in his or her home, due to the provisions of that Act, 'out of hour telephone applications' to a court may raise questions of openness and public access to the telephone application proceedings. While this provision has not caused practical problems to date, it is preferable that section 8 of the Domestic Violence Act and section 99b of the Summary Procedures Act make it clear that proceedings conducted by telephone under those sections need not be open to the public. Clause 7(a) and clause 14(a) of the Bill make such an amendment.

The bulk, if not all restraining orders, are taken out in the absence of the defendant, whether personally or by way of a telephone application. Following the issue of the restraining order, the order must be served personally on the defendant (the order is not effective until done so) and the Court must promptly summons the defendant to attend the Court within seven (7) days of the issue of the order to show cause why the order should not be confirmed. The Police and the former Chief Magistrate have identified a number of problems with sections 8 and 9 of the Domestic Violence Act and sections 99B and 99C of the Summary Procedure Act which establish the procedure to deal with restraining orders issued ex parte whether through an application made personally, or by telephone. Clauses 7, 8, 14 and 15 of the Bill make a number of amendments to the respective sections to resolve the problems that have been identified. Those amendment are as follows.

Firstly, both Acts will be amended to clarify the procedure to be followed when an order is made ex parte, and to allow the Court to adjourn the hearing for a period longer than 7 days if a longer period is required to enable the summons to be served. Currently, if the summons requiring the defendant's attendance has not been served on the defendant by the date fixed in the first instance for the hearing, the Court may adjourn the matter for a period no longer than 7 days unless there is adequate reasons for a longer adjournment. It is uncertain whether difficulty in serving the order is sufficient to constitute 'adequate reasons' for the purpose of obtaining a longer adjournment. In the matter of *Police v Brenton John Henderson* a summons had been issued, but had expired before eventually being served on the defendant. The order was successfully challenged on the basis that the summons was not valid. This case highlights the difficulty when a defendant cannot be found immediately; namely a defendant can avoid being subject to a restraining order. The new provision will overcome this problem.

Secondly, the clauses will insert a provision in both Acts so that the Court may confirm an order if the defendant fails to attend the hearing after having been personally served with the order and summons. Currently, if the defendant fails to appear in answer to a summons the order continues unconfirmed, but nevertheless remains in force. For this reason, the ex parte order is not an interim order as it may not be necessarily be followed up and settled. The lack of provision for confirmation of orders affects the effective operation of section 68T of the Family Law Act (Cth). Section 68T, as amended in 1995, allows a court imposing a restraining order to discharge or vary a contact order issued under that Act. This provision allows for the Court to deal with inconsistencies which may arise when a restraining order is issued after a contact order has been made. However, under the Commonwealth legislation contact orders may only be suspended for a period of up to 21 days if the restraining order is issued on an interim basis. The fact that the State legislation currently does not provide for confirmation means that the court does not have the opportunity to suspend or cancel the contact order on a more permanent basis. The amendments remedy this problem.

Thirdly, the clauses will make it clear that, if a hearing to which the defendant was summonsed is adjourned, the interim or telephone application order will continue in force until the conclusion of the adjourned hearing. Given that the Court is given the power to adjourn the hearing to which the defendant is summonsed, it should be clear that the interim order should continue until the issue of confirmation is heard.

Fourthly, the Bill will provide the Court with the power to confirm a restraining order with variations having heard evidence at the confirmation proceedings. The observations of a single Supreme Court judge in *Brunsgard v Daire* in 1984 supports the view that the Court cannot confirm an order with variations. However, once evidence has been led at the confirmation hearing, the magistrate is in the best position to see what protection is required. The terms of the restraining order given at the ex parte proceedings might not be quite appropriate in light of the evidence provided at the confirmation hearing. This amendment will improve the ability of the court to make orders that are more suited to the particular situation in which a family finds itself.

Clause 9 and clause 16 of the Bill will amend section 10 of the Domestic Violence Act and section 99d of the Summary Procedure Act respectively in relation to firearms orders. The Bill will insert new provisions to provide that when issuing a restraining order the Court must also order that the Defendant must not carry a firearm in the course of his or her employment. Currently, section 10 and

section 99D require the Court to issue a number of mandatory supplementary orders to;

1. cancel a licence or permit to possess a firearm,
2. confiscate a firearm,
3. authorise a police officer to search premises and take possession of a firearm, and
4. disqualify the defendant from obtaining a licence or permit to possess a firearm.

However, due to exceptions in the Firearms Act, persons who possess a firearm on behalf of the Crown (such as police officers) do not need to be licensed to carry firearms, and nor do they have continuous possession of them—the firearms are simply issued to the person while on duty. A few cases have arisen where restraining orders have been taken out against police officers. As a matter of practice, SAPOL has transferred the officer to duties that do not require the possession of a firearm. However, this causes tension internally as far as duties and careers are concerned. The amendments will make it clear that, by law, a person is prohibited from possessing a firearm in the course of his or her employment while a restraining order is in force.

Section 11 of the Domestic Violence Act and section 99e of the Summary Procedure Act will be amended in two ways by clauses 10 and 17 of the Bill. Firstly, the Bill will amend the sections to provide that if a domestic violence restraining order is varied before being confirmed, or at any other time, the amended order must be served on the defendant personally. Until the varied order is served, the variation is not binding on the defendant and the order continues in force as if it were unamended until the variation is served. Secondly, the Bill will amend the sections to allow the Court, when making a firearms order, to order that a copy of the firearms order be served on a specified employer of the defendant if the Court has reason to believe the defendant may have access to a firearm during that employment. This issue was raised in the Discussion Paper referred to earlier. It is understood that on most occasions such an order for service will be unnecessary because the defendant will not have access to a firearm in the course of employment. This is why service of the firearms order will not be mandatory, but rather at the discretion of the Court. However, there will be some occasions where the employer provides an employee with the firearms for the purpose of employment, and therefore, without service, the effectiveness of the order may rely on the honesty of the employee in informing the employer that he or she cannot lawfully possess a firearm. This provision will make sure that the effectiveness of the mandatory order will not be compromised by a failure to notify relevant people of its existence.

Clauses 11 and 18 of the Bill will insert a new provision in section 12 of the Domestic Violence Act and 99F of the Summary Procedure Act to require a defendant to seek leave of the court and to show that there have been substantial changes in the relevant circumstances since the restraining order was made or last varied, prior to making an application for variation or revocation of a restraining order.

The Government has been advised that some respondents bring endless applications for revocation of restraining orders, often immediately after an order adverse to their position has been confirmed. The intention of the provision is to prevent a defendant from harassing and intimidating the protected person and from wasting valuable court time, by making regular applications from revocation or variation of a restraining order without grounds.

Finally, clause 19 of the Bill will amend section 189 of the Summary Procedure Act to provide that costs will not be awarded against a complainant in proceedings for a restraining order unless the Court is satisfied that the complainant has acted in bad faith or unreasonably in bringing the proceedings. This provision is based on clause 19 in the Discussion Paper which was supported in a number of submissions received by the government. It is argued that by removing the inhibiting cost factor more domestic violence prosecutions and contested restraining orders could go to trial. Arguably, cost penalties are significant barriers to effective operation of domestic violence legislation. Queensland, Northern Territory, New South Wales and Western Australia to varying degrees have provided that costs will not be awarded against complainants in proceedings for a restraining order, except in certain circumstances. The primary benefit of this provision is that it removes costs as a disincentive for people who, as a matter of policy, should not be dissuaded from using the legislation; namely the people with genuine applications whether or not those applications are successful.

The Bill also contains a number of other minor amendments.

Victims of domestic violence are entitled to the maximum protection from harm and abuse. The Liberal Government believes this Bill enhances the protection afforded to victims of domestic violence and other victims of violence and intimidating or offensive behaviour. In fact, of the comments received to date, it is thought many of the provisions are to be applauded.

I commend this Bill to the House.

Explanation of Clauses

PART 1

PRELIMINARY

Clause 1: Short title

Clause 2: Commencement

Clause 3: Interpretation

These clauses are formal.

PART 2

AMENDMENT OF CRIMINAL LAW (SENTENCING) ACT 1988

Clause 4: Amendment of s. 19A—Restraining orders may be issued on finding of guilt or sentencing

Under section 19A a court may, when convicting a person of an offence, exercise the powers of a Magistrate to issue a restraining order against the convicted person. The amendment requires the court to consider whether, if the whereabouts of the victim are not known to the defendant, the issuing of the order would be counter-productive.

PART 3

AMENDMENT OF DOMESTIC VIOLENCE ACT 1994

Clause 5: Amendment of s. 4—Grounds for making domestic violence restraining orders

The first amendment clarifies Parliament's intention that the third element of domestic violence in section 4(2)(c) (which is similar to stalking) extends to acts causing general significant apprehension or fear as well as to acts causing specific apprehension or fear of personal injury or damage to property.

New subsection (3) makes it clear that the court may, in determining whether to issue a restraining order, consider events that have taken place outside of the State and may make a restraining order against a defendant resident outside of the State.

New subsection (4) provides that if a defendant consents to a restraining order despite disputing some or all of the grounds on which the order is sought, the Court may make the order without investigating the grounds of the order further.

Clause 6: Amendment of s. 5—Terms of domestic violence restraining orders

These amendments insert a power for a court, when issuing a restraining order, to also order confiscation of a weapon or article that has been or might be used by the defendant to threaten or injure a family member or to damage the property of a family member. Firearms are excluded from the provision because they are dealt with separately by means of a compulsory firearms order under the existing provisions.

Clause 7: Amendment of s. 8—Complaints by telephone

The amendments—

- make it clear that proceedings for a restraining order conducted by telephone do not need to be open to the public (as generally required under the Magistrates Court Act);
- alter the arrangements for adjournments by recognising that in certain circumstances the usual 7 day adjournment is insufficient to enable the summons to the defendant to be served and allowing the hearing to be adjourned for a longer period in the first instance;
- require, if a restraining order has been issued in the absence of the defendant or pursuant to a telephone order, a positive step of confirmation of the order at the hearing to which the defendant is summoned even if the defendant does not then appear. (Currently, the order simply continues without confirmation. The amendment is necessary as a result of provisions in the Commonwealth Family Law Act which only allow a contact order to be cancelled or suspended for more than 21 days if the restraining order is permanent rather than 'interim'.);
- provide that a restraining order may be confirmed in an amended form.

Clause 8: Amendment of s. 9—Issue of domestic violence restraining order in absence of defendant

This amendment applies similar amendments to those contained in section 8 in relation to telephone applications to the procedures applicable to ordinary applications for restraining orders set out in section 9.

The amendments also clarify the approach in relation to adjourned hearings and make sure that it matches that which applies in relation to complaints by telephone.

Clause 9: Amendment of s. 10—Firearms orders
The amendment extends the compulsory firearms order that must accompany a restraining order to include an order that the defendant be prohibited from possessing a firearm in the course of employment.

Clause 10: Amendment of s. 11—Service
The amendments—
- require variations of orders to be served on the defendant personally before they become binding;
- enable the court to order that a copy of a firearms order be served on the defendant's employer;
- authorise the police, if they have reason to believe that a person is subject to a restraining order that has not been served, to detain the person for up to 2 hours to facilitate service.

Clause 11: Amendment of s. 12—Variation or revocation of domestic violence restraining order
The first amendment provides that a defendant may only apply for variation or revocation of a restraining order with the leave of the Court, which will only be given if there has been a substantial change in the relevant circumstances since the order was made or last varied.

The second amendment is of a technical nature ensuring that the variations referred to do not include variations made on confirmation of a restraining order.

Clause 12: Amendment of s. 15—Offence to contravene or fail to comply with domestic violence restraining order
The amendment removes the reference to a divisional penalty.

PART 4
AMENDMENT OF SUMMARY PROCEDURE ACT 1921

Clause 13: Amendment of s. 99—Restraining orders
Clause 14: Amendment of s. 99B—Complaints by telephone
Clause 15: Amendment of s. 99C—Issue of restraining order in absence of defendant
Clause 16: Amendment of s. 99D—Firearms orders
Clause 17: Amendment of s. 99E—Service
Clause 18: Amendment of s. 99F—Variation or revocation of restraining order
These amendments correspond to the amendments made to the *Domestic Violence Act*.

Clause 19: Amendment of s. 189—Costs
This amendment provides that costs will not be awarded against a complainant in proceedings for a restraining order (under the Domestic Violence Act or Summary Procedure Act) unless the Court is satisfied that the complainant has acted in bad faith or unreasonably in bringing the proceedings.

Ms STEVENS secured the adjournment of the debate.

TOBACCO PRODUCTS REGULATION (SMOKING IN UNLICENSED PREMISES) AMENDMENT BILL

Adjourned debate on second reading.
(Continued from 17 February. Page 802.)

Ms STEVENS (Elizabeth): The Opposition supports the amendments proposed by the Government. First, I would like to give some background on the initial Bill and then the amendment, talk about the Bill at hand, in particular, and then refer to the feedback that we have received which has enabled us to come to the position that we have adopted in relation to it.

Members who were part of this Parliament before the last election would remember that the smoke-free dining legislation was brought in as part of a reopening of the Tobacco Products Regulation Act by the Government when the Government was facing the need to strengthen health provisions in the Tobacco Products (Control) Act. At that time there was a High Court challenge (which, as we know, was eventually lost) with respect to the legality of States imposing excise on tobacco, alcohol and petrol. The Act was opened and amendments were made to strengthen health provisions. The Government first of all put up taxes on tar levels of cigarettes, and that was how the Act first came before the House. Then, almost as an afterthought, the then Minister for Health (Dr Armitage) launched the smoke-free dining push and, eventually, those amendments were placed before this House and then the Upper House. I want to make some comments about that.

If the process that was adopted by the previous Minister had been more consultative, more coordinated and more planned, perhaps we would not be back here today making these amendments. While it is true to say that sometimes, with respect to legislation, one needs to wait for a time to see where things perhaps are not working as one had hoped, or wait for some time to pass so that one can see where the problems are, I firmly believe that if we had had a better process in the beginning—in 1997—we may not have been here today making these amendments.

I want to again talk about that process, because quite often the former Minister for Health, even to this day, likes to mention in the House that the Opposition did not support his amendments for smoke-free dining. So, I will take this opportunity to remind people of exactly what happened. At the time, the Opposition never saw the amendments that the Government was putting up in relation to smoke-free dining until Question Time of the day on which they were to be debated. There had been an enormous amount of discussion, we understand, in the Liberal Party room. There had been disagreements. There was a lot of information floating around in the media and we were getting lots of information back from various interest groups—from the AHA to the licensed clubs to the restaurants' association, to the members of the general public—but we did not have those amendments to even make a decision on when our Caucus met on the Tuesday morning of the week in which the Lower House debate took place.

The reason for that was, of course, that the Government itself was only finally considering the final version on that morning and there was no time to give it to the members of the Opposition in order for them to consider it at the same time. I recall very clearly that I received the amendments during Question Time on that day, and the Government insisted that the debate carry through and be done on that day. So, there was no time at all for the Opposition to be able to closely look at those amendments for the debate in the Lower House: that was the reason why we voted against them. So, when the former Minister for Health stands up and says it again—that we did not vote for his amendments in the Lower House—that is the reason. The fact was that it was a vintage Armitage process. It was rushed, there was no consultation, everyone was confused, lots of people were annoyed and certainly it was a very unsatisfactory way to handle a very important issue.

When the Bill went to the Upper House the Opposition had a number of amendments and we supported the final position—and I must say that we were happy to support the final position that came out of the discussions in the Upper House. But even then, I must say that it was still a very rushed business in terms of the details in relation to the smoke-free dining provisions. So, I just say again I believe that, if we had had a better process two years ago when this legislation went through, we might not have been standing here today looking at this amendment. As I said before, the Opposition supports the amendment. We are persuaded that the position that the Government has put—the fact that the current Act is unfair to unlicensed premises in relation to their right to apply for an exemption the same as licensed premises can—is valid.

I would like to put on the record some of the information and feedback that I have received from various people in relation to this issue. Generally, the community has been supportive. For instance, representatives of the Anti-Cancer Foundation have said to me that they are very pleased overall that we have the smoke-free dining concept principle in place in South Australia. They believe that the changes to the overall thrust of smoke-free dining are minimal and, in the big scheme of things, is a very small change, but that the benefits are still way ahead. The Heart Foundation essentially agreed with that. I have a letter from Bob McEvoy, the Executive Director of the Heart Foundation, which states, in part:

> There has been concern relating to the uneven treatment of coffee shops compared to hotels and we believe that this part of a cafe's business is unlikely to resume. Therefore, this amendment, which overcomes the uneven playing field, is a necessary move. I believe that the principle of being able to dine smoke-free in any cafe or hotel is preserved by this amendment. Any exemptions should be reviewed after a reasonable period of time.

That is a good suggestion by Bob McEvoy—that any exemptions should be reviewed after a reasonable period of time. If that is not happening, is it planned? The Australian Medication Association would have preferred no smoking with any dining at all, anywhere, and I can understand that view.

The Hon. Dean Brown interjecting:

Ms STEVENS: That's true. The Minister is correct. The AMA's view would be no smoking—full stop. However, it recognises the discrepancy in the current Act, and it believes that in the scheme of things we are moving in the right direction: it supports the amendment.

Prior to the Bill's being introduced, I received a detailed letter from the Small Retailers Association to the Minister, the Hon. Dean Brown, outlining its major concerns with the current Act and its operation. The letter certainly encapsulates the reason behind the change and I would like to put it on the record:

> While this association supports a universal smoke-free policy for dining areas, we must protest in the strongest possible terms to the discriminatory impact of the new legislation which became law on 4 January 1999.
>
> You will, no doubt, be aware of the furore which has occurred, and already we have evidence of non-licensed premises losing business (in the range of 8 to 30 per cent). That loss may well be to licensed premises who are allowed significant concessions under the Act.
>
> None of the retailers who have contacted the Small Retailers Association object to the primary intentions of the legislation, but they do object to the secondary outcome—they are clearly commercially disadvantaged and suspect deliberately so.
>
> Further to this we discovered on 29 December 1998 that the Small Retailers Association was not on the mailing list for information on this issue, and we note that neither ourselves or the Retail Traders Association were seen as being relevant contact points for help/advice, as outlined in the Government's kit. But perhaps if neither of us were officially considered as having any interest in the matter, then leaving us out naturally follows.

