HOUSE OF ASSEMBLY

Wednesday 30 April 2003

The SPEAKER (Hon. I.P. Lewis) took the chair at 2 p.m. and read prayers.

PENSIONER CONCESSIONS

A petition signed by 222 residents of the town of Kimba and District Council of Le Hunte, requesting the house to urge the government to provide a financial concession scheme in future budgets to assist pensioners with electrical and gas charges, was presented by Mrs Penfold.

Petition received.

TRADE LICENCES

In reply to **Mr O'BRIEN** (31 March).

The Hon. M.J. ATKINSON: I have received this advice:

The Office of Consumer and Business Affairs has been working at improving its occupational licensing processes for some time.

Some achievements so far have been a photographic licence card system and the streamlined renewal system.

Traditionally, applicants for licences to carry out trades such as building work had to complete a long application form that had been designed to cater for different licence types.

In a first for occupational licensing in Australia, a new assisted application process was introduced on a trial basis on 10 March, 2003. Under this licence application system, a person is asked a series of computer-prompted questions by an OCBA staff member either over the phone or in person. The questions are customised to the type of licence for which the applicant is applying and to the applicant's answers to previous questions.

The applicant then simply reads and signs a printed summary of his or her answers and lodges it with OCBA along, of course, with whatever fees and supporting documents are required.

Although the system has only been running for a few weeks, initial customer feedback has been positive. I'm also pleased to advise that several interstate offices of consumer affairs and fair trading are interested in observing the new system in action.

NORTHERN TERRITORY PARLIAMENT

The SPEAKER: During the course of yesterday, can I tell the house, in rather more serious terms than I think some members of the general public and those reporting proceedings of parliament may have understood at the time, that I represented this parliament in the first sitting of the Northern Territory Parliament which was held not in the capital city but in Alice Springs. That was for very good reason. The first reason is that, of this parliament, in which there are two presiding officers (the President of the other place and the Speaker in this place), there is no deputy in the other place and therefore it is not easy to obtain and retain orderly conduct of business in that place in the same way as is possible in the House of Assembly.

Secondly, and of at least as much importance, is a fact lost on many members of the general public and maybe some members of this parliament that the Northern Territory was a part of the area represented by members elected to this chamber and this parliament from the day on which this chamber was first established. In the first instance, those honourable members from 1863 until 1912 represented the seat of Flinders until 1890 and then the seat of the Northern Territory from 1890 to 1912, whereupon South Australia (at its own request) had the Northern Territory handed to the jurisdiction of the Commonwealth Government of Australia. During that time (1863 to 1912) members representing that part of South Australia now known as the Northern Territory sat in both houses. In the Legislative Council it was from 1857 until 1882, and were members of the South Australian house called the Legislative Council.

Without wanting to bore members or take up the time of the house unduly, some of those members played a very historic part in the development of South Australia's legislative framework (its statutes and administrative procedures) as well as the commonwealth's. The very first members for the area were Alfred Watts and Charles Lindsay. Honourable members can find a list of those people in the papers that set out the election results where Flinders, by chance, happens to fall as the last place mentioned on the list of those election results, and they are in our library. The Northern Territory, once it was established as a separate seat, was also the thirteenth (last) on each list of members.

I provide honourable members, and the public at large I hope, with some equally interesting and relevant insight into the legislation that governed both the peoples living now in the Northern Territory and in South Australia by drawing attention to the fact that those people who lived in that part of South Australia from Port Lincoln to Groote Eylandt (and points further north that were included in the Northern Territory though not as significant in area) in the electorate of Flinders were only able to vote if they were of other than Aboriginal extraction, for no other reason than acts of Westminster charged our parliament and administrators on this continent in this province with the responsibility of also taking care of those peoples and their descendants who were living here at the time of the proclamation of the acts of William IV in the late 1820s and the 1830s.

That point is relevant in the context of the debates which ensued yesterday in the proceedings in Alice Springs. I should touch briefly on some of those matters. They were clearly about the circumstances in which those people descended of the original inhabitants now find themselves in the Northern Territory, whereas Aborigines and their descendants had things done to them, not done by them, and things done in what was said to be for them in their interests, but without consultation in any formal sense with them.