That is something that perhaps the Minister and his officers need to address in terms of good relationships. The letter continues:

> Some 50 per cent of our membership are impacted significantly by this legislation,and we now find that the direct mailing of the information kit (on 1 September 1998?) simply did not reach all involved with the selling of food. When we requested kits for them on 29 December 1998, we were told that 6 000 had been posted out in September and no more were available. We did however receive one kit on 5 January 1999.
>
> But, the outcome of this whole process gets worse—we can now point to a falling away of business for X-lotto outlets not only in the corner store but also in the case of outlets in major shopping centres where, because unlicensed, enclosed restaurants can no longer allow smoking, the Lotto patrons who used those premises while waiting for a result in Lotto have either been forced elsewhere or simply no longer participate—a further loss of revenue to locally-based small business.
>
> We seek an urgent meeting with you to fairly resolve this unfortunate situation.

I have contacted the Small Retailers Association, and it told me that it had met with the Minister. Its bottom line is that smoking should be banned everywhere in terms of dining. It states that the situation now is that it has first bite of the cherry and that each case will be dealt with on its merits. It says that there are still some establishments—some very small delicatessens and so on—that will not be able to get an exemption because they will be unable to offer the choice between a smoke-free and a smoking environment.

Finally, the Small Retailers Association said—and it was happy for me to say this—that for once it could support a Government issue, and that has been a rarity over the past two or three years. I put that on the record. Essentially, it supports this but is saying that some establishments will still not be able to receive an exemption and will need to deal with the fact that they may lose business. I do not believe that there is any way around that. I believe in the principle of smoke-free dining. I cannot see that there is any other way around that for some of those small establishments.

Finally, just today, I received a copy of a letter that had been sent to the Minister for Human Services. It was dated 1 March and was written by Ainslee Hooper, Executive Director, Restaurant and Catering SA. I must say it has raised a number of issues. I have not had a chance to speak with Ms Hooper because I received this letter only this afternoon. Perhaps I will make contact—

The Hon. Dean Brown interjecting:

Ms STEVENS: Yes, Ainslee Hooper. It is a copy of a letter that went to you.

The Hon. Dean Brown interjecting:

Ms STEVENS: The Minister says that he has spoken to her, and I am pleased that he has. Perhaps I will be able to catch up with him between now and when the Bill is debated in the Upper House to find out what has happened. I want to put on the record the issues Ms Hooper has raised. Her letter states:

> Dear Minister, I was pleased to learn from the media that you have introduced a Bill to Parliament to amend section 47 of the Tobacco Products Regulation Act 1997 which prohibits smoking in enclosed public cafe and dining areas from 4 January 1999 in its inequitable treatment of unlicensed cafes.
>
> This is a major deficiency in the Act, which needs to be remedied and one to which I alerted your departmental representatives when they met with me and other industry colleagues in the third week of January.
>
> However, the South Australian Restaurant and Catering Industry Association, which trades as Restaurant and Catering SA, is disappointed that the amending legislation was drawn up and introduced without any consultation with the industry.

By way of aside, I would be interested to hear the Minister's comment on that, because if that is the case, it is of concern. That was the problem we had the last time around with the former Minister. I know that the level of consultation and hearing that people get these days has changed. I wonder whether the Minister will address that concern. The letter continues:

> As you will be aware from previous representations made by us to you and your department, the current Act is, in our view, deficient in far more than its treatment of unlicensed cafes. The amending Bill ought to have been an opportunity to attempt to come to grips with

all of the problems smoke-free dining has caused for an important industry and source of employment, and in particular youth employment, in South Australia.

Ms Hooper then goes into a number of other issues in this letter, as follows:

> It is causing a diversion of dining custom from restaurants to hotels. Smokers can obtain counter meals in bars, as well as smoke while dining in bistro lounge areas in hotels which have a separate non-smoking dining area. Many restaurants and cafes do not have separate rooms or areas that can permit similar smoking and non-smoking areas in accordance with the provisions of the Act, and as a result are losing customers to nearby hotels.
>
> This switch of trade from the restaurant industry to the hotel industry is hardly consistent with promoting South Australia's reputation for fine dining, experiences which the PR campaign for smoke-free dining has emphasised as one of its major benefits. It is also inconsistent with the South Australian Tourism Commission's *Best Kept Secrets* marketing campaign, which draws attention to South Australia's top-class restaurants and cafes as the key to the 'taste' of the State.
>
> The Act is unclear on whether outside areas enclosed by tarpaulins will be within or outside its jurisdiction. We raised this matter with your department representatives at a seminar on the smoke-free dining issue in November, and while they believe the areas would not be covered by the Act because tarpaulins did not constitute 'solid walls' there is still no legal ruling on this issue. Winter will soon be upon us, and we now seek from you an urgent definitive ruling on the status of tarpaulin areas under the Act.

Perhaps the Minister can shed some light on that. The letter continues:

> Enforcement of the Act has always been of concern to Restaurant & Catering SA and is increasingly so, as members now report that diners are insisting on lighting up despite the law and the restaurateur's representations. Some smokers are even travelling with their own portable ashtrays to assist them in defying the law. Accordingly, the lengths to which restaurateurs are expected to and can go, given that they cannot physically throw patrons out the door, needs urgent clarification. It must be said, too, that the penalties currently provided for in the Act for breaches—either $500 or $1 000 for restaurateurs and only $200 for smoking patrons—are inequitable and illogical. By definition, smoking, if it occurs, will be by a patron and, as the above suggests, one who is deliberately flouting the requirements of the law and who has little regard for the implications of his or her action on the restaurateur concerned.

I would appreciate the Minister's comment on those points. The letter continues:

> A major problem has developed in recent weeks with some unscrupulous patrons taking advantage of being legally unable to smoke in the restaurant by slipping outside 'for a cigarette' and using the opportunity to leave the establishment without paying. These 'smoke runners' (a term adopted by the media) are engaging in criminal activity, which I acknowledge is outside the confines of the smoke-free dining legislation. However, it is an unintended consequence of the legislation which we believe you, as Minister responsible for it, have an obligation to assist addressing.

As I said before, I would like the Minister to comment on these issues and I will certainly be talking with Ms Hooper. If there were some way in which we could address some of these issues, that would be a good thing. I would be interested in seeing what the Minister can do in relation to this issue while still, obviously, upholding the principle of smoke-free dining.

In conclusion, the Opposition supports the Government's amendment. It acknowledges the necessity on health grounds for smoke-free dining and it acknowledges the discrepancy in the way in which licensed premises are treated versus unlicensed premises. It notes the point that has been made by unlicensed premises that they are at a disadvantage and, therefore, it supports this amendment which attempts to redress this issue, although it knows that not all unlicensed establishments will, in fact, be able to get exemptions.

The Hon. G.A. INGERSON (Bragg): I support the amendments which have been made by the Government and the Minister for Human Services, in particular. I do not believe that these amendments go far enough, but they recognise a very significant problem in terms of discrimination. They still do not totally sort out the discrimination issue, but an 80 per cent result is much better than the position in which a lot of people found themselves three or four weeks ago.

I received quite an amazing amount of literature and letters from people. Admittedly, they were what I call stereotype letters which had been filled out by individual cafes but they ranged from Unley and the City of Adelaide in the electorate of Bragg to Norwood. Quite a large range of very small businesses were greatly affected in that short time by the discriminatory legislation.

From their comments, I note that the variations in profit loss—and I am talking about profit loss not turnover loss—were from 5 per cent through to 40 per cent. Those of us who have been in business would know that, if you lose more than 30 per cent of your profit, in essence, you cannot afford to pay your expenses any more. Of course, that was the case with a large number of family owned businesses, involving one or two people, usually husband and wife, or partners, and usually the children at some stage: they were totally discriminated against by this piece of legislation. Clearly, it was not intentional as far as the Government was concerned. I had the privilege of being involved with the then Minister for Health and talking through this issue with the hotels, in particular. But, this was an issue which was overlooked at the time but which has been corrected very quickly.

I put on record a couple of comments that have come from people. They explain much better than I the feelings they had about this legislation and how it directly affected them. A letter came from a person who owned a cafe in the centre of Adelaide, in one of the larger shopping centres. Also, located very close to it, was a tavern. They were able to quantify more specifically the traffic flow away from their business than perhaps a lot of other smaller businesses were able to do. This cafe was quite a large cafe in the bottom of a shopping centre; it was an open cafe; and an atrium went up about eight storeys, so members probably know where it was. A total of 55 per cent of its sales came from the sale of coffee only. When it suddenly lost 40 per cent of that business to the tavern some 300 metres away, it had a very significant effect on their small business.

Their comments were that the business was based on the sale of coffee and soft drinks; some 55 per cent of the business was related to coffee sales; and 35 per cent of the business was from people who came and smoked cigarettes. Because it was in an atrium area, there were never any complaints about it. It is an unusual exercise because it is a very big atrium and members can understand how, with escape fans up the top, you could pull out the air and not necessarily notice it. It was a unique position.

Those people lost some 40 per cent of their business in three weeks. Because the tavern was so close, they were able to see what was happening; they could talk to the people who had been their customers for two or three years and who were sitting at the bar of the tavern not only having their coffee and sandwiches but also smoking. It is an absolute anomaly where in the closed room of the tavern you could have sandwiches and coffee and in the open part of that same room, virtually cut off by rope, you could eat your food but could not smoke. So, in the enclosed environment of the tavern within 300

metres of this business, two systems were working side by side. Yet in the cafe you could not have that same environment: they could not put a rope down the middle because they were restricted.

They have put the argument very strongly to me that they were losing close to $3 000 a week, $150 000 a year; the turnover of the business was just over $1 million; and their break even point was $750 000, so they were virtually on the break even point even though they had a very successful business prior to this change. They also pointed out that not only was it affecting their business—and they had put off two people in that time—but the suppliers of coffee (particularly the coffee that they got, which was a special brand) had also had to put off people because it was not only their small business being affected but, because the coffee supplier supplied a whole range of other businesses in similar mode, it had some significant problems. In effect, the legislation had removed a business opportunity from one group of people and given it to the hotels. We have already done a very significant job in setting up the hotels in relation to the poker machine advantage and we are now shifting another range of people into the hotels.

The honourable member talked a little about shopping hours and he knows full well that that is nonsense. I am a retailer. I actually know something about it; the honourable member is a former union official who knows nothing about it. The difference is that at least everybody had the same opportunity. If you can compete in an open market you have the same opportunity, but when legal restrictions prevent you from competing, that is a different kettle of fish. With this group who came with me to see the Minister, the Minister was responsive to their argument. He had already decided, prior to our seeing him, that some changes were necessary, but it was important that this group of small business people were able to put their position directly to the Minister.

This Bill brings some equilibrium, but still does not allow a small delicatessen to rope off a quarter or half of the shop and say that it will supply food in that area with no smoking and supply coffee in the other area where you can smoke. That is the situation in hotels and, whilst the move has been significant, there is still an inconsistency even though it is not nearly as great as it was. The people who have spoken to me are happy with the change. They believe the equity has been placed back again and they will be watching with interest to see how these laws are tested and implemented because all of us know that it will be very difficult to police, even the existing laws in hotels and clubs.

The other company that sent a detailed letter to me is a supplier of coffee essence and coffee grain. It clearly put the viewpoint that it was affected in its wholesale business quite dramatically. It was a family business. Its turnover had fallen about 15 per cent and it reported that many of its customers in the retail area had seen falls of up to 50 per cent. We had a wide range from 5 per cent at the bottom end to 50 per cent loss of business.

Mr Clarke interjecting:

The Hon. G.A. INGERSON: Very good legislation that was. One of the few things I will be remembered for in this Parliament is Sunday trading. The Minister has moved quickly to recognise an anomaly. I congratulate him and the Government for moving quickly to sort out this anomaly, but I warn the Minister and the Government that we still have a whole range of inconsistencies in this area. We will have a lot of difficulty policing some of these inconsistencies. I hope common sense prevails in policing this whole area because there is absolutely no doubt that the general thrust of this legislation is to remove smoking from the general eating areas; that is the way this Government wants to go and I support it. I commend the Bill to the House and congratulate the Government in moving so quickly to sort out some very difficult problems for small business.

Mr KOUTSANTONIS (Peake): I put on the record that I am a smoker. I enjoy smoking—

Mr Hamilton-Smith: Not in Parliament, I hope.

Mr KOUTSANTONIS: Never in Parliament as that is against the law. I am a smoker who enjoys a puff of a cigarette and I always defend the rights of smokers. It amazes me that the Party of the individual, the Party that pretends to look out for small business and the rights of individuals, has introduced a piece of legislation that collectively makes a decision about who can and cannot enjoy individual rights. It is amazing that this Government thinks it is perfectly okay to go into the front bar of a pub, have a beer, a counter meal and a cigarette. But, if you walk into a coffee shop in Unley—

Mr Clarke: That's a long way from your electorate. Don't you have a cup of coffee in your electorate?

Mr KOUTSANTONIS: I can go into a coffee shop on Henley Beach Road and enjoy the beautiful Greek or Italian food, but I cannot have a cigarette, but I could walk into the Royal pub front bar, order a counter meal and smoke a cigarette. When this legislation, which I support, was first introduced a number of small business people came to my office saying, 'Look, this legislation is all very well in summer; people can sit outside if there is alfresco dining, enjoy a meal and have a cigarette.' They tell me that in winter when it gets much colder and there is no heating in outdoor areas and only heating inside, smokers will be hugely disadvantaged in being able to enjoy a pleasant evening out with a partner, friend or wife and enjoy a cigarette after a meal.

How far will we go in eliminating smokers' rights? This Government thinks it is perfectly okay for one to be driving in a car, have three children in the back and all the windows closed and smoke a cigarette but one cannot answer a mobile phone. This Government thinks it is okay to be in a coffee shop with ventilation and fans, where the only person inhaling the smoke is the smoker, but you cannot smoke there. I am finding this legislation hard to come to grips with, but I understand the principle of it: the principle is that we want to ensure that we are protecting the health and safety of our young people. We are ensuring that South Australians know the risk they take when they light up a cigarette.

I know the risk: on my packet of cigarettes it says that smoking will harm you if you are pregnant, and will cause lung cancer or heart disease. I accept that, but as an individual I make a choice to smoke a cigarette. I realise that other drugs such as alcohol do not affect anyone else, at least when I am drinking it. However, someone can get violent, get drunk or cause an accident driving a car and those drugs are not banned in their consumption. We try to legislate to keep it down if you are driving a vehicle, but smokers' rights are being eroded to a point where ordinary South Australians who want to smoke are becoming leapers. The Government and some of its bureaucrats take the line that smoking is something we can outlaw or legislate away, maybe to the point of prohibition or to the point where South Australians and Australians cannot choose or have the right to smoke a cigarette or tobacco.

I am in favour of raising the age limit for people smoking. I am happy to make it 21 years old or to impose huge fines on people who sell cigarettes to minors or people under the age of 21 years, but if we are concerned about young people's health and safety, I point out that they can go to a nightclub in the city and, in a totally enclosed area with music playing, they can buy alcohol and they can smoke. That is perfectly okay, but do not have a meal there because you could jeopardise your health. That is terrible and could destroy your evening. You cannot possibly have a meal and smoke but you can go to a nightclub and spend six or seven hours in a nightclub, drink alcohol and smoke as long as you are not having a meal.

If the Minister is going to do it, he should do it properly. The Minister should have the courage and say,'We are banning smoking in all places which are licensed or unlicensed and which involve enclosed areas; we are banning smoking in motor vehicles, in homes, in public buildings, restaurants, front bars of pubs,' but the Minister will not do that. The Minister is being selective and he has disfranchised thousands of smokers in South Australia simply because this Government has fallen to the lobby of the AMA and the Health Foundation.

That is perfectly okay and I accept that. I accept that there is a need to curb smoking in South Australia and I am happy to see the Government spend taxpayers' money in funding advertising to cause people to stop smoking. I am happy to see education programs educating our young people to stop smoking. I am happy with all that and have encouraged it but, as an adult, I have a right to choose to smoke my cigarettes. I have a right to decide my fate in terms of smoking.

Mr Hamilton-Smith: Don't inflict it on anyone else.

Mr KOUTSANTONIS: I do not want to inflict it on anyone else. What hypocrisy. I could go to a coffee shop where every patron smokes. They can order a meal, but they cannot have a cigarette even if every single patron smokes.

An honourable member: Smokers only.

Mr KOUTSANTONIS: Smokers only. Of course, we cannot have that. That is fine; it is the Government's decision and I supported it in Caucus. I support our decision here but I believe there is an imbalance. It is okay for someone to go to a nightclub, drink and get intoxicated and give me a hard time, but I cannot light a cigarette in a restaurant and blow smoke in someone's face. I would get a $400 fine. The situation is hypocritical.

The other point I wanted to make is that the Party of small business, the Party which introduced Sunday trading and wrecked hundreds of small businesses throughout this State, the Party which supports a GST on small business, the Party which has ravaged small business with its payroll taxes, now is also attacking the self-employed owners of coffee shops, delicatessens and retailers. Before I entered this place I was a retailer, unlike many of the so-called small business Party who have never worked in a small business in their life and who do not know how to run a business. Most of them have been professionals—lawyers, teachers or doctors—and none of them has been running a small business, apart from the member for Waite who ran very efficiently—

Members interjecting:

Mr KOUTSANTONIS: True, I will concede that: some law firms are small businesses. The Government comes in here and is now saying to a deli owner who has been ravaged by service stations and multinationals, who have been supported by this Government, that they cannot have smoking patrons. Many corner delis rely on a small clientele to run their day-to-day business. There may be a small factory around the corner from which workers come in to buy sandwiches, a cup of coffee or perhaps a Farmers' Union iced coffee or whatever. These people are now disfranchised because they cannot smoke their cigarettes in these establishments and of course the small businesses are hurting. While I support the legislation, I think the Government—

The Hon. Dean Brown: Do you think they should be able to smoke wherever they like?

Mr KOUTSANTONIS: No, I did not say that at all. The Minister asks whether I believe people should be able to smoke wherever they like. No, I do not, but where does he draw the line? It is okay to smoke in a car full of children but people cannot smoke in a restaurant. I would like the Minister to answer that but, of course, he cannot answer because he cannot police that, but they can police smoking in small businesses. What if someone lights a cigarette in a restaurant and the proprietor does not know that a person is smoking in their business? Will they receive a fine? How can that be fair? I do not see it being fair at all.