This is at the background of my reason for wanting to see, amongst other political minorities represented in this place, the house of government, a seat reserved for those people in this state now who are descended from the original inhabitants. For unless and until we do so, we can expect the same kind of division and difficulty as we have experienced, in lesser degree, but which is also being experienced to a continuing and significant degree in the Northern Territory, where many such people are alienated from the mainstream. Reconciliation will not occur unless and until we recognise that special status. This will not be possible for us, unless we all understand the vital and essential connection between our past, the present we live in and the future that we all hope for.

We need to understand the struggles of the past for all of us, the efforts being made in the present by all of us and what it is we aim to achieve through that for our (collective) future. I believe that compels us all to respect the land that we live on, to respect all life around us—that is, the lives of other people as well as all other life forms—and the need for all of us to inspire one another to do our best today in order that we can all have a better tomorrow. Without such an approach, parliament is irrelevant and the future so uncertain as to be, in my judgment, less desirable than we can otherwise achieve if we remember what we pray at the commencement of each day's session and what we were charged with doing by those acts of Westminster of the late 1820s and 1830s which

established orderly government of the form from which we have derived this parliament and in which those members representing the peoples of the Northern Territory discharge their responsibility—and I conclude on this note—probably with greater sensitivity than I have seen some people exercise in our society today, since they did not have the means in law to do the things that we now seek to do in consultation with the descendants of the original inhabitants of this place.

Honourable members: Hear, hear!

ANNUAL REPORTS

The Hon. P.L. WHITE (Minister for Education and Children's Services): I seek leave to make a ministerial statement.

Leave granted.

The Hon. P.L. WHITE: In relation in the tabling of the Department of Education, Training and Employment's 2001 annual report, I wish to inform the house that my office has no record of that report being officially presented to my office. However, following the non-tabling of this report being raised with my office on 14 April 2003, a search was undertaken in my office and a ring-bound document entitled 'Department of Education, Training and Employment Annual Report 2001' was found. As this document was on its own and not attached to any file, it is not clear at what stage that particular document entered the office of the Minister for Education and Children's Services. I can also inform the house that on 4 April 2002 the Acting Chief Executive, Mr Bill Cossey, noted the department's annual report 2001.

Despite my remark to the house on Monday that a draft of the annual report 2001 had been provided to the former minister's office—a comment that was based on advice from a senior officer that the annual report 2001 was prepared for the previous minister and provided to that office at around the time of the election and subsequent change of government—the department is unable to state with certainty whether such a document was provided to the former minister's office.

Today I have asked the current Chief Executive for the reason that the department's annual report 2001 was not formally presented to me, and I have also asked him to ensure that all annual reports that need to be tabled in parliament are formally presented to me. On Monday, in the course of comments regarding the tabling of the department's Children's Services annual report for 2000-01, I stated that the house sat during November and December 2001. That was incorrect. I have now confirmed that the House of Assembly sat during October and November 2001 and on 5 March 2002.

Mr BRINDAL: I rise on a point of order, sir. The minister has made a statement, which I ask you to consider. The previous parliament required, and the statute law of South Australia clearly requires, certain reports to be made and presented to this parliament on dates dictated by statute. It has increasingly become a practice over previous years for departmental officers and/or ministers to ignore the requirements of this parliament. I ask you to examine this matter to see whether the non-presentation of such reports in a timely manner constitutes a contempt of this parliament.

The Hon. K.O. Foley interjecting:

The SPEAKER: Order! The Deputy Premier might find that it's his guts and not a chicken's that we are looking at to see what the opposition is up to. It is a serious matter when a point of order is raised which involves consideration of a contempt of the parliament. I am not sure that even the member for Unley has not been a sinner in that respect in previous times. I say to all members that statute is the direction of the parliament, not just of this chamber and not of government, but of parliament itself, which consists of this place, the other place and the governor. It is a serious matter. Henceforth, all members, particularly ministers who have, by far, the greatest part of responsibility in that regard, should observe the statute where it expressly requires them to do certain things as part of their duty as members and ministers of this place. I remind them that they have sworn an oath to do so. We all ought to be able to rely upon that oath, a breach of which is historically more serious than the crime of perjury.