Having run a small business myself, I know that often one encounters difficult patrons, people who will not listen and people who will behave any way they like and it can be difficult to try to tell someone that they cannot smoke in your business. On the whole, I support the legislation. Many parts of the legislation do not make sense. The legislation is a bit hypocritical. Certainly, I support young people kicking the smoking habit but I will see what the Government does about that at a future date.

Mr CLARKE (Ross Smith): The Minister will be pleased to know that I will not use my full 20 minutes.

The Hon. Dean Brown interjecting:

Mr CLARKE: No more stunned than I was by the member for Bragg. I was totally nonplussed by his devotion to small retailers after what he did to small retailers when you were Premier, Minister, with respect to shopping hours on Sundays here in the city which did so much to destroy small retailers—

Mr Hanna: And shop leases!

Mr CLARKE: —and shop leases, as well, as the member for Mitchell reminds me. I support the legislation and the comments of the shadow Minister, the member for Elizabeth. I wish to make a couple of comments with respect to what the member for Peake and the member for Bragg have said. I accept that those who choose to smoke cigarettes should not be treated as lepers by our society. I can understand from time to time when this type of legislation is brought forward that they will feel somewhat ostracised in public but, at the end of the day, being a non-smoker myself, if I went to a cafe, restaurant or hotel prior to these laws being enacted, often I would be inflicted with cigarette smoke being blown in my face, literally, by not all smokers by any stretch of the imagination but in the main often by a small minority of non-thinking smokers who were cavalier in their attitude towards other patrons of restaurants who did not want to smoke and who also wanted to enjoy the ambience of a restaurant.

I know some small retailers—and the members for Bragg and Peake referred to them—in some instances are doing it tough in terms of loss of revenue because smokers are now not having their coffee and snacks in their cafe because of the laws that have been introduced. When such laws are brought in they need to be handled sensitively and these are the points that the member for Elizabeth very adequately highlighted in her contribution. But all is not doom and gloom for these

business houses. At the end of the day the member for Peake, even in winter, will want to go to a restaurant to take a friend out or join friends for a meal. He will not want to stay at home closeted within his four walls, just smoking cigarettes and feeling ostracised at not being able to go out and enjoy himself in a restaurant, cafe or whatever. Ultimately, because he is a human being, he will want to interact with people and he will go out and go back to restaurants and realise that he will just have to take a heavier overcoat so that he can step outside to have his cigarette after his evening meal.

That is what he and those other smokers will come to learn, that they will accommodate themselves and enjoy it. I remember the days in offices when I used to be in the insurance broking business and ashtrays were on every desk. It was not that long ago that was the case and office workers smoked profusely during the day. When it was suggested that they would ban cigarette smoking in offices, it was suggested it would cause a loss of morale, greater absenteeism and cause some of the best staff to leave and go elsewhere so that they could smoke. In fact, none of those things happened.

What happened was that they accepted the fact that they had to go outside to have a cigarette. If anything, the non-smokers got more upset, and I know of one case when I was a union official. The staff of the Public Service Association put in a log of claims—and my union covered their staff—and the non-smokers wanted an extra two weeks' annual leave a year to compensate for the fact that they did not leave their desks to go outside for a cigarette 25 times a day. Someone had sat with a stopwatch and calculated the number of minutes each smoker took when they had gone outside to have a cigarette during the day while the non-smokers were at their desks working. They wanted to be compensated for the time that they spent at their desks compared with the smokers who spent their time outside polluting the air.

People accommodate themselves to those changed circumstances. I expressed reservations at the time the former Minister for Health brought in this legislation—it was a revenue raising measure, there had been little consultation and all the rest of it. My complaint to the then Minister for Health was the lack of consultation with those parties that were affected, not the principle. I believed in the principle and, accordingly, I have wholeheartedly endorsed what the Government has done in the sense of taking gradual steps in eliminating smoking in public places, as we have done in the workplace. This has been in place for a long period in public places, at the work site and so on and people have accommodated themselves, and when people now realise they cannot smoke in cafes and restaurants the same thing will happen.

However, I accept that some small retailers are doing it tough and they can lay the blame in part, not totally, at this legislation. If some small retailers are not blaming the pokies for their financial losses, they are blaming it on the fact that smoking laws have been introduced and that that is the reason for the downturn in their trade, when it is probably economic malaise or mismanagement at a local level that are more responsible for the financial concerns they are experiencing.

I conclude by saying that I support the legislation. It does not address all the problems of small retailers. The member for Peake has pointed out what he would see as inconsistencies and anomalies and, yes, they will need to be addressed over time. In essence, it is a very good declaration by this Parliament that we are gradually eliminating smoking in public places. It is a nonsense to suggest that there is no connection between lung cancer and cigarette smoking.

Mr Koutsantonis interjecting:

Mr CLARKE: I am not suggesting that the member for Peake suggested that, but I am saying that there are people in the community who still work for lobbyists and so on for cigarette companies. They say, 'Well, it is my right to choose to smoke cigarettes, it is not impacting on anyone else,' but it does in terms of our public health budget in respect of treating the people who abuse cigarettes and cause themselves substantial ill health in the health care system.

Mr Koutsantonis: What about drinking?

Mr CLARKE: The member for Peake refers to drinking alcohol. Yes, I plead guilty to drinking moderate amounts of alcohol as do a significant number of other people. Indeed, moderate drinking is beneficial to the health. Of course, if you abuse any substance, you are likely to cause yourself long-term health injuries and as a consequence we have laws and severe penalties that deal with those issues. In fact, if you abuse substances such as alcohol or drugs and are found guilty, then you pay a price. The issue is that this is a measure by the Government to correct some of the anomalies introduced, which could have been sorted out when this legislation was first introduced at the end of 1997 had the then Minister for Health taken the time and the trouble to discuss more fully the impact of the legislation that he was considering with the various stakeholders. He chose not to do so, but the Government at least is now attempting to correct in some small way that particular oversight and I commend the legislation to the House.

The Hon. DEAN BROWN (Minister for Human Services): I thank members for their contribution to the debate. I would like to touch on a number of the issues raised. First, the shadow Minister for Health, the member for Elizabeth, raised the issue that there should be a review of the exemptions granted. The exemptions are granted for three years and so there will an automatic review after three years. She also advised me of the letter from the Restaurant and Catering Association. I have had discussion with Ms Ainslee Hooper. We have been through the issues. Most of the issues are administrative issues. Some of them do not clearly come under the responsibility of the Government, in particular people who go outside to smoke and then do not come back to pay their account. That was occurring before this legislation. I had heard of people doing that beforehand. It is still occurring. That is a matter for those restaurant owners, managers and, if need be, to call in the police and take appropriate action. This is not the only area where this occurs. It occurs with petrol stations with the sale of petrol and things such as that.

As I said, the issues are mainly administrative and Ms Hooper has agreed to talk with the department to work through a number of those issues. In relation to the tarpaulin or marquee, clearly if the sides are down and the area is enclosed, then you cannot smoke: if the sides are up, then you can. I think the legislation is quite clear on that.

Mr Koutsantonis: That makes all the difference.

The Hon. DEAN BROWN: It does and the legislation is quite clear on that. Smoke will not go through the walls of the marquee, Parliament House or any restaurant. It is ensuring that people are not forced to smoke. I might add, though, that most events held in marquees are events by invitation, private events, and the legislation does not apply to private events. However, if the honourable member is talking about marquees that might be set up adjacent to a hotel, or something such as that, then, if the sides are down and the area is enclosed and the smoke cannot escape, you cannot smoke,

but if the sides are up the smoke is dissipated very quickly into a much broader atmosphere and you can smoke. I think the legislation is quite clear in that regard.

That deals with most of the issues. The Restaurant and Catering Association personnel are talking to the department. They will then meet with their members and come back to the department and, if need be, they can come back to me. They were happy with that process. The member for Peake raised the issue of the inconsistency; that is, we are not banning smoking in private places. I am not quite sure whether the honourable member was advocating that we should now be moving to ban smoking in private places. The issue that he seems to ignore—and I realise that he talked about a private car, which is a private place, or a private home which is a private place—is that a restaurant or a dining room is a public place, and that is the difference.

We want to ensure that anyone can go into a public place, have a meal and not have to put up with cigarette smoke from other people. I would urge the member for Peake to read the report on passive smoking from the National Health and Medical Research Council. I urge him to read that report, because I think if he did so he would immediately give up smoking, if for no other reason than he would no longer want to inflict his cigarette smoke on other people.

An honourable member: Definitely not in Parliament House.

The DEPUTY SPEAKER: Order!

The Hon. DEAN BROWN: He should also look at the stark reality—the fact that something like 30 per cent of all cardiac disease is caused by smoking; 30 per cent of all cancers are caused by smoking; 20 per cent of all light births are caused by smoking.

Mr Koutsantonis: What about alcohol?

The Hon. DEAN BROWN: I suggest that the honourable member look, because there is nothing that says that a glass of red wine causes anywhere near those sorts of effects. In fact, doctors are now recommending up to 250 mls of red wine per day as part of your diet, for those who wish to, as one way of reducing cholesterol levels and cardiovascular damage. So, there is a significant difference. I am highlighting the enormous damage that is done through cigarette smoking and, if you are not a smoker, by passive smoking. That is what this is about. This amendment does not in any way dilute the basic principle: that is, in South Australia where we have public dining out we want to make sure that people can dine out without having to put up with the smoke of smokers in that same area. So, this amendment ensures that licensed and unlicensed premises are treated on an equal basis. I ask members to support the Bill.

Bill read a second time.

In Committee.

Clauses 1 and 2 passed.

Clause 3.

Mr HANNA: I certainly do not have any quarrel with the principle of the Bill, because tobacco consumption is clearly a health issue and the aim of the Bill is to avoid harm not only to those who partake of this drug but to those who are around consumers when they use it. My concern is in relation to the commercial interests of cafe owners and similar sorts of establishments. In particular, I have been contacted by some tenants of the Westfield Shopping Centre at Marion who will be, and who have been, severely affected by the new regulations which came into force in January.

I refer to the sort of establishment where there might be anywhere between four, eight or 12 tables in a row in a coffee shop with a counter down one side, tables down the other and a drinks fridge up the back—that sort of situation—where it has been very common for the workers in the entire shopping centre to go for a smoke before and after work. In fact, among the busiest times in these sorts of cafes are the 8 o'clock to 9 o'clock period and the 5 o'clock to 5.30 period, where the customers are not so much customers in the shopping centre generally but, in fact, other workers who are going there for a smoke before work, to start the day with a cup of coffee and a smoke, or who are waiting around for someone to pick them up or to catch a bus after work, and they will sit in the coffee shop and have a smoke and a drink of some kind. Why has the Government not catered for those sorts of shop owners in drafting this legislation?

The Hon. DEAN BROWN: With respect to people such as this, I cannot stand here and make judgments about what is occurring in a particular shop. It is up to the departmental officers to go out, look at the circumstances, make some judgments and then decide whether or not an exemption can be granted. The important thing that the honourable member should realise is that, up until now, those particular premises have not been able to apply for an exemption, so they have been unfairly disadvantaged. Under this amendment, they will now be able to apply for an exemption and then that sort of assessment can be made by the departmental officers.

I believe the important point is that we do not want to water down the principle that where people are eating we should not have smoking. That is the principle. Then we will judge each case by its merits as we go through. I will not comment on this person's particular case; it would be inappropriate to do so, because next thing he will be saying, 'But with respect to this particular place you said. . . '—this or that. I have not even seen it. But I stress the point that we are putting everyone on an equal footing—the licensed and the unlicensed premises—and we have this basic principle involved that we do not want people smoking where meals are being consumed. That is the principle upheld by this legislation. It may well be that these people can now apply for an exemption and be granted one—some basic principles, but still they have to be worked through.

Mr HANNA: I ask the Minister, then, about the specific process for obtaining an exemption. Presumably, forms of this kind will be made available to shop owners. When they send them in, is it necessarily the case that an inspector from the Department of Human Services will attend the premises, and is it the intention of the Minister for inspectors to check up on these premises on an ongoing basis to see if, in fact, smoking is taking place in areas that have not been the subject of an exemption?

The Hon. DEAN BROWN: There are standard forms already available to apply for an exemption for licensed premises, and similar forms will be available for unlicensed premises once this legislation is passed. It does involve a visit by a departmental officer to look at the premises and discuss what is proposed by the owner or manager of the premises. The Government will continue to police overall the legislation and to identify where it is being breached. That includes both exempt and non-exempt areas.

Mr HANNA: My third question is in relation to the possibility of exemptions being granted on a time basis for particular areas. In the context of the Tobacco Products Regulation Act as a whole, clearly, this Parliament and our community are saying that this is a legal drug and we are only restricting some of the circumstances under which the drug can be consumed. That being the case, why can a shop owner

not apply to the Minister for an exemption, for example, between 8 a.m. and 9 a.m., and say, 'We will not have any area where meals are provided during that time. We will not serve breakfast to people, but we do want people to come in for a coffee and a cigarette.'? Why can shop owners not apply for an exemption on that basis? It will not offend the principle of innocent bystanders, so to speak, being affected or contaminated by cigarette smoke. In premises such as that, if that sort of exemption is possible, it will be quite clear to potential customers that if they go in there they are exposing themselves to cigarette smoke inhalation. So, why can that not be possible? Why can that not be built into this scheme?

The Hon. DEAN BROWN: I draw the honourable member's attention to the original Act, which allows the Government to fix conditions that apply to any exemption. Those conditions include the display of a sign; the installation, operation and maintenance of ventilation and air-conditioning equipment; and the maintenance of a bar or lounge area as a distinct area, separated by at least 1.5 metres from an area, and that could include a time restriction, as well. However, there must be care in that regard. You cannot serve food, even over a counter, and have smoking at the same time. So people have to make a choice.

I also point out that under 'licensed premises' there is scope in a single room licensed premises for a time restriction to apply whilst meals are being served, or when meals are not being served. Section 47(3)(c) refers to 'licensed premises consisting of or including only a single enclosed public area (not the subject of an exemption under paragraph (b)) while meals are neither available nor being consumed in the area'. That is available regarding a licensed premises. There is a separate area that allows us to set conditions that apply to an exemption for a non-licensed premises, and that could be a possibility. I am not saying it would be.

Mr KOUTSANTONIS: If, for example, a licensed premises such as a restaurant that trades publicly hires its entire premises for a private function to one group who wants it to celebrate a wedding or a birthday, is it still required to enforce the non-smoking rule while serving meals?

The Hon. DEAN BROWN: Technically, this deals with the original Act, which has already been passed. I am not required to answer this, because members normally ask questions not about the principal Act but about the amendments before the Committee. This clause has nothing to do with licensed premises for private functions. Under the principal Act (page 24), it does not apply to private functions.

Ms STEVENS: I understood the Minister to say that, wherever an unlicensed cafe serves a meal, it will not be able to allow smoking unless it can get an exemption. The definition of 'meal' is 'a genuine meal eaten by a person seated at a table'. What about people who sit on stools at a counter, as may happen in a delicatessen?

The Hon. DEAN BROWN: We will have to make that judgment as we see each case. The majority of people sit at tables, chairs, and so on. The principle is clear, and it is the principle that we will continue to uphold. If we find people breaching the principle, we will move further amendments to make sure that that cannot be done. If someone is trying to split hairs between what is a stool, a table and a counter, we will eventually stop them.

Clause passed.

Clause 4, schedule and title passed.

Bill read a third time and passed.

CONTROLLED SUBSTANCES (FORFEITURE AND DISPOSAL) AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 17 February. Page 803.)

Ms STEVENS (Elizabeth): The Opposition supports the Government's Bill, which seeks to amend the Controlled Substances Act to allow the forfeiture of property used in connection with drug offences and to provide for the immediate disposal of controlled substances and dangerous materials, including hazardous chemicals often used in the manufacture or production of illicit drugs. Essentially, as the Minister pointed out in his second reading explanation, these amendments have been brought forward as a result of the current forfeiture provisions that are found in section 46 of the Controlled Substances Act, receiving judicial scrutiny in two cases where it was determined that the provisions of the current Act provide only for forfeiture of illicit drugs and items such as syringes which have been the subject of the offence. If somebody is guilty of an offence and has returned to them the property they used to grow the drug or to manufacture it chemically, that could enable them, if they so chose, to do it again, or they could pass it onto somebody else who could use it for the same purpose. That is clearly not acceptable. We support the Bill and are happy to see it pass.

Mr HAMILTON-SMITH (Waite): I support the Bill and underline the importance of our taking firm and direct action on drug abuse, drug trafficking and organised crime behind drug trafficking. It is purely pointless for us to attempt to protect the youth and families of the country without introducing measures that enable us to confiscate the equipment being used to manufacture drugs of abuse. This Bill seeks to do that. It introduces a range of measures that are vitally important to the war on drugs, and it will empower the police and Government agencies to better protect all victims of drugs and organised crime. I am sure that a number of members in the House will support the Bill with enthusiasm. It links in very closely with the Federal Government's Tough on Drugs policies and with the State Government's determination to do all it can to protect the community from marijuana, in particular, and other substances.

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

Mr SCALZI (Hartley): In supporting this legislation, I commend the Government and the Minister for the introduction of such a measure. There is no doubt that illegal drugs are a scourge on our society, and one only has to look at the daily papers to see the damage that they are doing to our young people. We can have all the rehabilitation, we can have the health authorities behind us, and we can have all the commitment of the police to apprehend criminals, but if we do not have the consistency and the measures to ensure that we cut supply then we are not going to be successful in dealing with the drug problem.

There are two aspects of the drug problem: first, the demand for drugs, which could be as a result of all sorts of problems with the person who is taking the drugs and, secondly, the people who supply them. I commend the measures that are taken in this amendment which allow the forfeiture of property used in connection with drug offences and provide for immediate disposal of controlled substances

and dangerous materials including hazardous chemicals often used in the manufacture or production of illicit drugs.

There is no question that the law as it stands is not capable of dealing with the problem, and section 46 of the Controlled Substances Act 1984 provided loopholes which enabled people to continue to produce these dangerous substances. That was reaffirmed by the decision on 1 May 1998 in the civil action of *Record v State of South Australia* Action No. 97/2760 where the court ordered the return of hydroponic equipment which had been used to produce cannabis.

We all know that hydroponics can be used in the production of fruit and vegetables and that it has a place in industry. However, there is no question that the illegal use of such equipment in order to produce substances endangers the wellbeing of our society. This amendment will ensure that such materials used in the production of drugs will be confiscated. This is a broader decision than just hydroponic equipment because it is not the only equipment used in the production of drugs. It will cover the equipment that produces amphetamines, Ecstasy, PMA and Fantasy, drugs which have been responsible for a number of fatalities.

As I said earlier, one only has to read the papers to realise the problems that we have. This laboratory equipment must be confiscated if it is proved that it has been used for illegal activity. The Bill is clear. We need such provisions. I commend the police for the good work they do in order to apprehend criminals who involve themselves in the production of illicit drugs, and I commend the various health authorities and the rehabilitation organisations that try to help those who are unfortunate enough to get involved in the culture of illegal drug use. Hopefully with such legislation and the provision to allow the police to deal with this problem we will move a step closer in making sure that we reduce the impact of drugs on our society. I support the Bill.

The Hon. DEAN BROWN (Minister for Human Services): I thank members for their contribution to the debate tonight. This Government wants to take a strong stance against the illegal production or growing of any illicit drugs. Whilst it has been an interesting debate in recent times over whether or not certain treatments should be available for heroin, the one issue I have always maintained is, in addition to that, a strong stance against those either importing, producing or attempting to grow illicit drugs. There is no doubt that we need more effective legislation to ensure we can apprehend them and apprehend the equipment used to produce or grow drugs. That is what this is about.

With a select committee of the Parliament that is looking at various treatments for heroin addicts also sitting at this time, it is appropriate that we be putting through this controlled substances legislation. Regulations are coming through for controlled substances also. They are in the process of being drafted and I expect them to be formally gazetted and tabled in the near future. I thank members for their support of this legislation. I am sure that as a result of this we will have yet another tool to use to ensure that we can more effectively combat the production and growth of illicit drugs.

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

SUPPLY BILL

(Second reading debate adjourned on 2 March. Page 914.)

Bill read a second time.

The Hon. D.C. KOTZ (Minister for Environment and Heritage): I move:

That the House note grievances.

The Hon. M.D. RANN (Leader of the Opposition): In January I visited the United Kingdom to discuss a range of matters with the Blair Government. I was particularly interested in what the Blair Government is doing in terms of industry policy and regional development policy. The Blair Government has been marked by its interest in devolution, giving essentially State Government-type powers to Scotland and Wales with their own Parliaments, but also devolving a series of responsibilities at the regional level in a partnership with the private sector and local government.

I will certainly be talking about some of these ideas from these regional development strategies in terms of industry and economic development in a future speech. All of us are concerned about the problems we are seeing in regional and rural South Australia. As a frequent visitor to the Spencer Gulf cities of Whyalla, Port Pirie and Port Augusta, for a long time I have been advocating British style enterprise zones giving a range of special incentives to industry estates in those centres in order to try to kickstart some growth. It is something I intend to push. Also, apart from those State Government incentives I would like to see, for instance, a 10-year exemption from payroll tax, stamp duties, land tax, local government rates and a range of other concessions. We would also like to see the Spencer Gulf being given the same kind of Commonwealth tax exemptions and opportunities as have been provided by the Howard Government to the city of Newcastle following the downsizing there of BHP operations. Many of the same issues apply in South Australia and Spencer Gulf cities. Of course, in Whyalla we had the downsizing of BHP and in Port Augusta the downsizing of ETSA and the consequences that flowed from the privatisation of Australian National.

Whilst I was in Britain I also visited the House of Commons for discussions on the issue of child migrants to South Australia. This follows a promise I made to a daughter of a child migrant who came to my office at Parliament House and asked me to take up the plight of thousands of British children and their descendants who were sent to Australia as orphans up until 1967. Frankly, I was deeply shocked by what I heard and read about the issue in a number of publications, including an excellent book on the subject. The lives of many of these children were a litany of sexual and physical abuse and neglect in camps, homes and institutions—including some religious institutions—with particular reference to the testimony given about a number of institutions in Western Australia.

It is certainly a shameful episode in both Australia's and Britain's history and it is interesting that the report that came out on this issue followed the lost generation inquiries and Royal Commission in South Australia affecting Aboriginal people. In London I met with David Hinchcliffe MP, a Labor member of Parliament and a former Labor shadow Minister of Health who chaired the special investigation and the House of Commons select committee into the welfare of former British child migrants in Australia, New Zealand, Canada and elsewhere. That report, which was published last year, describes how the history of child migration in Australia in many cases is a history of cruelty, lies and deceit.

The report says that the investigating team were left in no doubt that hardship and emotional deprivation were the common lot of child migrants and that cases of criminal abuse

were not infrequent. I was certainly impressed by David Hinchcliffe's commitment to ensuring assistance and support for child migrants and their descendants. Mr Hinchcliffe shares my concern that the issue is not receiving the public prominence it deserves in either Britain or Australia. Because of this there are many Australian victims who are not aware of available assistance and support, such as accessing a travel fund to allow them to visit Britain to make contact with natural parents or relations, sisters, brothers, mothers, fathers, or to gather information about their family history.

There is also a real problem in terms of assembling a complete central database to assist victims and their descendants and trace their family trees. I understand that New Zealand, in a bipartisan way, has been very quick to cooperate with British authorities to give extraordinary assistance to victims who were sent to New Zealand. I gave an undertaking to Mr Hinchcliffe to raise the matter in the South Australian Parliament and to approach Federal and State Governments. In South Australia, I am certainly keen to raise the issue with the Minister for Human Services, who is in the Chamber, for assistance in making available all relevant data held by South Australian Government agencies for inclusion in the central database.

The plight of our stolen Aboriginal children is horrendous but is at last starting to receive the attention it deserves. Unfortunately, the same cannot be said of the plight of migrant children and their descendants, who, despite sporadic bouts of publicity, remain the 'forgotten children'. I ask with sincerity that the Minister for Human Services, who I am sure is as concerned about this issue as I am, provides all the assistance of his department in South Australia to help develop a useful database for migrant children and their relatives. I urge all those who wish to gain more information about this issue to read the excellent book *Empty Cradles* written by British social worker Margaret Humphreys, which tells the story of these children in a powerful and haunting fashion.

That book, like the report presented to the British Parliament by David Hinchcliffe, provides an absolute indictment of government and institutional action and inaction over generations. The true stories of horrendous sexual and physical abuse and neglect I believe would shake anyone who read this book and certainly both the book and Mr Hinchcliffe's report make out a compelling case for action. I certainly urge all migrant children and their descendants to take up the offers of assistance in locating and visiting relatives in Britain, and I trust that this will, at least in some small way, assist in the healing and finding of self which many of the thousands of victims need and deserve—and I will certainly be addressing this issue in the future.

During my visit overseas I took up the kind invitation of the United Arab Emirates Ambassador to Australia, His Excellency Khalifa Bakhit Al-Falasi, to visit his country. People would be aware of course that the UAE Ambassador has only been recently appointed to Australia in the last year or so, and indeed over the past 18 months has been largely responsible for more than doubling the amount of trade between Australia and the United Arab Emirates, which of course is now worth up to about $1.23 billion in trade. I am very concerned that we in South Australia must take every opportunity to take advantage of the economic boom that is occurring in the United Arab Emirates.

The United Arab Emirates is essentially an entrepot port to the Middle East and the Moslem world. It is a place which many countries export to and goods are then re-exported to a range of Middle Eastern nations. The United Arab Emirates, in many ways, is becoming the Singapore of the Middle East and the Moslem world. Of course, for many years, the United Arab Emirates has relied on its oil, but is now in fact heavily investing in education—and I visited several of its universities—and also investing in high technology and manufacturing.

The United Arab Emirates is very keen to establish much closer relations with South Australia, and I know that several companies have established factories in the United Arab Emirates, including Clipsal. The hospitality shown to myself and my staffer, Peter Chataway, was most generous and is appreciated greatly. It certainly contributed to my having a much greater awareness and interest in the opportunities afforded by the United Arab Emirates to trade and economic development between our two countries.

Indeed, the United Arab Emirates is keen to establish an investment fund to invest hundreds of millions of dollars into joint ventures with Australian companies. It is vitally important that South Australia takes advantage of that opportunity and that relationship. I would also like to pay tribute to His Excellency's colleague Mr Nizar Joudah, who also showed us great hospitality and kindness. I greatly appreciated the assistance Mr Nizar Joudah gave to us during our visit. While in the United Arab Emirates we visited three of the Emirates, with much of our visit centred on Dubai. Certainly the United Arab Emirates was most impressive and it became clear to me that Australia, and South Australia in particular, have not been maximising our trade opportunities with this nation.

I would like to see greater educational ties between the United Arab Emirates and South Australia—and I was delighted to hear that, in fact, one of the Ambassador's own children will be attending university here. I would also like to see scholarship schemes arranged to ensure that students in South Australia get the chance to study in the United Arab Emirates. Exchanges of teachers, personnel and students can only benefit both our nations.

I am sure that, with an ambassador as dynamic and trade focused as Mr Al-Falasi, the United Arab Emirates will continue to present itself strongly as an opportunity for increased trade. As far as South Australia goes, I believe that we are in an ideal position to offer a wide range of educational opportunities both in assisting the UAE's already excellent universities and attracting UAE students to our safe and academically excellent environment. At some stage it would be terrific to see a centre for middle eastern studies established here in South Australia.

I would also like to record my thanks to Sultan Ahmed Al-Habtoor, Khalaf Ahmed Al-Habtoor, Khalid Bin Hadher, Muhammad Abdul Hafeez and 'The Professor', all of whom gave us a remarkable insight into Arab culture. I would also like to thank Ms Adrienne Schaefer from Emirates Airlines for her assistance and advice.

We visited the United Arab Emirates during Ramadan, which gave us the unique opportunity to observe and participate more fully in cultural life in the United Arab Emirates. It is perhaps the only time in my life where all the business has been conducted at night. The integration of culture, business and religion is extensive and the population in Dubai, in particular, is multicultural in character, largely because of the massive number of expatriates. Dubai has been hugely successful in shifting from an oil-based economy to a highly diversified trading centre to the extent that it is now seen as the major trade hub for the region. The architecture

of the city and surrounding areas is truly magnificent and a credit to the urban planners, and the universities we visited certainly were spectacular, both in their buildings and design and also in their course offerings. Again, I thank His Excellency the Ambassador for his kind invitation and his generous hospitality.

Mr HILL (Kaurna): Last night in my response to the Supply Bill I made some comments about the Electoral Act and, in particular, the fairness principle that was placed in the Act in 1991, which has now had a couple of terms to run, and I said that that fairness test is failing us for a number of reasons, particularly because it has not guaranteed fairness. In fact, as I said last night, if in the last election result the Labor Party had received 1½ extra points it would not have won Government because it would not have won a majority of seats and, therefore, the fairness test which had been put in place to ensure that that outcome did not happen in fact would have failed.

I also made the point that the fairness principle means that electoral boundaries are redrawn after every election, and that has caused great disadvantage to electors who are moved from one seat to another on a four yearly cycle. I also said that that fairness test has basically meant the end of community of interest, which means that communities have been divided across suburbs and in a way which is detrimental to electors.

The other point which I did not get to make which I would like to address now is that I believe the fairness principle has produced a culture in the Electoral Commission which, in fact, has the potential to reward bad members of Parliament and punish good members of Parliament. I say that because, clearly, the Electoral Commission in its last piece of work has decided that a certain number of seats should be kept below a margin of 5 per cent. If one looks at the way in which the pendulum has been constructed, it clearly moved some Liberal seats to below 5 per cent and some Labor seats below 5 per cent. I guess its theory is that, if you get a whole lot of seats that are fairly marginal and if there is a shift of opinion, you are likely to change Government, and I accept that logic.

The fact is that local members who work their seats very hard and get above the 5 per cent margin by dint of hard work are likely to be punished and brought down below the 5 per cent margin, whereas other members in marginal seats who do not do a scrap of work and ignore the electorate and who are already below 5 per cent will not be punished—in fact, they may well be rewarded and have something added on to make them more or less equivalent.

I think that is a bad result in practice and in principle. It really sends a bad message to members and to the general public. I believe that the whole Act should now be evaluated. I would like to see some process through this Parliament. Perhaps a select committee or one of the standing committees could look at the issue of the Electoral Act and at how the fairness principles work in practice to see whether there might be some way of modifying it. I would like to see primacy given once again to the notion of community of interest. Perhaps fairness should be one of the qualities that is considered, but it should not be the dominant one because, as I say, it has not succeeded in producing fairness and it has a whole lot of other deleterious consequences.

In addition to those comments about the Electoral Act, I shall refer to the Legislative Council. For some time it has been Labor Party policy to abolish the Legislative Council. I appreciate the smiles on the faces of members opposite, because I know that a great number of members opposite agree with Labor policy on this matter but, unfortunately, they do not seem to have the strength of their conviction when it comes to talking in the House about this issue. Certainly, it has been the Labor Party's position for a long time that the Legislative Council should be abolished. I know at the moment that the Government would love to see the Legislative Council abolished, because then it could enact its prized piece of policy making. The Government will certainly not get it through on the current construction of that Chamber.

Conservative people in the community say that it is important to have a Legislative Council, a second House of Parliament, because of the idea of checks and balances. It can moderate the more rash and outrageous decision making of the Government of the day, and that has certainly been the practice in the past. One cannot think of a more extreme example than the one we have at the moment. The Government of the day wants to make a very rash decision, namely, to sell off ETSA, having promised at the previous election that it would not do that. The Upper House is using a mechanism to provide the checks and balances by saying, 'No, you cannot do it; if you do want to do it, go to the people; have a referendum.'

Mr Hanna interjecting:

Mr HILL: Or an election, yes. Does the Government want that? It says, 'No, the majority in the Upper House should bend to the will of the Government of the day. Forget about checks and balances; just allow this piece of legislation to pass.' If that is the case, if the Upper House were to bend on every occasion that the Government of the day wanted something to get through, why bother having an Upper House? There is no point in having it there, especially with something like ETSA. It is a very big proposition that the Government is putting to the Parliament.

The Government lied to the public when it said prior to the election that it was not going to sell ETSA. If you want the Upper House to pass that piece of legislation, you may as well not have an Upper House; you may as well just get rid of the institution, because that will be the supreme test. If you are going to buckle to the Government on the issue of ETSA, you may as well not bother in any other case. So, the Government can mount a very good case for abolishing the Legislative Council, because if it does not believe it should interfere on the issue of ETSA when would the Government want it to interfere?

The Hon. D.C. Kotz: I thought the Caucus was the problem—not the other House.

Mr HILL: No, there is no problem in Caucus; we are united. If the Government wants to sell ETSA, I suggest that it remove the Upper House. We would certainly support that. We would not like to see ETSA sold, but we would certainly accept the principle that, if the Government of the day has the majority in this Chamber, it should be able to have its way and sell ETSA or anything else. It is probably unlikely that a referendum to abolish the Upper House would succeed, so I shall make a suggestion about how we might modify the Upper House in a way which would allow it to fulfil some of its role as a House of Review but also not block the Government of the day.

Clearly, we could model the Upper House on the House of Lords. I mean not in the sense of peerages and the like but of the powers that the Upper House could be given. It could be given the right to review legislation and delay for a period of time—say, six months or even 12 months on certain

measures—but then, if it is passed again by the House of Assembly, it should be passed automatically. You could go even further than this and ask, 'If you allow that kind of review, why not get rid of the whole electoral structure of the Upper House?' It be would interesting if we decided it should be an apolitical forum, and we rid it of its Party politics and the full-time permanent members of Parliament and had a forum of, say, 50 or 60 people, all elected each four years. They would require a small percentage of votes, so we could get a broad group of people from the community, the composition of which would start to resemble the House of Lords. They could speak, talk and debate, representing the broader interests of the community as much as they liked. However, at the end of the day, when it came down to it, we would all know that they would have to pass the legislation.

Mr Hanna: Like a focus group.

Mr HILL: A big focus group that could get paid only if they turned up and it could meet only a few times a year. I understand that the Senate in Ireland is roughly based on that principle. It has only minimal powers to hold up legislation, and certain interest groups in the community get to appoint senators to it so that a broader range of interests can be considered in that Chamber. I commend that idea to the House as well. Rather than being just a strong suggestion, it might be sensible for both the Government and the Opposition of the day to be able to appoint members to the Upper House for a period so that if, for example, a Government realised that it needed a lawyer in its ministry, it could place an outstanding lawyer in that Ministry by appointing him or her for, say, a four year term. They could do their job, and then go back to the law without having to go through the dirty business of politics which some people find so difficult. The Legislative Council could be retained but modified in a way that would make democracy work better.

In my remaining time, I say to any decision makers on this and the other side of the Chamber: whatever you do, tell your Treasurer and your Premier that the suggestion that public funding for election campaigns should be introduced into South Australia is a good idea. You should support it, because it aids democracy. As a Party secretary, I know that it is an unseemly business when you have to go around begging for donations.

Mr KOUTSANTONIS (Peake): I do not agree entirely with my comrade the member for Kaurna. However, I agree that we need to dispense with the Upper House. I have no problem whatsoever with the Government of day being able to pass legislation on whatever policy. This Government should have gone to the people saying, 'We will sell ETSA. These are the reasons we want to do it. We will detail our policy. We are saying that the competitive network will not make ETSA profitable in three or four years. This is why we want to sell it.' If the Government had done that, we could have put forward an alternative argument and had a debate about the pros and cons of selling ETSA. If the Government had surprisingly won the election, I am sure the Labor Party would have conceded its mandate to sell ETSA and allowed it to do so—much to our displeasure.

I am committed to keeping ETSA in public hands; in fact, I campaign very strongly to keep ETSA in public hands. The people of South Australia have not given the Government a mandate to sell ETSA, and the new tax—that is right, a tax—which the Government intends to impose on the people of South Australia is nothing more than blackmail. What a disgraceful situation we have. The Government of the day is a minority Government; it did not win overwhelming support from the people or a mandate from the people whom it governs, and it needs the support of the Independents. It is disgraceful that the Government has come in here now and used public money to sell its policy on ETSA which it did not take with it to the polls a year ago and say to the people of South Australia, 'These are your options: you can't keep ETSA; that's out. You must sell ETSA and, if you don't sell ETSA, we will tax pensioners and ordinary families. These are the only options you have.' But to use public money, taxpayers' funds, to enable the Premier to appear on television to try to sell his agenda is a disgrace. It is undemocratic.