I am therefore compelled to advise the member for Unley that whether or not any such offence has occurred in this particular instance is not a matter upon which I intend to make any judgment now or in the future, but I will pay attention to that point and enable all members to be thereby warned of my belief that it is the duty of the chair to uphold the law, perhaps even more so than members and ministers. I thank the honourable member for the point and leave the matter at that.

BARCOO OUTLET

The Hon. J.D. HILL (Minister for Environment and Conservation): I seek leave to make a ministerial statement.

Leave granted.

The Hon. J.D. HILL: Today I advise the house of an investigation into the operations of Barcoo Outlet that has revealed serious deficiencies in its fundamental design. The Department of Water, Land and Biodiversity Conservation instigated an investigation into the outlet's operation after a rainfall event on 20 February this year which raised fears of flooding in the Glenelg North and Novar Gardens area. This investigation was necessary to determine whether the system failed to function as designed.

The Barcoo Outlet was meant to clean up the Patawalonga Lake to make it suitable for community and recreational use. When it was commissioned, the previous government stated that the outlet would ensure that stormwater would enter the lake no more than once every two years. The final cost of this project was $16.3 million. However, this investigation reveals flaws in the operation of the outlet. In fact, if operations are not changed, it is expected that stormwater would flow into the Patawalonga Lake about one or two times per year rather than once every two years. The Barcoo Outlet's capacity to operate to specification is now in question. When designing the outlet, I am advised, the company responsible (KBR) did not know about a study on stormwater drainage issues that had been conducted by the City of Holdfast Bay in 1999. This study predicted the possibility of frequent localised flooding in the Novar Gardens area.

I am also advised that, at the time the Barcoo Outlet was being considered, the former government was told that it would need to build a second outlet to divert all stormwater drainage away from the Patawalonga. I am further advised that the former government chose not to follow that advice. As a result, every time it rains there is considerable run-off into the Patawalonga from a series of other stormwater drains, which often results in temporary closures because of health concerns.

In addition, I am advised that the only way to ensure that stormwater from the Barcoo Outlet is released into the lake once every two years, as originally designed, is to increase

the capacity of the system by replicating the existing pipe which, I am advised, would be at a cost of $10 million to $15 million. The alternative is to operate the system at a lower standard than was promoted by the previous government.

As a prudent cost-effective solution, the operational levels of the weir gates have now been set at 1.5 metres, half a metre lower than original design specifications. This will avoid any impact on stormwater drainage in the Novar Gardens area. The lower level will result in more stormwater flowing into the Patawalonga Lake about one extra time each year, bringing it to possibly three times per year, that is, six times the rate specified in the original design. Ultimately, the Barcoo only works to specifications some of the time, while the Patawalonga must be closed every time rainfall in the area reaches 10 millimetres. I understand that the Patawalonga is closed today because that level has been reached.

I have forwarded a copy of the report to the Patawalonga Catchment Water Management Board, the City of Holdfast Bay, the City of Charles Sturt and the City of West Torrens for their urgent comment, and I now table a copy of this report in this place. This is a serious matter: it will need further investigation to find the best possible outcome for all concerned.

Members interjecting:

The SPEAKER: Order, the member for Morphett!

LEGISLATIVE REVIEW COMMITTEE

Mr HANNA (Mitchell): I bring up the twenty-third report of the committee.

Report received and read.

LEGISLATIVE REVIEW COMMITTEE

Mr HANNA (Mitchell): I bring up the 24th report of the committee.

Report received.

QUESTION TIME

WORKCOVER

The Hon. R.G. KERIN (Leader of the Opposition): Will the Minister for Industrial Relations confirm that he was consulted about the preferred candidate for the CEO at the WorkCover Corporation? Part 5, section 21(4), of the WorkCover Corporation Act provides:

> A person must not be appointed as CEO unless the board has first consulted with the Minister about the proposed appointment. . .

On Monday, when asked of his role in this appointment, the minister stated to this house that the appointment of the WorkCover CEO was the responsibility of the WorkCover board.

The Hon. M.J. WRIGHT (Minister for Industrial Relations): The leader is correct: the legislation stipulates that it is the responsibility of the WorkCover board to appoint the CEO. The legislation states that the CEO is appointed by the board, and the board consults with the minister.

An honourable member interjecting:

The Hon. M.J. WRIGHT: Yes, I have been consulted on a whole range of issues, including the appointment of the CEO. However, as I said, it is the responsibility of the WorkCover board to appoint the CEO.

YOUTH EMPLOYMENT

Ms THOMPSON (Reynell): My question is directed to the Minister for Employment, Training and Further Education. What is the government doing to ensure that industry demonstrates a commitment to employment and training outcomes for young people when tendering for government works and services?

The Hon. J.D. LOMAX-SMITH (Minister for Employment, Training and Further Education): I thank the member for Reynell for her question. The South Australian government is committed to ensuring that businesses demonstrate a commitment to providing employment and training opportunities, particularly for young people. Inskill SA is a new program linked to government procurement, and commenced on 1 March 2003. It is a prerequisite for organisations wanting to tender for significant government works and service contracts and associated subcontracts valued at more than $250 000.

Inskill SA registration is based on the organisation satisfying a minimum of defined criteria through a range of employment and training activities such as hiring an apprentice or trainee, providing work experience for young people, employment of a graduate, and participation in training activities. An extensive media campaign in every metropolitan and regional newspaper in the state plus a large number of industry-specific newsletters and industry visits were commenced. This program is a substantial improvement on what was in place last year. There are currently 100 businesses registered, and these are predominantly small to medium sized operations. To date, two businesses have been granted a conditional registration, one a new business which plans to employ two graduates within the next six months. Feedback to the department has been positive and encouraging. A culture of training and employment of young people is needed to address skills shortages in many industries.

WORKCOVER

The Hon. R.G. KERIN (Leader of the Opposition): My question is again directed to the Minister for Industrial Relations. Why did the minister, or his staff, after he was consulted about the preferred candidate for the position of CEO at the WorkCover Corporation, advise that the appointment should not proceed?

The Hon. M.J. WRIGHT (Minister for Industrial Relations): That is simply not the case. For the Leader of the Opposition to make such an assertion, he is either being mischievous or deliberately making an accusation that is not correct. I have told him what the process is, and that is that the legislation states that the CEO is to be appointed by the board following consultation with the minister. That is what has occurred: that is what has taken place. I do not have the power to direct the WorkCover board with respect to the CEO, nor would I do so.

An honourable member interjecting:

The Hon. M.J. WRIGHT: No, I didn't. I have just said that. So, it is as simple as that.

INSURANCE, PUBLIC LIABILITY

Ms RANKINE (Wright): My question is directed to the Treasurer. Is the Treasurer aware of any movements in South Australia with regard to increased offering of public liability

insurance to community groups in South Australia as a result of the government's actions over the last year?

The Hon. K.O. FOLEY (Treasurer): Actually, I am. From the outset, I acknowledge the outstanding work of the member for Wright as Parliamentary Secretary to the Premier and as a local member, and with volunteers. Many members on all sides of politics—the member for Kavel, the member for Newland, and a number of my own colleagues—have been to see me on occasions to talk about issues of public liability and, in particular, how that impacts on small community groups.

As members know, since coming to office, the government has worked very diligently in consultation with the opposition and minor parties in the parliament and, at the national level, with the Assistant Treasurer, Helen Coonan, a minister for whom I have high regard and enjoy a good working relationship with on this particular matter. We are making progress. All members will recall that we legislated in the latter part of last year, and I foreshadow debate on further legislation in the next week or two.