How dare this Government use taxpayers' money as political funding to produce political advertisements. It is absolutely disgraceful. Shame on the Government. As far as I am concerned, those advertisements should be authorised by D. Piggott, Greenhill Road, Unley. They are nothing more than Liberal Party propaganda, but they will not help. The member for Unley is sitting there with a huge grin on his face. This will not help you. The people of South Australia will see right through this. They know exactly what it is: it is nothing more than blackmail.

I want to talk briefly about the republic issue. I read the results of a poll in the *Australian*, either today or yesterday, which indicated that an overwhelming majority of Australians want to see their President—or whatever he or she may be called—elected by the people. I feel that this is—

The Hon. M.K. Brindal interjecting:

Mr KOUTSANTONIS: I did. I believe that a few people are making mischief, not only in South Australia but across Australia. A few constitutional monarchists want to see the republic fail. They are tapping into a misunderstanding by the community about what it means to elect a President.

The Hon. M.K. Brindal interjecting:

Mr KOUTSANTONIS: You're a fool; I know that.

The Hon. M.K. BRINDAL: I rise on a point of order, Sir. The honourable member referred to me as a fool; I do not think that is parliamentary.

The SPEAKER: The honourable member could improve the tenor of the debate by withdrawing that statement and perhaps rephrasing it in a slightly different way.

Mr KOUTSANTONIS: I withdraw the remark. The member for Unley is not a fool. Fools can do much better. Mischief is being made by people who support the constitutional monarchy. They know that overwhelmingly Australians support an elected head of state, but I do not believe that many Australians understand what that will mean. It will be similar to the Governor or Governor-General of the day having a mandate to govern. As we know, the Governor and the Governor-General have extreme powers under the Constitution. I believe that Ministers serve at the Governor's pleasure. Bills are passed with his assent—

The Hon. M.K. Brindal interjecting:

Mr KOUTSANTONIS: You are not even in Cabinet. If you were in Cabinet you could talk to me about it. You are allowed in only every now and then.

The Hon. M.K. BRINDAL: I rise on a point of order, Sir. I thought it was customary in this place to refer to members by their titles or by the seat they represent, not 'you'. 'Ewe', as far as I know, is defined as a female sheep.

The SPEAKER: I must uphold the point of order if that was the case. I was distracted slightly but members must refer to each other by their electorates or titles.

Mr KOUTSANTONIS: Thank you, Sir. We could have the absurd situation where, for example, President Brindal is the elected head of Australia and a Labor Government is elected with a majority of seats in the House of Representatives. We could pass legislation but the President could refuse to sign it by saying that he or she was elected on a mandate opposing that piece of legislation. You would then have the Parliament and the head of state at odds.

The Hon. M.K. Brindal interjecting:

Mr KOUTSANTONIS: It is if he or she is elected. That is the problem with an elected head of state. The Governor-General or the head of state would have a mandate to govern, or they would be perceived to have a mandate. When the United States established its presidential system, it never intended its President to be in a political position. If one looks back into the history of the United States and the eighteenth century when candidates for the Presidency actively campaigned, one realises that it was seen to be beneath an incoming President to campaign for the position. In fact, during one election the incumbent President, whose name I have forgotten, did not campaign at all. His opponent visited every State, held whistlestop tours and was beaten in a landslide because the people believed it beneath a President to campaign.

Members interjecting:

The SPEAKER: Order! The Minister will come to order. The member for Peake has the call.

Mr KOUTSANTONIS: Thank you for your protection, Sir. I know it is often difficult to keep members such as the member for Unley in line. I believe passionately in a republic. I think it is something that Australians need and deserve. It worries me that a few people, probably on Government benches and a few conservative people in the media and in positions of prominence in South Australia and elsewhere, and including our Prime Minister, want to see the referendum fail. I think the Prime Minister is being very tricky with his argument on the preamble; I think he is trying to confuse as many Australians as he can. He is trying to harness Australia's natural conservatism against change. Australians by nature do not like change. I think the Prime Minister realises this and is trying to tap into it to make sure that the republic fails.

This to me is a sign of the weak leadership we have in Canberra right now. Although former Prime Minister Paul Keating might have made some mistakes and his leadership might have been a bit aloof and arrogant, at least we had leadership at that time. We had a Prime Minister who had a direction for Australia and believed passionately in the rights of ordinary Australians. He believed that Australians could govern themselves and have an effective head of state who lived here, that is, a resident for President.

This current Prime Minister, who is very conservative in his views about the monarchy, I believe wishes to keep the current system and is using Australia's conservative beliefs to stop this. That is why I believe we will have to work together to make sure we can overcome this argument, because the way things are going I believe the referendum will fail. I cannot see the referendum getting up unless the question on the ballot paper is rephrased or the option to have the President elected is removed. As soon as Australians hear that their politicians will chose their President, they will not like that; they will vote against it. They will vote for a President they can elect, but of course they are not given that option on the ballot papers, so they will vote down the referendum. I think that will be the greatest tragedy we will have faced in the latter half of this century. The republic is so precious and we have fought for it for so long that it will be a shame to see it disappear because of conservatives such the member for Unley who wish to see the republic fail as they are recalcitrant. But that is another issue.

I will be fighting passionately for the republic, as I will be fighting passionately to stop the sale of ETSA. Having spoken to a few people today about the so-called 'Olsen tax' that is being imposed upon South Australians, I would have to say that people will see through this tax. They will see it for what it is—blackmail. It has been tried in other countries when an unpopular Government with an unpopular leader has tried to impose an unpopular decision onto Parliaments and failed, and unpopularly has imposed a tax and failed. In the next election I am sure the people of South Australia will give you their verdict on what they have thought of your Government in the past three years: we will see the member for Light disappear from this place, and the members for Unley, Hartley and Colton gone. I am sure there will be a Democrat in this House as the member for Waite after the next election.

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

Mr WRIGHT (Lee): Yesterday I had the opportunity to make comments about racing and tonight I will make a few comments about a couple of other portfolio areas for which I am responsible on this side of the House. I will make a brief contribution about tourism. In doing so at the outset I express the appreciation and congratulations of members on this side of the House to Bill Spurr on his appointment as Chief Executive Officer of the Tourism Commission. We would envisage and hope that this brings some stability to the commission, and I might say that, if it had been left to us, Bill Spurr would have been appointed well before now. Notwithstanding that, Bill Spurr will bring a lot of commonsense to the Tourism Commission. He has a lot of experience and a good grassroots feel. In addition, having spoken to a range of people in the tourism area over a number of months, I am sure Bill Spurr has the confidence of the tourism industry, and that is very important. I am sure Bill will work very well not only with the board but also with the practitioners out there at the industry level; that is essential.

About three chief executive officers have been tipped over by this Government in very short succession. Tourism in South Australia very much needs some stability and commonsense, and we need a person who can work well with the people in the industry and with those in the Tourism Commission. I wish Bill Spurr every success and I look forward to him taking tourism to another level in South Australia.

Tourism is a critical component of the South Australian economy so it is very important that we support all the various players in that industry. It is essential that we get all the ingredients correct if we are to maintain and, hopefully, increase our market share in tourism. I note with great satisfaction that Major Events has been playing a significant role in that area. I acknowledge all the good work that has been done by that unit in the field of tourism. In South Australia we can do it like no other State can, and we should be very proud of the whole broad range of major events which we have competed for, which we have won and which we have held very successfully over the last 18 months or so. Of course, the Sensational Adelaide 500 is coming up in April, and there are other events as well. That is our next

major event and I am sure that South Australians will support it in great style.

I also welcome the new edition of the Shorts program, which the Minister launched yesterday. I was delighted to attend that launch and I am sure that this is another avenue that will provide a stimulus in the tourism industry: we all look forward to its ongoing success. I note also that the *Secrets* book has been out in the marketplace for some time. I believe that it has been received extremely well, but I am not sure whether that has been converted into the bookings that we were hoping for when the book was introduced to the marketplace. The information that I am getting back from key people and from practitioners in the industry is that the book has been well received and it is being held onto by people, but it is not necessarily resulting in bookings. There might be a lag period, so perhaps further down the track we will see commensurate bookings to give us that additional stimulus in the tourism area.

There are a range of significant issues in the tourism area that I look forward to canvassing in the ensuing months. We will be bringing in a range of tourism policies because the Government has not touched on a range of issues, and some can be done better, so I look forward to sharing that with the House in the near future.

I would also like to make a few brief comments about my other portfolio area of sport and recreation. It goes without saying that the millstone that hangs around the Government's neck is the shambles that has taken place with the soccer stadium. That is the legacy. For some time, with great diligence and extreme care, we have put in the public domain the inadequacies of the project and the sham and lack of probity that has taken place with regard to the soccer stadium. Sadly, we have been proven correct, because only a couple of weeks ago the Minister had to put on hold the payments that were being made by both Adelaide City and the Sharks in regard to their commitment to the repayment of this debt. We have a $30 million commitment at Hindmarsh, yet when people sit in the grandstand, which we cannot fill, they are looking not only onto a soccer pitch but also over to another stand that is being built on the other side, but we cannot fill the one that they are sitting in! Another stand is being constructed to the southern end, as well.

Unfortunately, this has been particularly poorly handled. Through the Public Works Committee, we have exposed assiduously what has taken place. We will continue to investigate and to probe in this area because good Government policy simply has not taken place, and it is a major disappointment when one thinks of how soccer is doing in the suburbs. As to who or what will benefit from the $30 million makes one wonder. One must also consider other sports and how they might have shared in this money. So, a big black cloud is hanging over us in respect of the soccer stadium. It is disappointing that the two soccer clubs have been forced into a situation where they are not able to repay their commitment. Their situation is intolerable; it is most disappointing indeed.

I am pleased that the Minister for Aboriginal Affairs is in the Chamber, because I would like to express my extreme disappointment at the fact that the Aboriginal Lands Trust Committee (to which the member for Giles and I were elected from this side of the House) has not been called together in the 18 months or so since its formation following the 1997 election.

I hope the Minister takes heed of what I am saying, because this is a major disappointment to members on this side of the House. We recognise that the Aboriginal Lands Trust Committee has played a vital role in South Australia in the past. The former Minister for Aboriginal Affairs (Hon. Michael Armitage) called this committee together on a regular basis. It played an important role in the Aboriginal community, and I say with all sincerity that it is extremely disappointing that this committee has not been called together.

It is beyond my comprehension why the Minister has not taken her responsibility seriously and brought this committee together so that it can look at some of the major priorities for this very important and serious issue involving Aboriginal lands. I would have thought that this was largely a bipartisan area which the Parliament should take seriously. The members of this committee could look at these serious issues, take them on board and work together to ensure that we not only send a message to the Aboriginal community but deliver on some of the important social and critical issues that confront us in this area.

This hangs over the head of the Minister. I repeat: since the last State election in October 1997 this committee has not been called together by the current Minister. It is her responsibility. We have raised this matter before in the Chamber, and we will continue to do so. I invite the Minister to address this as a matter of priority.

I conclude by saying that there is a whole range of major issues confronting the community. I do not think that any member of the community takes seriously the nonsense that the Premier has put before us about this tax. No member of the community believes the information that he has put before us about the $100 million black hole.

Mr HANNA (Mitchell): Mr Speaker, as a student of history, I have taken an interest in matters of Supply when considering the speech that I might make tonight. You, Sir, will appreciate the fact that my speech will probably be more about Supply and Appropriation Bills than any other speech which has been made this week. I am indebted to Geoff Gallop, the Leader of the Opposition in Western Australia, for having done some research in this regard.

I take members to the various occasions in Australian history when Supply or Appropriation Bills have been rejected by Upper Houses. At the end of this tale, there will perhaps be an instructive moral to be drawn from the experience. I begin in 1865 in Victoria when Premier McCulloch was a protectionist. In those days, there was great debate between the protectionists and free traders, those who were against tariffs. It turns out that the merchants and the upper classes, who dominated the property franchised Upper House in Victoria, were strongly in favour of free trade and therefore against protectionism. They rejected the Appropriation Bill, and I am glad to say that on that occasion when an election was forced Premier McCulloch's team was re-elected with a decisive majority in 1866.

On the second occasion, the same players were involved. It turned out that Governor Darling of Victoria had given support to McCulloch in that controversy in 1865. He was withdrawn by the forces back in London, but sent again to the colonies after the election of 1866. The McCulloch Government wanted to give a gift to Governor Darling's wife, and this gift was tacked onto the Appropriation Bill of 1867. The Upper House rejected the Bill, ostensibly because of the tacking on but also because Governor Darling had not given his support to the Upper House view. There was a stalemate for a period of months before the issue was ultimately

resolved when the British Government offered a pension to Governor Darling, and therefore the issue somewhat evaporated.

I then come to the Labor Government of Premier Verran in 1912 when, perhaps like a good socialist, he sought to include appropriation funds for brickworks and timber and firewood trading in his Appropriation Bill. However, this was considered to be a case of tacking on routine business to the Appropriation Bill and it was rejected. Premier Verran was forced to an election and Labor lost that election, so it was robbed of its full term by the dastardly rejection of the Appropriation Bill by the Upper House.

I then go to 1947 when John Cain Senior governed with the help of Independents. He was refused supply three times, not because of any State political issue in Victoria at the time but because the patricians of the Upper House in Victoria considered that the bank nationalisation issue on a Federal level was enough to make Labor unpopular with the hint of socialism about it, and they therefore refused supply until John Cain Senior went to an election in which he was defeated.

I then go to 1948 when Premier Cosgrove of Tasmania, a Labor Premier, showed remarkable resilience as a Premier. He had been charged with bribery and corruption, following a royal commission. A jury acquitted him. However, the conservative controlled Legislative Council refused supply on the basis that it did not like Cosgrove, essentially. However, Cosgrove won the election which ensued and he governed with the help of Independents—an interesting parallel with our present Premier, who has been charged with misleading this House. In fact, he has been fully indicted and, in part, convicted by the Cramond report which was delivered to this House yet, because he has the political numbers, the Premier survives. We will see how long his resilience lasts.

In 1952, the Country Party in Victoria was a minority Government with the help of the Liberal Country Party. However, there were dissident Liberals who called themselves 'The Electoral Reform League'—and this is many years before the Liberal Movement in South Australia—and who sought the astonishingly radical proposal of universal adult franchise for the Upper House. The Upper House rejected supply; that is, this time Labor and the dissident Liberals rejected supply to the Country Party, believe it or not, in 1952 in Victoria. There was an ensuing election and Labor won. What is more—this is a good news story—it then had equal electoral district legislation passed through so that in every Federal electorate in Victoria there would be two equally sized State seats.

I turn now to the occasion on which the Liberals with the help of DLP sought to oust the Whitlam Government. Of course, there was an election, prompted by the rejection of the Appropriation Bill in 1974. Labor won, I am glad to say, with a reduced majority. For members who are not familiar, I think DLP stood for 'DisLoyal Party' and it was, of course, the great ball and chain attached to the feet of the social democratic party of Australia through the 1950s and 1960s. It is a great comfort to us all that the continuing dominance of the right faction at the Federal level in Labor politics has reduced the weight of the ball and chain.

The SPEAKER: Order! I ask the Deputy Premier to either go into the gallery or the Minister to come into the Chamber.

Mr HANNA: In 1975 we had the infamous block of Supply by Fraser and the controversial actions against convention and tradition by the Governor, John Kerr, when he installed Fraser as a caretaker Prime Minister after Supply had been refused. In that election the result was that Labor was defeated.

I mention two more cases of interest, although they were not of such startling constitutional significance. In 1877 the Berry Government in Victoria, in the days before the Labor and Liberal Parties had really come into being, tacked on to the Appropriation Bill a measure to give salaries to members of Parliament—another radical proposal, certainly in those days. As it turned out, the principled Upper House members, who all had private incomes from their farms, their medical practices and their legal practices, rejected the Bill entirely. In the event there was a compromise after a period of months and the trickle of parliamentary remuneration began, which has since turned into the flood regularly reported upon by the *Advertiser* and which in fact barely keeps us afloat, I can assure members.

That incident was also very memorable for the fact that it gave rise to the measure of sacking all senior public servants, judges and magistrates—and the Governor of the day agreed to that—so that the existing Supply could continue. We see the serious consequences which can arise from an Upper House acting in an undemocratic fashion. Lastly, the Lyons Labor Government in Tasmania in 1924 had its Appropriation Bill first amended and finally rejected after a conference of the Houses, but after a period of several months the deadlock was resolved by the Upper House passing the legislation and Labor won the ensuing election in Tasmania.

The moral of the story is that, historically, the Legislative Council has been the enemy of democracy, the enemy of social democratic principle and that is why it is in our platform that we will abolish the Legislative Council. It is not that the Democrats these days would act in such a dastardly fashion as the Tories who have run the Legislative Councils of Australia over the past 150 years, but, nonetheless, as the member for Kaurna raised the subject earlier this evening, I believe that these matters require further consideration.

Ms RANKINE (Wright): Before addressing the issues that I want to discuss this evening, I will preface my comments with a few remarks in relation to the Government's additional tax on ETSA bills that will affect every family, every household, every pensioner in my electorate. I tell members opposite that if they think that we the Opposition or the South Australian public are going to buckle under their continuing bullying and threats they have misjudged the strength of this Opposition and have misjudged the determination and courage of the South Australian community. To come up with so many alternatives, so many reasons for the sale of ETSA, is just an absolute farce. This is an ideological bent of this Government and has nothing to do with what is best for South Australia. We went to the last State election promising not to sell ETSA. The Government did exactly the same thing. That is what I want to address tonight. People are sick and tired of these unkept promises by the Government.

I refer to one of the promises made for my electorate—and members are probably sick and tired of my raising this issue, but I will continue to do so until such time as it is satisfactorily resolved. We were promised after the implementation of the Focus 21 program that a police patrol base would be provided in the Tea Tree Gully area. I have raised this matter on a number of occasions, both to push the urgency of the matter and to get some clarification about the Government's position on it. Focus 21 was announced in mid 1997 and on a number of occasions I have raised the difficulties and

disadvantages that this has caused in my electorate. The St Agnes police station has been turned into a shop front and the Tea Tree Gully patrol base has been relocated to the Para Hills police station, we were told, on a temporary basis until the new site could be identified.