I know that the member for Bragg was a sceptic; I think that the member for Mitchell was sceptical; the member for Heysen was also sceptical. I do not know whether or not the fact that they are all lawyers adds to the scepticism. We are starting to see a positive reaction to the legislative approach taken by all members of this chamber and most members in this parliament.

Following repeated calls by me and treasurers nationwide, particularly in recent weeks at a meeting in Perth, I am able to inform the house (as some may have already gleaned) that a group that will be called the 'Community Care Underwriting Agency' has agreed to enter the South Australian insurance market to provide public liability insurance. This is outstanding news. I have received correspondence to advise that the Community Care Underwriting Agency (CCUA) is a joint venture formed by Allianz Australia, NRMA Insurance and QBE. The purpose of the CCUA is to help 'not for profit' organisations operating in South Australia to get access to public liability insurance activities, including community events, community centres, and homecare.

In their correspondence to me, they acknowledged that, following legislative reforms after the actions of this government, they believe that now is the right time to enter this market. They advised the government in writing that, as a consequence of our work, they are prepared to enter the market.

Ms Chapman interjecting:

The Hon. K.O. FOLEY: The member for Bragg's scepticism remains. Anyway, I will not be deterred. The Community Care Underwriting Agency is now also in New South Wales, Victoria and Western Australia and has agreed to enter the South Australian market.

The product is designed for organisations with the following characteristics: that the organisation provides services to the broader community; it must be a 'not for profit' organisation with funding of not more than $2 million per annum; the organisation does not distribute profits to its members; and the organisation comprises mainly volunteers. As I have said, the decision by this organisation demonstrates that the approach adopted by this government and, indeed, by this parliament is beginning to help resolve the public liability crisis in South Australia.

The government resisted from the very beginning public and private calls from members opposite and others for the government to step back into insurance. In a large part, we have been able to do that with one or two minor exceptions, and that has been good policy—the right policy response to allow the market to resolve this by dealing with reform that improves the environment for which this type of product can come onto the market. It is not the total answer, and we have more legislative reform to debate in this house.

I congratulate all members of this house—Labor, Liberal, National and Independent—and all those members in the upper house who supported the tough reform and tough decisions from which we are now starting to see benefit. All members of this house can be rightly pleased with and proud of their work, because we are starting to see the results.

WORKCOVER

The Hon. R.G. KERIN (Leader of the Opposition): My question is directed to the Minister for Industrial Relations. Has the minister or his staff given any written or oral advice to WorkCover or the board suggesting that they not proceed with proposed changes to arrangements with the companies which are engaged in claims management?

The Hon. M.J. WRIGHT (Minister for Industrial Relations): I am happy to get the detail to that question.

An honourable member interjecting:

The Hon. M.J. WRIGHT: No. If I knew, I would provide the answer. As I told the leader yesterday in response to a question he asked regarding claims management, when he made an accusation that there had been political interference, to the best of my knowledge that has not been the case. I also made the offer to the Leader that, if he has specific allegations where he believes that either I or my office have interfered, he put those forward and I will be more than happy to have them assessed. As I said yesterday, to the best of my knowledge that has not occurred—and I would not have expected my office to do so either—but he may have a specific claim, because there is a whole range of correspondence which flows from WorkCover to my office and which obviously goes from my office back to WorkCover. Obviously, I have regular meetings with the Chairperson of WorkCover, and a whole range of issues are discussed. If the leader has specific accusations where he believes political interference has occurred, he should put those before me and I will have them checked for him.

WIND POWER

Ms THOMPSON (Reynell): Can the Premier say what progress has been made on the Starfish Hill wind farm?

The Hon. M.D. RANN (Premier): I am pleased to be able to inform the house that I have just returned from Starfish Hill in the electorate of my learned friend and colleague the member for Finniss.

The Hon. K.O. Foley: A statesman and elder of the house.

The Hon. M.D. RANN: The grandfather of the house, I understand. I am pleased to announce that today electricity from South Australia's first wind farm started flowing into the national grid. That certainly appeared to be the case; it was the right weather for a wind turbine. This is the first of 23 wind turbines at the $65 million Starfish Hill wind farm being developed by Tarong Energy, and it is now about to become operational. The remainder of the turbines (two of which were already there) will be lifted into place in the next three months. Engineering and environmental excellence are here being combined for the good of the state.

The Starfish Hill wind farm will provide enough energy to meet the needs of more than 18 000 households (2 per cent of the state's residential customers). By harnessing the wind, we are reducing our reliance on burning coal to generate electricity. It is estimated that about 160 South Australian jobs have been generated during the design and construction phase. The Chairman of Committees is a particular expert in this area and has been encouraging the government and me personally in this regard. More than $25 million in contracts have been awarded to South Australian based companies as part of the Starfish Hill proposal.

This is the start of what we hope will be a series of wind farms. Approval by either the government or councils has been given to a massive wind farm development for the South-East of the state involving about 183 wind turbines. When you consider the millions of dollars that each turbine costs, we are essentially talking about planning approval being given for a wind powered power station. We look forward to the private sector taking up the challenge, now that this project has been approved.

Approvals have also been given for wind farm development in other places near Edithburgh on Yorke Peninsula and also near Cowell and other parts of the Eyre Peninsula, as well as the South-East. I think six wind farms have already now been approved by either the government or councils, and others are currently in the process of having their applications dealt with. Not only is this great for energy but it is also great for the environment. What we have opened today will have a major impact in lessening greenhouse gas emissions over the life of the project. I think it is 2.5 million tonnes of CO_2 that will not be put into the atmosphere.

The industrial flow-on effects for local companies from these contracts include Rota-Pro, which is making the plastic tower dampers. As a result of this contract that company is expanding into larger premises to supply tower dampers for all NEG Micon towers Australia-wide. They are operating, I am told, around the clock. Air-Ride Technologies has secured further work doing the internal fit-outs of the towers. This is a contract that will add a further $1 million of work to the original contract of $6 million.

So, congratulations to Tarong Energy, the Yankalilla council and the local community that came out behind the project. It is great to see strong representation of local people. From the very beginning of this project, Tarong has sought to do the right thing by the local community, the environment and for the greater good of South Australia. I also extend particular congratulations (and I hope I speak for all members of the house in this respect) to the Minister for Energy for his strong, passionate commitment to alternative energy and the things that I am promoting in terms of both wind power and solar power. I encourage everyone to head down to the Fleurieu Peninsula, to the electorate of the member for Finniss, and have a look at these massive towers that are now whirring.

HOSPITALS, QUEEN ELIZABETH

The Hon. DEAN BROWN (Deputy Leader of the Opposition): What action has the Minister for Health taken in relation to serious allegations made by senior staff at the department of radiology at the Queen Elizabeth Hospital, and why has not the minister or the CEO of the Department of Human Services responded to the people who have made the allegations? I have copies of letters from staff at the Queen Elizabeth Hospital, and copies of these letters have been sent to the Minister for Health and the CEO of the Department of Human Services. These letters allege improper practices within the department, serious conflicts of interest between public and private duties, and a staff member travelling overseas without approval whilst time sheets claimed that the staff member was at work at the hospital. As a result of the lack of action by the minister and the department, two senior staff radiologists have now resigned.

The Hon. L. STEVENS (Minister for Health): I am aware of some issues in relation to the practice in the radiology department of the Queen Elizabeth Hospital, and I know that the Chief Executive Officer of my department has informed the board of the Queen Elizabeth Hospital of the content of those issues. The issues are being taken very seriously, and they have been referred to the board for action. I say again—and I would ask members to listen—that the allegations are of great concern. The Chief Executive Officer of my department has referred those allegations to the board, and I understand that the board received them at its meeting at the end of last week. I expect that the board will take appropriate action.

MULTICULTURAL GRANTS SCHEME

Mr KOUTSANTONIS (West Torrens): My question is directed to the Minister for Multicultural Affairs. What are the latest rounds of grants under the Multicultural Grants Scheme, and what are the priorities of the scheme?