I have tried unsuccessfully for some time to get an assurance from the Government that it intends to honour its promise to provide the people of the Tea Tree Gully council area and the people of Golden Grove with a police patrol base. I think I could be forgiven for starting to doubt the Government's intention to do so because the Government is starting to hedge its bets a little. For example, back in November last year we had the Acting Deputy Police Commissioner saying that the actual location of a police station does not have a direct effect on crime figures within a district. I think the crime figures that have occurred in the Tea Tree Gully area and also the Salisbury area, for that matter, have shown that that is not the case. People are starting to say that perhaps there is no intention to provide a patrol base in the Tea Tree Gully council area at all, that in fact all police operations will come directly out of the Holden Hill Police Station.

I am not the only one with concerns about this. In fact, Tea Tree Gully council has also raised this issue. It stated that it wanted to establish a patrol base in our area but that it had stopped looking for a site until the police confirmed their intention to set one up. So, the council has begun to doubt the Government's intentions to set up a patrol base. On 25 November I asked the Minister for an assurance that this patrol base was going to be provided but it took until February this year for me to get a response from him but there was still no clarification about the issue. However, in our last block of sitting on 9 February the Minister published a fairly vague response to my question asked in the House. However, where I was unable to succeed it appears that the member for Playford was able to succeed and he actually got an assurance in response to a question he asked about the Para Hills police station—on the very same page I might point out. So, I am sure that people in my electorate will be pleased to read in *Hansard* that the Minister has again indicated that a patrol base will be established in the Tea Tree Gully area and I certainly look forward to that.

The other promise that I would like to address that has not yet been fulfilled relates to smoke alarms in homes for elderly people. Back in March last year I asked the Minister for Human Services what the Government intended to do about the provision and installation of smoke alarms for the frail aged and disabled in our community. The very next day the Minister put out a press release saying that $100 000 would be made available through local home assistance programs to local councils or through the Disability Resource Centre to assist these people to comply with the legislation making smoke alarms compulsory. This announcement was warmly welcomed, except that it was six months later and still no money had been forthcoming.

In November last year I asked the Minister again whether he had completed his investigations which he had undertaken and how the money was going to be distributed. The Minister responded that he was going to refer the matter to the Minister for Disability Services and we still have not had a response. Hardly a day goes by that we do not see an article in the *Advertiser* where someone has had the unfortunate circumstances of a fire in their home, yet we have firefighting experts urging people constantly to get smoke alarms fitted in their homes. They are required, legislatively, by the year 2000 and yet we still have no response from the Minister for Human Services about what the Government is going to do in relation to this.

In relation to alarms, I again asked the Minister for Emergency Services a question about school alarms and the response by police. The question was asked late last year, and again it was not until February this year that I managed to get some sort of response from the Minister. However, he did respond to an inquiry through the media. I put out a press release during January after one of my local high schools incurred substantial damage as a result of a fire. I think in the 1996-97 financial year the cost of damage to schools by fire was in the vicinity of $6.1 million. One of my constituents contacted the police as a result of a school alarm and was told, 'No, we do not handle those reports; you need to contact Police Security Services.' That is fine, except that the Minister then said, 'Well, your constituent dialled the wrong number; he should not have dialled 000; he should have dialled 11444.'

Ms Bedford interjecting:

Ms RANKINE: But when he rang 11444 he was told, 'Sorry, this is not our job; call someone else.' I would like to know how many people in our community know that, when a school alarm goes off, to phone 82260888. How many people have that number sitting on their fridge? Not too many. The South Australia Police responded to our local *Leader* Messenger and said that there were three ways to deal with school alarms. First, if it is covered by Police Security Services, people should ring Police Security Services; secondly, if it is not, or if vandalism is occurring, people should ring the police; and, thirdly, if there is an intruder, people should also ring the police. Fine, except when we receive information from School Watch (via its leaflet) it says, 'If there is any suspicious behaviour'—and I cannot think of anything more suspicious than a school alarm going off—'ring 11444.'

I accept the Minister's response that there are high incidences of alarm activations that prove to be false and that a lot of police resources have been used unnecessarily in attending to those, but surely 11444 should have enough operators who can then transfer that call through to Police Security Services. If it is about saving in the vicinity of $6.1 million, I certainly think it is worth it. As I said, I do not know anyone who has '82260888' sitting on their fridge.

Ms THOMPSON (Reynell): I will talk about two initiatives in the south that are going extremely well but, unfortunately in relation to both of them, I have to also caution that there are signs that, unless this Government changes its priorities and its poor management practices, these brilliant programs will suffer. The first one is the Noarlunga crime prevention program which was funded by the Crime Prevention Unit of the Attorney-General's Department and established in 1997. The 1997-98 report from the crime prevention program indicates that in 12 months this joint community Government partnership has achieved remarkable success.

It was established to achieve an actual and perceived reduction of violence in public and to prevent crimes against property in the community. It identified a range of ways of doing this using community resources, innovative programs, as well as the funding provided by the Crime Prevention Unit, and the large amounts of in kind support provided by the now City of Onkaparinga. Extensive analysis was conducted in respect of crime in the area to see where the efforts should be

concentrated, and it was clear that the key crimes were assaults, bullying and harassment and break and enter. The approach used related to problem solving, identifying exactly where the most difficulty was being experienced and setting about finding ways of overcoming that problem.

As I indicated, some very innovative projects were adopted in order to meet these objectives. The first one was about safety in your own back yard, which was targeted at a group of residential dwellings along Christies Creek, where residents had reported a high degree of break and enter. The idea was to assist the residents to undertake a safety audit and then to be able to talk to their neighbours about how they could make their property more safe. This was not extraordinarily successful in terms of the involvement of residents.

There was quite a large drop-out rate in terms of the people who initially indicated interest and those who eventually attended the workshop. All those who did attend found it extremely useful. The model of workshop that was developed was also considered to be an excellent example of community education, so it is a shame that there were not more people who were willing to follow up their initial concern with some action—but I suppose that just shows that we need to reinforce different ways in which members of the community can get involved in making themselves safer.

Many of the projects related to youth issues, particularly in the area of bullying and harassment. One of them had the interesting title of Spinning the Rap Disks in dealing with violence, and this was targeted at children in the Morphett Vale area around a disused railway line. The disused railway line has become a corridor where, unfortunately, gangs hang out when they have nothing better to do. So, the idea was to try to reduce the attraction of the area in one project and to try to give the young people different ideas about what they could do with themselves and also particularly about how they could avoid becoming involved in violence either as a victim or as a perpetrator. A series of workshops were conducted with the young people, and then they developed themselves in primary school some very succinct messages about how to stop violent behaviour. These were put on little disks, or tazos, which the children enjoyed collecting.

Another project which I found particularly disturbing, but it was necessary to undertake, was the Relationship Violence: No Way project, which targeted young men in the 13-26 years age range and was to deal with their involvement in domestic violence and to prevent violence in their relationships. As we all know, children who have lived in households where there is domestic violence are highly likely to repeat that behaviour, and this project was also targeted at stopping those people from repeating the sins of their parents, if we want to describe it in that traditional way.

Another innovative project, Canines Prevent Crime, received national recognition. The project was about training people who are already out in the community walking their dogs to be vigilant about events in the community that might indicate problems and about giving them a mechanism for reporting those problems to any appropriate authority. Other councils are now seeking to adopt this project as a different way of involving the community in crime prevention.

The council also attracted large amounts of funding through the Australia Council in relation to a project called Hunting in Packs, the funding of which involves a youth community theatre project to involve young people in developing theatrical presentations for performances in schools and the wider community, again, to influence them against involvement in gang behaviour. This is an outstanding record of achievement in 12 months.

The only problem is that my proxy at the last meeting of the Crime Prevention Committee indicated that she was very concerned that the Crime Prevention Unit was, in fact, detracting from the way in which this committee was working at the local level in terms of imposing very rigid guidelines and work plans which did not take account of the local community in anything like the extent envisaged in the partnership. The Crime Prevention Committee felt very much like a junior rather than an equal partner in the relationship with the Crime Prevention Unit. I ask that the Attorney-General review this matter and ensure that community crime prevention committees and the CPU can be genuine partners.

The other successful area is our vocational education program, Partnership 2000, which has also received national recognition for its great success in combining the efforts of vocational education teachers in school, small businesses, community organisations and TAFE in delivering excellent programs of vocational education for the students in our area. We have extremely high rates of youth unemployment in the south, and these vocational education programs have already demonstrated that they deliver to employers young people whom they want to employ. The follow-through surveys have indicated a great success rate there. As I indicated, TAFE has been a key component of this program.

We were all very disturbed to learn just recently that it appears that the Onkaparinga Institute of TAFE will no longer be able to support the program by subsidising courses in hospitality, hair and beauty, furniture, electronics, automotive, engineering, information technology, etc. The parents of these young people will be asked to pay either $5 or $10 per student hour for their children—who are supposed to be receiving something resembling a free education at high school—to participate in the vocational education program which will give them a start in life and which will put them on the way to a job. Our community is very disturbed about this. It is not the only incident where I have recently been told of problems with TAFE. I urge the Minister to examine it immediately.

Mr CLARKE (Ross Smith): I am somewhat interested in this evening's contributions of the members for Kaurna and Mitchell about the role and function of Upper Houses, or, in our State, the Legislative Council—colloquially known as 'Sleepy Hollow'. I am interested in the member for Kaurna's comments with respect to the workings of the Legislative Council in terms either of its abolition or, alternatively, changing its functions and powers to something more akin to the House of Lords where there would be a limited time period (perhaps six months or, as occurs in the House of Lords, 12 months) in which such an Upper House could hold up legislation put forward by the Government in the Lower House. There are some superficial attractions in the proposition advanced by the member for Kaurna, although I do not suggest that he embraces all those ideas.

A couple of years ago I visited the Irish Parliament. The Senate in that country is elected on the basis that certain sectional interest groups in the community—for example, trade unions, business, the arts and various other sectors of society—have the right to elect their representatives in the Senate. However, the Senate is not entitled to hold up for more than three months legislation from the Lower House.

Members of the House of Lords are paid not a salary but an attendance fee. Indeed, there could be some advantage if

we paid members of the Legislative Council in South Australia an attendance fee and perhaps a penalty loading of 50 per cent if they sat after 6 p.m. on a sitting day. In that way, we would be able to get through more business and be more efficient.

I have thought about those points of view. However, at the end of the day, if we have an elected House of Lords that has been neutered because it has been democratically elected, has no universal franchise or gerrymander and has the power only to hold up or delay legislation, it would serve no useful purpose. One may as well abolish the Legislative Council, save the salaries and expenses of running a 22 member Chamber, and concentrate on reforming the House of Assembly and its committee structure to ensure that legislation is thoroughly scrutinised and that every backbencher—be they Government or Opposition—can play an active role in the development of legislation.

All too often legislation is pushed through the House of Assembly, because that is desired by the Government of the day, regardless of its political persuasion, so that it can run the gauntlet of the House of Review—namely, the Legislative Council—because of its interminable time delays, given that it has no time restrictions on speeches, and so on.

House of Assembly backbenchers, on either side of the House, do not get a full appreciation of the running of Government departments. We in this Chamber are free to ask questions in Committee on Bills. However, in South Australia we do not have an equivalent of the thorough scrutiny of legislation and workings of departments that the Senate Estimates Committees have in the Federal Parliament of Australia. That divorces the governance of the State from backbenchers on either side of the House of Assembly.

Given our population base in South Australia of about 1.4 million people, the number of local Government bodies, and so on, we are not in a position to have the sort of governance infrastructure of the larger and more prosperous States in Australia. In a sense, the Senate has an excuse, because we are a Federation, and an equal number of senators come from each State to protect the rights of the States.

I can see some value in the Senate, even though it is no longer really a States' House. Within the caucuses of each major Party it allows the States with a smaller population base to have more influence within the caucuses of their Federal parliamentary Parties, because they are dealing with at least four or six senators from that State who can have some influence on what their Federal colleagues do. I do not want to over emphasise that degree of importance. However, at least I see some relevance in a Federal system for having a Senate of equal representation from all the States. I do not fancy a unicameral system at a Federal level where the bulk of the power will reside totally within Canberra, from Sydney and Melbourne, in terms of their deciding what is in the best interests of South Australia.

But when we are dealing with just a State Parliament, I cannot see that it is wrong for there just to be one House. Indeed, one can look at Queensland, which has had a one Chamber Parliament since 1922 and, whilst there have been gerrymanders electorally (and on the Labor Party side) from 1915 almost through to 1957—with a couple of intermittent years of Liberal or Country Party rule, when Bjelke-Petersen and the National Party came to power—the sky has not fallen in on Queensland.

Queensland has prospered; it has done quite well. It has certainly been atrocious in terms of civil liberties in the days of Bjelke-Petersen; it has certainly been atrocious in terms of looking after the welfare of a large number of the members of the community but, at the end of the day, Armageddon has not fallen upon Queensland because it has had only a one Chamber Parliament. There is a need for this Parliament, in particular, to look very seriously at the issue of the abolition of the Legislative Council.

I hasten to add that I do not want this to be seen as a complaint on my part about the role of the Legislative Council in dealing with the ETSA legislation or, indeed, the industrial relations legislation that will come before this Parliament in the not too distant future. Members of the Opposition obviously are entitled to use whatever constitutional devices are available to us at the time to protect the interests of our constituents and to protect the interests of those who support the Labor Party and, if that means we use the Legislative Council whilst it is in existence, so be it. We are entitled to do it, the same as the Liberal Party used it when it was in opposition to further the interests of the people that it represents.

However, having said all that, I believe that there is a need at the turn of the century to address seriously the issue of constitutional reform in this State, whether it involves not just a single Chamber of Parliament but also the role of a State Government *vis-a-vis* local government. What are to be our respective powers; and what are to be our respective spheres of influence so that we can best further the interests of all members of the South Australian community? We have not had that debate. By no means have we even started that debate. We have the attacks by the Liberal Party on the Legislative Council at the moment for being obstructionist because it suits its present political purposes with respect to ETSA. We should put aside those temporary issues, and I say 'temporary' because ETSA will be resolved one way or the other in the next few weeks or months. We must look at the long-term future of this State and the governance of this State.

We do not need the crisis point type issues which focus our attention and deter us from looking at the longer-term interests of this State with respect to the form of governance we are to have. At the end of the day, whether we have a unicameral or bicameral system, we must ensure that Executive Government is accountable to the people and that its rule is transparent to all.

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

Ms BREUER (Giles): I was interested to hear the ministerial statement made by the Deputy Premier today in which he announced the importance of regional development in the State of South Australia. He also announced that this Government is strongly committed to enhancing the economic and social wellbeing of rural communities. I have the utmost respect for the Deputy Premier. He comes from my part of the State. He is from the bush; he is a bush boy. Anyone who would wear a tie with chooks on it, as the Deputy Premier did yesterday, must be a country boy. So, I welcome his statement and I welcome his announcement that an Office of Regional Development will be established within his portfolio to take responsibility for coordinating Government actions.

In addition, the Deputy Premier announced a Regional Development Council as a partnership between the Government and the community to assist the advancement of regional development in this State. I was also interested to hear today the Minister for Industry and Trade speak about

what this Government has done for regional development in this State. I am prepared to give him the benefit of the doubt. He talked about the 14 regional development boards which were established and which have been essential to the communities they service. Coming from Whyalla, I am aware of how important our Regional Development Board is in our community and the work it does do there. I congratulate Mr Phil Tyler, the CEO of our Regional Development Board, on the work he puts into our community.

The Minister talked about increased funding from $150 000 to $170 000 with a three-to-one subsidy from local government. He talked about retaining 320 jobs in regional South Australia, creating 1 690 jobs and investing some $70 million into regional South Australia. End of story. What a wonderful benefit for regional South Australia! He then went on to talk about Federal funding and how that is assisting regional development. He talked about how much is put into assisting small companies in South Australia and not just big business in regional South Australia. This was wonderful; I was most impressed with what a great job this Government is doing for regional South Australia. The fact is, it is a joke. You ask the people in Whyalla, Murray Bridge and Andamooka what this Government is doing for regional South Australia. What is this Government doing for regional South Australia?

I support and welcome the announcement regarding the Office of Regional Development. I know it is in response to submissions that came from many regional development boards and the regional task force. The Deputy Premier quickly responded, as he is known to do, but it is all rhetoric as far as I can see, and I am a bush girl. It is a big joke. First of all, what teeth will this office have? What status are we talking about with the Public Service and the Government? Will it be just another country joke? Will it have any power? There was absolutely no mention of any funding. There is absolutely no detail on any of this. The Minister also announced today a Regional Development Council based on the model of the Food for the Future Council. This is a great idea also. It means that the council will have its meetings reported by *Hansard*; it will follow-up issues brought before it; it will determine State Government policy; but nothing was answered about this. It was rhetoric. Will it do these things? Coming from the country, I know that it probably will not. It will be a great structure and a great advisory body, but where is the funding?

The problem regarding regional South Australia is that there are so many ideas about what you will do for regional South Australia, but you never provide us with any funding to back up these ideas. It is, 'Look after yourself, do it yourself and manage.' Country people are sick to death of this rhetoric from this Government; they are sick to death of your patting us on the back, patronising us, and saying, 'Too bad what is happening in your area. It is very sad what is happening in your area. It is just too bad, but we cannot give you any money.' We are sick to death of it. We want some real action. What resources will be involved in this council and this Office of Regional Development? Who will be involved in these organisations? What influence will they have on Government policy? This Government is a joke. The joke is that it had the perfect example to assist regional development and it has completely missed the boat and refused to listen to us when we talk about the opportunity to build this new power station in Whyalla.

The Hon. M.K. Brindal: You never talk about anything else.

Ms BREUER: I don't talk about anything else because we want this power station in Whyalla, and you lot refuse to listen to our argument and what we have to say about it. This Government has the opportunity to show regional South Australia that it has a commitment to those areas. It has the opportunity to provide jobs in my area in the construction phase and in the ongoing phase, but it refuses to listen to us. We have told the Government about the advantages of the Whyalla site. Port Adelaide does not want this power station; but Whyalla desperately wants it. We have land available and we have access to deep seawater for cooling. Skilled labour is available and we have urban infrastructure. We have proximity to customers who will use this power. The announcement yesterday from Western Mining that it will not buy power is a short-term arrangement. If you build this power station in Whyalla it will buy from us. It is already committed with BHP to use this power, but the Government will not listen to us.