The Hon. M.D. Rann interjecting:

The Hon. M.J. ATKINSON (Minister for Multicultural Affairs): I am pleased to confirm that the Premier's interjection is correct and that, for the first time in eight years, we have increased funding under the Multicultural Grants Scheme. We have, in fact, doubled it. It has been our policy to allocate an additional $80 000 to the scheme, making the total available to South Australia's diverse multicultural communities $150 000.

The Hon. R.B. Such: How much for the Irish?

The Hon. M.J. ATKINSON: This was the first real financial boost in more than eight years. In response to the member for Fisher, I am a member of the Irish Australian Association, and the decision on that grant has had to be made by another officer. The scheme is designed to extend an understanding of our multicultural society, increase participation by South Australians of all backgrounds in the community and to celebrate multiculturalism.

The grants' priorities have been refocussed and the criteria have been revised to include new categories. Grants are available for projects and events, festivals, community development and multicultural awareness through the media. The total amount available for any one grant has increased from a maximum of $3 000 to a maximum of $10 000. I note that the member for Hartley nods his head in agreement, although it would not be shared by the Liberal member for Stuart. The expanded scheme is now released in—

Mr Brokenshire interjecting:

The Hon. M.J. ATKINSON: The member for Mawson says that it is not fair. The member for Stuart accepts that he is an opponent of multiculturalism, and he is on the record as saying that.

Mr BROKENSHIRE: I rise on a point of order, sir. I ask for the withdrawal of those untrue and unparliamentary remarks about the member for Stuart.

The SPEAKER: The remarks made by the Attorney-General about the member for Stuart are the subject of

whatever contemplation the member for Stuart may wish to give to them as to their accuracy or otherwise and offensiveness to him, more particularly, to his role in representing those people who live in Stuart. How ever the Attorney-General has made the remark, it is not appropriate for the member for Mawson to be his brother's minder. I leave it to the Attorney-General to decide whether or not he considers his observations to be valid.

At the same time, I point out to members that unless their remarks are factual, in some measure of the kind which the Attorney-General has made, however pleasant or otherwise that may be, then it is not advisable to make such statements about the attitudes of other members.

The Hon. M.J. ATKINSON: The member for Mawson is far too sensitive on behalf of the member for Stuart, who has made forthright, ardent and well-reasoned criticisms of the multicultural policy of this government—and they are comments the member for Stuart is entitled to make. The expanded scheme is now released in two rounds of applications. The first round has just concluded. I am pleased to say that dozens of community organisations will benefit from government assistance for their worthwhile projects and events. I have approved over $88 000 worth of grants to 70 applicants. This is a large increase from about 50 grants, with a value of just over $60 000, for each of the last three years. The scheme helps many more multicultural organisations to do more things.

Some groups and projects to benefit from this round include the Australian Iraqi Turkmen Association for equipment for their information project—the Turkmen are an important minority in Iraq, living in the cities of Kirkuk and Nineveh—and the Scottish Association of South Australia for the cost of a Scottish cultural exhibition.

The Hon. P.F. Conlon: They'll make it go a long way!

The Hon. M.J. ATKINSON: The member for Elder says the Scots will make that money go a long way. Other groups to benefit include the Australian Kurdish Association of South Australia to assist in information and cultural programs—and I have been pleased to spend two weekend barbecues with the South Australian Kurds as they celebrate the liberation of Kirkuk and Mosul; the Federation of Campanian Organisations, with its innovative 'internet per tutti' or internet for all information program; the Somali Community Development Organisation to help with workshops and seminars—I am pleased to say that a number of Somali Australians are living in my electorate and they are one of the new arrival groups that the government is pleased to support; the Vietnamese Community in Australia SA Chapter for the 'Tet' festival next year, the year of the monkey; and the Mediterraneo Festival for the annual Port Lincoln multicultural feast. These are but a few of the diverse community organisations and events that the government is pleased to support through this modest funding scheme.