All we hear from the Government is that we have to build new transmission lines. That is absolute crap! The powerlines are there. There is minimal transmission loss—5 per cent, which is way below the limit. We have been transmitting power from Port Augusta to Adelaide for many years; but now the Government is saying that it is not possible to take it another 60 kilometres. That is absolute rubbish. The Government has missed the boat. Is it not doing anything about us because Whyalla is part of Giles, which is a Labor seat? I am the only Labor country member. Is that your problem? Listen to what we are saying in Whyalla, build the power station there and give regional South Australia a real opportunity for regional development. Stop all this rhetoric, stop talking about offices, stop talking about councils and do something! Get off your backsides and think about us!

Ms BEDFORD (Florey): I have been really moved by the contribution of the member for Giles tonight, and I hope that everyone paid attention to what she said. I speak tonight on what a Government must supply to the people of this State and what a State budget should provide for the residents of the State. I will offer a number of thoughts and suggestions which I think will benefit both metropolitan and regional South Australia. A Government must lead. It must facilitate and encourage by example and by way of commitment. We must commit to the concept of full employment. Government must lead in this endeavour. Supplying the means to achieve full employment will allow all members of our society to contribute to the common good and to be part of the one.

The problems caused by unemployment are manifested at all ages and at all levels. The results of unemployment are there for all to see. My constituents tell me that either their family or families they know are affected by unemployment. The waste of human potential is disgraceful. What cost do we face if we do not invest in our people? Surely we inevitably pay for the services that pick up the very people disadvantaged by our lack of commitment to full employment. Is it not a false economy to deny those very people the resources they require to survive and to be part of society?

The misery of unemployment is manifested in many ways. Research has established that poor health outcomes are a direct result of under employment or unemployment. The increase in mental health statistics and suicides is alarming. The incidence of drug taking is a scourge that sees us involved in a debate on heroin trials as part of a range of measures to combat this problem. Why not also debate with equal vigour the notion of full employment as a remedy?

My constituents tell me that the problems associated with law and order issues are of great concern and must be addressed. The increasing incidence of crime sees the occupation levels of our correctional institutions reaching record highs. The problem this creates in those institutions, which would also benefit from higher staffing levels, has been recently illustrated by unrest in the Adelaide Remand Centre, built to house 100 fewer than it now holds. This increase in crime sees additional burdens placed on our judicial system. Delays in the processing of criminal, not to mention civil, cases places stress on those unfortunate enough to be caught up in the system.

When speaking of our correctional institutions it is necessary to say that inmates have been placed there overwhelmingly as a result of drug offences. We ignore this problem at our peril. Whilst in these places, inmates are not being given the opportunity to improve their ability to cope with life when they are again on the outside.

It is a tragedy that we are not more active in the rehabilitation of those with drug problems. I am told that drug taking in prison relieves the boredom of incarceration. Could we not invest in making an effort to ensure that the time spent in prison by each offender is the only time that each individual spends there? Repeat offending reinforces our failure to address the problems that individuals face and costs us much more.

Let us look at the area of law enforcement. We must support our police as they face increased workloads. Stress has become a major factor in the daily lives of our police officers, not only the stress of facing a difficult and demanding job but the stress of doing so with barely adequate numbers. Although we are told that numbers have increased, we must wonder where those additional officers have come from. They have certainly not graduated from the Police Academy. Have the current personnel been shuffled around to resemble or give the impression of additional staffing? We also need to measure the effectiveness of our police force by looking at the attrition rate of our officers and the number of years of experience shared by the officers who protect us in our accepted way of life.

The adoption of the new concept of local service areas (LSAs) is faced with great challenges. LSAs have been adopted from a system that is operating in the United Kingdom. We must surely hope that the implementation of this scheme will suit the Australian way of life. I am told that Australia more closely resembles the United States of America. That brings me to the concept of zero tolerance, another topic that is under current discussion. In the USA, this concept was introduced with a massive increase in police personnel, not the shuffling around of existing numbers. We must be sure that the new system that we have adopted is monitored closely and supported if necessary.

My constituents tell me that they want good health and hospital services. They are concerned about what has happened at the Modbury Hospital, the dismal failure which forced the Government to cancel similar plans for other hospitals. Staff are run off their feet. This is an occupational health and safety issue with which I shall deal again later, as funding to maintain workers who are the victims of stress or are injured at the workplace affects a larger proportion of the work force and becomes of greater concern to society, greater perhaps than the road toll which we widely recognise as a measure of waste.

We can immediately employ people in the health system to provide the care that is necessary for the chronically ill and those who require the ongoing support of outpatient clinics. This is relevant not only to Modbury but to all hospitals throughout the State. Great relief would be felt in the delivery of all primary health care if there were extra personnel. I refer to areas such as physiotherapy where waiting lists are commonplace for pensioners, people on a low income, and the disadvantaged, and podiatry where simple attention to feet, especially for diabetics, can mean a longer life expectancy.

We need hugely better dental services which again are so cruelly denied to those who need them most and rationed because of appalling waiting lists.

The Hon. M.K. Brindal: How are you going to pay for all this?

Ms BEDFORD: Just listen; I haven't finished yet. We also need more community health services and preventive health strategies, where funding for employment would see immediate results. I am told that life expectancy has fallen for the first time ever. The implications of this trend are self-evident.

In the area of the arts we have seen the great example of the stimulation of the film industry and the spin-off benefits that we have enjoyed from the success of that industry in South Australia. We should commit funds toward the creation of greater employment opportunities for local artists. We could ensure that local companies stage more productions with larger casts each year. This funding would improve the cultural tourism profile of South Australia.

We are all aware of the benefits of tourism, which have been seen to advantage recently with the fabulous production of the *Ring*. Stimulation of the arts will increase community development opportunities where the arts can be used as therapy for the aged and infirm, and for prisoners the arts can be imperative in the solving of major social problems.

In the area of education we need to invest in our young people. Such investment would have untold benefits for us. The strengthening of retention rates has many benefits, not the least of which, I am told, is that those who complete at least nine years of formal education live longer.

We can immediately deliver on the improvement of education by committing to smaller class sizes, extra administration staff, differential staffing for disadvantaged schools and country incentives. We cannot offer reasonable staffing levels without reasonable remuneration as we need to invest in the best possible level of education for our children. We cannot spoil the ship for a ha'p'orth of tar. We intervene or we sink. Massive budget cuts will deliver very poor outcomes. We cannot afford to disadvantage our public education system. We cannot allow it to become so run down that it cannot continue to deliver good outcomes for our students.

Why commit funding to create full employment? Do not people who are working pay taxes and consume goods? These are the two most effective ways to ensure the stimulation of the economy which is so desperately needed.

How do we fund this necessary expenditure? The sale of assets is not the option we should pursue. We must retain our revenue generating assets so that we can provide for all South Australians in the future. If someone will buy the assets, they must be worth keeping. If private enterprise can make a go of our assets, then public enterprises must also be able to do the same. Do we say that we cannot manage anything public effectively? This is a sad indictment for State Government.

The present debate on debt management is ideologically loaded. Economic rationalist, user pays policy is sustained by

using a mantra of 'debt crisis'. Debt can and must be managed. Terms like 'black hole' have become the battering ram used in the pursuit of the ideological principle of economic rationalism. Economic rationalism is the justification for privatisation, outsourcing, downsizing and public sector job cuts. A total of 20 000 positions have been cut from the public service. This very experience is needed now to get the State going, yet it is being outsourced.

We know about consultants and what we to pay for advice to the departments. We need them, but it is at an inflated cost which we pay for dearly. What sort of 'economy' is this? What sort of savings are delivered in such a false way? Economic rationalism has had its day. Communities count, people living in communities count, and their needs count. Radical debt reduction measures will dampen growth and confidence. Debt can be managed. It is time to move beyond the debt fetish and shift the focus of the debate towards the positive contribution of the public sector.

Mr VENNING (Schubert): I speak tonight on the most critical issue presently before the House, and probably before this Parliament in the past decade, that is, the sale of ETSA. My family has been on the land for many years through many generations. We have been involved in politics for many years through many generations. The family has been involved with Playford. We have strong ties to the Playford era, when Playford nationalised the Adelaide Electricity Company. I know the history well. When considering why Playford did it then and why we must now reverse that decision, the reason is quite obvious to any person who considers himself or herself to be a business person. At the moment, we have no choice but to sell it. It is a wise man, a wise business person, who knows when to buy but it is an even wiser person who knows when to sell.

The Hon. M.K. Brindal: Is that why you have never sold anything? You just buy?

Mr VENNING: You know things to be different to that, Mr Brindal. As MPs, the managers of this State's finances, we must be proper managers and realise the full potential for South Australia. I firmly believe that we have no choice but to sell ETSA. That does not mean that it is sold forever, should things change in the future. The whole economy is a moving feast. With the national competition policy—which I do not agree with—brought in by Labor Prime Minister Keating we have no choice. We are a sitting duck in this new regime of national competition policy—a sitting lame duck. If we do not make a decision in this House before the next New South Wales election to be held late this month (27 March), I feel we are in grave danger. I heard no member opposite during debate last night say that they did not believe that Mr Carr would privatise. Why is it any different for Mr Carr than it is for us? Do I need to remind members opposite of his politics? Mr Kennett has shown what can be done by privatising: it can minimise the debt.

What will happen next year when New South Wales has recovered, say, $45 billion to $50 billion for its generators and it rewards its constituents by taking off payroll tax? How will we in this State retain the business that we have left when they come to us and say, 'Look, we are under severe pressure'? We were at General Motors a few weeks ago and they were commenting on their plant at Fishermans Bend outside Melbourne, saying, 'Hey, they have an advantage over us with their cheap electricity.' But if there was a payroll tax reduction or total removal in New South Wales and Victoria, what would we say to General Motors, Mitsubishi and others? We could not match it. We are in no position at all to remove payroll tax, as members opposite rightly know. We need the money; we need to maximise the price, and the time for that was about last October.

I challenge any member opposite who classes himself or herself as a business person to pick up ETSA's 1999 report, read page 77, third paragraph, and look at the figures. I am amazed that nobody has ever picked this up. I am known to say things that I probably should not say sometimes, but I consider what I say now. Members should look at the figures. There is an exercise there in balance sheet stacking. Why? To prepare the company for sale. Look at what they spent in the past three years in asset replacement. What new infrastructure has been built? Nothing! This is why we have problems in our regions. In the Barossa Valley in the heat wave we had transformers boiling. The infrastructure has not had any money spent on it. ETSA's profits went from $35 million to $270 million. I wonder why! Because it never spent any money on upgrading any of the assets.

Mr Clarke interjecting:

Mr VENNING: It was prepared that way for two reasons. First, why fix up an asset that will be sold and, secondly, to make the balance sheet look as attractive as possible for a would be buyer. That could be taken two ways from a member for the Government, but that is the reality and, if you do not believe me, read the document. How can the profit go from $35 million to $270 million in two years? It is because they have not spent the money. I can do that on the farm. I can push profits through the roof: don't buy a new tractor, leave the tyres bald; don't pay anybody. It is easy if you want to stack the balance sheet. But there is always a day of reckoning and the day of reckoning is right on us. I would say that it is between now and the New South Wales election. We can still maximise the price. We may have lost the cream but it is still an attractive proposition for would be buyers.

I am sick of hearing the argument that, if it is good enough for the buyer, it is good enough to keep. We know that Governments have very poor records when it comes to playing business, à la State Bank. Members should go and watch somebody playing the power market on a video screen. You can watch the fluctuations, the thousands of dollars that can be made with the push of a button by buying off-peak and peak power, which can vary so very much. A good business person knows when to buy and when to sell and he incorporates risk management. The proof is that here we are arguing for everybody to see and for every businessman in the world to know about whether we should sell this facility. It is not smart at all if we want to maximise the price for South Australia.

So the profits are not sustainable—as I said, on page 77. I urge all members to read that. It is readily available. I wondered why we were having problems with the Barossa and other areas. Why were we having trouble with transformers boiling? Where was the new infrastructure? These powerlines are old. With the boom in the Barossa we should have had action 18 months ago. I am pleased to say that last week a new substation valued at $2 million was mooted. We will have to start to spend because the car will not go the extra trip without money. We have lost the advantage now. That report needs to be studied by all members of Parliament.

If you have a friend in ETSA, ask them what they think has happened, why it is such a profitable company when all the infrastructure is so run down, because it is. If we do not sell ETSA, how do we get out of this problem? As a farmer I always like to plan ahead. If I have a problem with two bad

seasons and have a cash flow problem, I have to do something about it: I sell off a few acres and change my mode of operation. You cannot continue when the end is inevitable, because when the banker knocks he never leaves empty handed. The banker is the same for us as a Government because we are in debt to the bank and have to pay our bills.

I want to see us pay our bills and try to get out of these ridiculous deals that the former Government entered into. We are still paying up to 15 per cent on some of our loans. How can that happen? It should be more like 5.5 per cent to 6 per cent, so why are we paying 15 per cent? Let us pay these debts; let us get on top of these debts. Once we have paid our debts, we will then spend the money only on the interest saved, and that is sound business.

It really grieved me yesterday morning to hear that Western Mining had decided it would go for cheaper power and go interstate. If that is not a message for all of us, what is? Three or four other major users will be doing the same thing. BHP and Pasminco will be next and, as the member for Giles said earlier, and the member for Frome, when they go, there go our big users. They get their power at a pretty good rate, but they use a lot of it over 24 hours—peak and off peak power. When they go, it means that our little users will be paying a lot more. I do not like any of this and I just want to hear, for the sake of South Australia, members putting politics aside. If the Opposition thinks there is another way of fixing this problem, it should tell us.

An honourable member interjecting:

Mr VENNING: I have not heard it. Tell me where you said it and I will read it in *Hansard*. I would be happy to quote it in my electorate. Tell me how we can do this. We paid a certain percentage of the crippling State debt, but now we are down to the hard core debt and we cannot get over it without a massive payout. The only large asset we have left is ETSA. All of us want more money in our electorates, because all members have worthy causes in their electorates. If we sell ETSA now, by Christmas there will be some funds. At $2.2 million a day, five days of interest will build any road that I want, and I am asking for quite a few. Please, I ask for cooperation for the sake of the State.

The Hon. M.K. BRINDAL (Minister for Local Government): I have heard some interesting points put opposite, and I think that every member of the House acknowledges that the most important problem facing all South Australians at present is the need to create long-term and sustainable employment not only for our children but, in some cases, for our contemporaries. Employment is not only a problem as severe as it is for youth but it is also a problem for people in the 40 to 50 year age group who cannot find sustainable employment. The member for Schubert highlights part of the problem confronting this House—

Mr Clarke interjecting:

The Hon. M.K. BRINDAL: The member for Ross Smith would do well to listen because I think he cares about unemployment in his electorate, as it is an electorate hit by unemployment. As the member for Schubert points out, we are paying out in excess of $2 million a day in interest and, if we can recoup some of that $2 million a day, we can much better target traineeships and employability.

I have heard members opposite complain about the fact that the Minister for Education, Children's Services and Training found himself compelled to introduce a training levy for those who are in traineeships. Members opposite claimed that this is a tax on jobs. I am quite sure that the Minister for Education, Children's Services and Training did not willingly or quickly choose that course of action, but it was compelled on him because, as the member for Schubert said, we are paying in excess of $2 million a day in interest.

It is easy for anyone to work it out. If you are paying something like $700 million a year in interest, as the member for Schubert says, it is a lot of roads, schools, hospital upgrades and a lot of employment opportunities that such capital works promote that would give long-term and viable opportunities to South Australians in employment. It is not just a question of to sell or not to sell ETSA: it is a question of how we best use the Government's assets to create the greatest employment opportunities in this State. One of the options confronting us at present, as a Government, is the sale of ETSA, a sale which, as the member for Schubert rightly points out, is in no small measure compelled on us by the advent of the national electricity market introduced by a former Labor Government. We have two small generating plants.

It is interesting to note that that same Labor Government chose not to put a carbon emissions levy on the power generators because that is the one way in which South Australian power generation would have become economically more viable in the national market.

Ms Bedford interjecting:

The Hon. M.K. BRINDAL: Port Augusta has, because of the low grade coal coming from Leigh Creek, one of the most efficient burning systems in the nation, and our gas turbine generators in Adelaide are similarly efficient. If there were a carbon emissions tax on Yallourn and on some of the other power generating companies, we would be able to compete.

Ms Bedford interjecting:

The Hon. M.K. BRINDAL: The member opposite says we should now do that. It is too late, because the horse has bolted. It is the Federal Labor Government that made the rules. We are now playing a game where the Labor Government in Canberra dictated the rules and we are locked in. It cannot all be altered on a whim. We find ourselves locked into a game in which we have a disadvantage, and the Labor Party wants to doubly disadvantage the people of this State by absolutely refusing to sell an asset that is worth something now, but in three or four years it may be worth a lot less. It is ridiculous for me to say that perhaps the Labor Party should bear the losses that it will inflict on the people of South Australia, but in a company situation the directors would at least have some sort of duty of care.

The Labor Party seems to think that just because it is in Opposition it can argue whichever case it likes. It does not matter how right or wrong history proves it to be, it will simply say, 'This is a democracy. We argued what we thought was right at the time or, more importantly, we argued for what we thought was politically expedient at the time. So we were wrong. So it cost this State a whole lot of money and it cost this State a whole lot of job opportunities, but you cannot blame us.' I note that the expert on fish and chips has returned to the Chamber, so we will now hear some intelligent interjections!

The Opposition has no idea of economic responsibility. This is the Opposition that cost us $7 billion in the State Bank and similar disasters over which it presided. This is the Opposition which, when it was in office, gave us a $1 billion dollar building just down the road and which subsequently had to be resold for $265 million.

When the Opposition was in Government I saw a friend of mine, someone whom I used to teach and who used to work around the biggest mining camps in this country. He was standing outside Remm Myer and I said, 'Why are you working here?' He said, 'This site pays better than any mining settlement in this country.' I said, 'What are you? Are you a tradesman, Greg?' He said 'No, I drive the big machinery on the mines, but I cannot do that on this site. I am a tradesman's helper.' I said, 'What does that mean?' He said, 'That means that, if the electrician has to go from floor A to floor B, he is not allowed to carry his power tool upstairs or his spanner—

Mr Clarke interjecting:

The Hon. M.K. BRINDAL: I have heard stories about tactics used by Mr Clarke's friends in respect of who can and cannot work on sites.

Mr KOUTSANTONIS: Mr Speaker, I rise on a point of order. Standing Orders direct that members be referred to by their electorate and not by their Christian name or their last name.

The SPEAKER: I did not hear that reference but, if the Minister made the reference, he knows the Standing Orders.

The Hon. M.K. BRINDAL: I was referring to the clerks' union, not necessarily 'the Clarke'. The fact is that my friend could earn more as a tradesman's assistant on the Remm Myer site than he could earn on any isolated mining site driving big equipment in this country.

Mr Koutsantonis interjecting:

The Hon. M.K. BRINDAL: The member for Peake certainly has not heard this speech before because I have not given it before.

Mr Koutsantonis interjecting:

The Hon. M.K. BRINDAL: The member for Peake apparently has never visited the western suburbs. During debate today he said that he enjoyed having a cappuccino in Unley. This is a member from the western suburbs who, to enjoy himself, comes to Unley and pollutes my electorate with his cappuccinos.

Mr KOUTSANTONIS: Sir, I take great offence to the fact that the member for Unley says I pollute his electorate, when he himself is doing the most polluting.

The SPEAKER: Order! There is a rule in this place about irrelevant and trivial interjections.

The Hon. M.K. BRINDAL: The fact is that the member for Peake has apparently discovered the electorate of Unley. It is a wonderful electorate. I welcome him there at any time he wishes to come and spend money to help the economy of Unley. He is most welcome to do so, provided that he returns home to sleep. I have heard that that might not always be the case.

The State Bank is an important lesson to this State. The sale of ETSA is an important need of this State. Unfortunately, yesterday the Treasurer announced a measure that this Government must impose—a measure that no-one wants to impose nor one that was done lightly. It causes pain to this Government and it causes pain to every honourable member on this side of the House. But, unfortunately, we have the responsibility of responsible government.

Members interjecting:

The Hon. M.K. BRINDAL: Members opposite say that we will lose the election. Let me say to the member for Peake and the member for Ross Smith one thing—and I will look them in the eye and say this: I would rather Sir, through you, be on these benches and lose the next election honourably because we sought to do the right thing for the people of South Australia than retain these benches by the dishonesty that the Labor Government perpetrated on us through the State Bank. Their side of the House—their Leader in particular—has yet to apologise for his part in the State Bank fiasco, and do not think that the people of South Australia have forgotten that.

If this measure costs us the election, then the Premier and his entire Government are firmly committed to this measure, because it is right for South Australia. If you go down and you go down fighting for a right principle, perhaps history will remember you kindly. If you go down as craven cowards, just doing nothing but trying to hang onto the perks and prerequisites of office, you get the Opposition to which you have been consigned.

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

Mr ATKINSON (Spence): I rise tonight to speak about the redistribution of State electorates. In particular, I wish to speak about the redistribution of the part of Ovingham south of Torrens Road into the State district of Adelaide. It was a matter of regret to me that I lost that part of Ovingham to the State district of Adelaide—which, of course, is represented by the member for Adelaide. I have already written to constituents in Ovingham about this change of member, and I am pleased to say that I have had many expressions of regret from constituents in that area that the suburb has been redistributed.

It came to my attention that an article was published in the *Advertiser* headed 'Minister threatens to resign.'

The Hon. R.G. Kerin interjecting:

Mr ATKINSON: The Deputy Premier says 'once again'. The story, although it is by Miles Kemp, has not been contradicted by the member for Adelaide, as I understand it.

An honourable member: That was when he was on holidays.

Mr ATKINSON: Yes, it was when he was on holidays. However, the member for Adelaide could have written a letter to the Editor to put the matter straight or he could have spoken in this House on the matter. The article states:

> A senior Minister has told the Liberal Party he may quit because it had not supported him in an appeal against the recent electoral redistribution. Dr Michael Armitage, the member for Adelaide, was angered by the Party's refusal to fund an appeal against a decision which slashed his voter majority from 5.5 per cent to 2.3 per cent. Despite using leading Adelaide QC, Mr Michael Abbott, to argue his case, Dr Armitage failed to convince the Party that it should appeal against the decision in the Supreme Court.

The article further states:

> If he resigned, the Government would be forced to a by-election within months and face likely defeat on current polling results.
>
> Dr Armitage's father-in-law, Party power broker and former MLC Mr Don Laidlaw, said yesterday Dr Armitage had since decided against an appeal. 'He told them (the Liberal Party) they should do something and they agreed but in the end he decided he wouldn't appeal,' he said. 'He probably wasn't going to win the appeal, anyway.'
>
> Mr Laidlaw said he had told Dr Armitage to concentrate on winning the seat. 'I told him he better sit himself down, get organised and go and win it,' he said.

I have been forced by this news to draft a new direct mail letter to my constituents in Ovingham.

Mr Clarke interjecting:

Mr ATKINSON: The member for Ross Smith asks me to read it out to you—and I shall. It reads:

> Late last year I wrote to you with the news that I would no longer be your local member of Parliament after the next State election.

This had been caused by a redistribution of State electorates that put all of Ovingham in the State electorate of Adelaide. For the past 29 years Ovingham has been in the State electorate of Spence. I have been representing you as the member for Spence for the past nine years. My letter explained that the member for Adelaide, Dr Armitage (Liberal), lived in North Adelaide and was in favour of closing Barton Road in order to exclude, among others, Ovingham motorists and cyclists from North Adelaide. Moreover, he had advocated opening Gilbert Street so the Churchill Road traffic could flow along it.

I also explained that Dr Armitage did not want your part of Ovingham in his electorate. He had appealed against the redistribution, arguing that people like you living in the Charles Sturt Council area did not have a community of interest with the kind of people he had been representing, such as people in North Adelaide.

I interpolate: the member for Adelaide nods in agreement.

The Hon. M.H. ARMITAGE: I rise on a point of order, Mr Deputy Speaker. The member for Spence interpolates incorrectly. I was not nodding in relation to that particular comment, because the community of interest to which he was referring was the electors of Prospect.

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

Mr ATKINSON: I shall continue:

Now the *Advertiser* has published a story that Dr Armitage is so angry about your part of Ovingham being included in his electorate that he has threatened to resign from Parliament. This resignation would necessitate a by-election that would cost at least $75 000. I enclose a copy of the article headed, 'Minister threatens to resign'. Dr Armitage is angry that the Liberal Party is not willing to fund a legal challenge to the redistribution. Dr Armitage is reported as asking the Liberal Party for an easier seat in Parliament, one in which he would not have to campaign so hard. Dr Armitage's father-in-law, Liberal power broker Mr Don Laidlaw, told the *Advertiser* his son-in-law ought to concentrate on winning the seat and said, 'I told him he better sit himself down, get organised and go and win it.'

I am sorry this change has occurred. I would like to continue to be your local MP. I shall do my best to represent you in State Parliament for the next three years leading up to the next State election. Should the reluctant Dr Armitage become your MP at the next State election owing to the weight of Liberal Party votes in North Adelaide, I will do my best to ensure Ovingham's voice continues to be heard in Parliament. I hope you will continue to regard me as your local MP and ring me for advice and help on the numbers listed above.

Yours sincerely, Michael Atkinson.

That is how the letter reads. That is the letter that I will be sending to residents of Ovingham in the next few days. I note that, unlike the member for Adelaide, I am willing to give those people my home telephone number so that they can ring me at any time with their problems and grievances and seek counsel from me.

Members interjecting:

Mr ATKINSON: He is a friend of the family. Now that the member for Adelaide has heard what I have had to say, what I shall be saying to the residents of Ovingham and what the *Advertiser* has said in the article headed 'Minister threatens to resign', he will have an opportunity to reply, through the forums of this Chamber. I gave him that opportunity before I direct-mailed Ovingham residents last time, and it was not an opportunity he took up. There was no matter regarding his opposition to reopening Barton Road, his support for running interstate semitrailers down Torrens Road, his support for reopening Gilbert Street so that Churchill Road traffic could run down: none of those matters did he seek to dispute. I give him this opportunity again to respond, and I will take that into account in any letter I subsequently send to the residents of Ovingham. I want to inform the House that that is the letter I intend to send them, and my swarms of volunteers will be in Ovingham over the next two days letterboxing that area, at no cost whatever to the South Australian taxpayer.

The Hon. M.H. ARMITAGE (Minister for Government Enterprises): The member for Spence is on his usual campaign: as usual, it is incorrect. The *Advertiser* report to which the member for Spence referred is incorrect. I have identified that to people throughout my electorate. The member for Spence is—

Mr Atkinson interjecting:

The Hon. M.H. ARMITAGE: Why would I bother to write to the *Advertiser* when it did not speak to me before the article? The interesting thing is that, indeed, I did have the possibility of appeal when the electoral boundaries were brought down. However, what the member for Spence is refusing to acknowledge is that I elected not to do so. Why? It was because I will win the seat of Adelaide. I am not reluctant about representing the future constituents of Ovingham: indeed, I look forward to representing them. I always represent my constituents with great rigour. As always, the member for Spence refuses completely to be consistent, because he said that I would like to have Gilbert Street reopened so that semitrailers could go straight down Churchill and Torrens Roads, through the electorate of Ovingham. What he refuses to acknowledge is that that is exactly what he wants to happen in Barton Road.

The member for Spence has not yet answered the fact on which I challenged him when we were debating this issue under the Local Government Bill: the Charles Sturt Council used exactly the same clause to close Churchill Road as did the Adelaide City Council to close Barton Road—exactly the same one, for exactly the same reason. I look forward to the member for Spence's electorate letter to the residents of Ovingham saying that, if he wants to open Barton Road, logically and consistently, he should do exactly the same thing, because it was exactly the same clause of exactly the same Act that was used about three days before we debated it. I identified that to the member for Spence, and he did not know it. I am delighted to say that, for the residents of Ovingham, I have been working assiduously in relation to the Park Terrace/Torrens Road/Churchill Road/Ovingham roadworks and, within the next two weeks, a most exciting plan will be developed which will see the residents of Ovingham having service roads, the people along Churchill Road having service roads, and the traffic lights all being sorted out. Rather than making silly, inconsistent claims, I have been producing runs on the board for those constituents.

Motion carried.

Bill taken through its remaining stages.

CRIMINAL LAW CONSOLIDATION (INTOXICATION) AMENDMENT BILL

Received from the Legislative Council and read a first time.

ADJOURNMENT DEBATE

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

That the House do now adjourn.

Ms HURLEY (Deputy Leader of the Opposition): I am prompted tonight to talk once again about the welfare of children in my electorate as a result of my receiving an

interim report entitled 'Strengthening Linkages for Children—a Child Health Plan for the North'. This interim report emanated from the Northern Child Health Planning Conference, which was held on Thursday, 22 October 1998. It was an all-day conference which, unfortunately, I was unable to attend. However, the interim report is an extremely useful document that outlines a number of initiatives that will help children in the northern suburbs.

I want to talk about a list of priority projects that the conference proposed. I was really outraged when I read through the proposals not because they are bad proposals but because three of the proposals, in particular, relate to organisations or activities which had been active in the northern suburbs and which had been closed down (or had never got off the ground) as a result of the withdrawal of funding by Liberal Governments, either State or Federal. The first of the projects listed as a priority, which were already in place and which have been stopped, is the Northern Parenting Network, which was integrated with some other initiatives, such as the Urban Regeneration project in Salisbury.

The Family Resources Centre in the electorate of Elizabeth serviced the northern area and was funded by the Federal Government. I must admit that, when the Family Resources Centre commenced, I was a little sceptical about having public servants and bureaucrats advising families in the north about how they should cope. However, the Family Resources Centre turned out to be a very useful source of advice and assistance for families in the northern area and, since its closure, it has been sorely missed.

The second agency that I noticed on the priority projects list was an inter-agency task group for the coordination of child protection. Within my electorate at Davoren Park was an organisation called Carelink, which was funded by several Government departments. Carelink was established to look after children who had been abused. It was in the process of setting up a preventive program. It ran vacation care programs and provided information and advice, as well as continuing support to families where there was the threat of abuse or where there had been actual abuse against children within the family. That excellent program was closed because the then Minister for Health decided to withdraw his part of the funding and the other organisations were unable to cover that funding to keep Carelink going.

So, again another valuable agency disappeared from the northern suburbs. There was yet another one, a third one, involved in this development of a parenting network in the northern suburbs. In the northern suburbs a project was about to start—in fact, staff had already been put on—which was based on a Hawaiian model whereby families at risk were identified as babies were born. Trained professionals as well as volunteers went out and visited such families regularly to provide them with advice and assistance with regard to rearing children and health issues. They offered opportunities to access other resources—just the general assistance that many families need when they are under the stress of either their first or an additional baby. That program was shut down by the then Minister for Health before it even began. This would have been a great help for children in the northern suburbs. I was most distressed that these excellent agencies were closed down due to what was called a redirection of funding.

The funding went to other areas but my view is that the children of the northern suburbs need to be protected, assisted and given every possible opportunity in life, because in many areas of the northern suburbs, including large areas of my electorate, there are a number of poor families and a number of families where unemployment is just about endemic, and they are under a great deal of stress. This causes problems with looking after their children sufficiently well. Sometimes there are problems with the mental health of the parents and sometimes there is some slight intellectual disability but the children have the opportunity to start life afresh if they are properly assisted. This Government and the Federal Liberal Government have ensured that opportunities are decreasing for children in the northern suburbs, and it is particularly distressing to watch that happen. The northern suburbs are an area where there are large numbers of children and where the statistics consistently point to serious difficulties with children's health, learning, development and mental health. The waiting lists for children to get into speech therapy, to get assistance with behaviour and assistance with special education are consistently long and increasing. Teachers, carers and parents are getting increasingly frustrated with the lack of opportunities for their children.

Early childhood is another field where the Federal Liberal Government has also created problems for families in the area. Recent changes to pre-school care have caused two large community child-care centres to close down, one at Munno Para and one at Davoren Park in the old Elizabeth West area. To some extent I had this argument also with the previous Labor Government. These day care centres are designed for long term day care. Families at risk and under stress need respite care for their children. Pre-school centres also serve an important role in ensuring that children's developmental and health problems are picked up early, and they are able to refer families to the few agencies that are left if they detect serious problems within the families. The closure of those two centres puts more families and children at risk of abuse, and already our child abuse statistics are frighteningly high. It is really important that Governments place children first, and it is a sad indictment on any Government when I can stand here and categorically state that children have suffered under this Government. It is not only children but families who have suffered and, when families suffer, children suffer.

Another thing that this Government did early in its first term was to close the Para Districts Counselling Service, which made extensive use of volunteers. It continues in a much smaller form as the Playford Community Fund. The Playford Community Fund in the period 1996-98 experienced a 48 per cent increase in its client numbers. That was because of the closure of the Para Districts Counselling Service and because the Family and Youth Services office is virtually able to offer assistance only to those families in acute crisis. It is not able to offer any sort of preventive assistance to families just bumping along on the bottom with chronic difficulties.

The Hon. D.C. KOTZ (Minister for Environment and Heritage): I take this opportunity to offer my condolences to the family of Mr Vic Curd, who passed away suddenly on Monday 1 March 1999. Vic was a senior officer with the Department of Environment and Heritage who served the Governments of this State in water resource management from 1976. Vic Curd had a varied life, ranging from working at Leigh Creek to serving as a paratrooper (a Red Beret) in the British Army in Ireland.

Vic was always very concerned about the proper management of our State's water and he worked hard in water-related areas since he commenced employment with the Water Resources Branch of the Engineering and Water Supply

Department on 12 January 1976. In the early 1980s, Vic headed the committee secretariat unit, with a staff of three, responsible for providing secretarial services and policy advice to 10 community-based committees involved in water resources management for the prescribed areas established throughout the State.

During the 1980s, Vic was closely involved in the interstate technical working group for the Great Artesian Basin, which coordinated technical work programs in New South Wales, South Australia and Queensland to improve management of the Great Artesian Basin. This pioneering work resulted in South Australia establishing a rehabilitation of artesian wells program and was the forerunner of work that is now being done in Queensland and New South Wales. In 1994, Vic was seconded to work as executive officer for the Virginia pipeline project. He was actively involved in the formation of the Virginia Irrigators Association and in the negotiations between the association, the Government and the private pipeline contractors during the development of the pipeline proposal.

On his return to water resources he undertook a variety of project work. From 1998, Vic coordinated Government initiatives for the rehabilitation of artesian bores in the South-East and the Great Artesian Basin. This involved the management of considerable funds as well as undertaking extensive community consultation on the rehabilitation options. At times Vic appeared as the Minister's advocate before the previous Water Resources Appeal Tribunal, which was a role that I am told he enjoyed for many of its verbal challenges.

Vic had a great love of good literature, particularly the likes of Evelyn Waugh, Rudyard Kipling and Damon Runyon, and he would use quotes from these authors, combined with his own dry sense of humour, in times when discussions had the potential to become quite tense. Vic always had a great concern and love for the arid areas of this State, probably stemming from his early days working with ETSA at Leigh Creek.

Throughout his career Vic was deeply involved in working with the community to put into place sensible and practical management to ensure the sustainability of our water resources. For Vic there was nothing more satisfying than facilitating new initiatives for the community Water Resources Committee or carrying out a project in conjunction with a community group to address a problem or improve the status of our water resources.

Vic's work brought him into contact with communities throughout the State. He made many friends at all levels. Vic is widely appreciated by these communities for his contribution to water resources, his practical approach and his good humour and conviviality which helped community groups to reach a consensus on many occasions.

I met with Vic only about four days before he died. I doubt that it will surprise anyone to hear that the topic of our meeting was water resources in the South-East. The people who attended that meeting with Vic would have been as shocked as I was to hear of his sudden death. Vic was on a field trip still working for the people of South Australia when he suffered a massive heart attack.

Vic will be sadly missed by his colleagues and peers within the department and by those who worked with him throughout the State over many years. On behalf of the Government of South Australia and the officers and staff of the Department for Environment, Heritage and Aboriginal Affairs, I offer our sincere condolences to Vic's wife, Margaret, and his two sons, Ian and Toby.

Motion carried.

At 10.12 p.m. the House adjourned until Thursday 4 March at 10.30 a.m.