Dr McFetridge interjecting:

The Hon. M.J. ATKINSON: The member for Morphett, who attended the African festival with me on the weekend, mentions the Africans who will also be funded for another year. More organisations have benefited from the increase to the scheme and even more will have an opportunity with round 2 currently open for applications. As this month has been a busy period for many communities with many religious observances and feasts, I extended the closing date for applications for round 2 to 12 May.

HEALTH REVIEWS

The Hon. DEAN BROWN (Deputy Leader of the Opposition): With the government receiving the Generational Health Review today, one month late, will the Minister for Health give an undertaking to release the review immediately so that the public and hospitals can express their views on the recommendations before any decisions are made by the state government?

The Hon. L. STEVENS (Minister for Health): I thank the honourable member for this question, noting of course that he chose not to make a submission to the review. In fact, he said that it would be quite inappropriate for him as the former minister to take a constructive role in rebuilding South Australia's health services. I must say that after the reign of the deputy leader there is fertile ground in terms of rebuilding South Australia's health services. The work of the review is complete and today I have received the final report of the committee. I was quite astonished to see that the deputy leader had been on radio this morning calling for consultation. Now, where has this man been?

There have been 350 submissions to the review, which have been sitting on the net for anything upwards of 10 or 11 months; 60 consultation meetings were held throughout South Australia; there were a number of discussion papers; there was a report on the consultation process that had been undergone; and there was a progress report issued for everyone's information in February. And now the deputy leader says, 'We've got to have more consultation.' Well I can tell you: you've missed out. The deputy leader chose not to make a submission. The deputy leader said it was inappropriate for him to take a positive role. It is now too late: the consultation process has finished. It has been going on for eight or nine months.

The review committee has completed an enormous task to assess all the submissions and proposals put forward by hundreds and hundreds of people to improve our health services. As I said before, after eight years of Liberal government, they were certainly ploughing fertile ground. The final report has been handed to me today. The government will now consider the recommendations and the report will then be released. This report is about all the serious issues for health services in South Australia that the former minister failed to address. I know that the shadow minister is sitting there just waiting so he can become a spoiler once again. I reckon it is about time he started to think about just how far he has fallen from being premier of this state once to the position where he now sits and waits to spoil and wreck.

The SPEAKER: Order! The honourable minister should not need me to remind her that the question had nothing to do with the deputy leader's political career and fortunes.

RADIOACTIVE WASTE

Mr CAICA (Colton): My question is directed to the Minister for Environment and Conservation. Are Senator Nick Minchin (Minister for Finance Administration) and the Hon. Peter McGauran (Minister for Social Science) correct when they state that low level and short-lived intermediate level radioactive waste is stored at 130 sites around South Australia?

The Hon. J.D. HILL (Minister for Environment and Conservation): Thank you, Mr Speaker.

The Hon. W.A. Matthew: Did you read your briefing notes?

The Hon. J.D. HILL: I have been waiting for the member for Bright to make this interjection all week. It has taken him a few days to reach his normal form. If the member for Waite is Homer, then the member for Bright is Krusty the Clown, given that level of humour. I thank the member for his question as it gives me an opportunity to go through the issue of how many radioactive waste storage places there are in South Australia. A number of figures have been mentioned in the media by Senator Minchin and others in this place at various times, and there is some confusion. I am surprised—

An honourable member interjecting:

The Hon. J.D. HILL: I'm glad the member for Davenport raised EPO23, because it does specify the number. I pointed that out to Senator Minchin at a public debate we were at some weeks ago, and I was surprised when he, after I had pointed the facts out to him, wrote a letter to the editor, which was clearly contrary to what he knew was the fact. I am advised that there are approximately 50 sites in South Australia where low level and short lived intermediate level radioactive waste is stored. The sites are located in approximately 27 towns and suburbs across this state. On 21 April this year, Senator Minchin had a letter to the editor published in the *Advertiser*. In part, he stated:

> There is low level radioactive waste scattered around the state in temporary facilities at more than 130 sites.

In today's *Advertiser*, Minister McGauran is quoted as saying:

> There are 130 sites in 26 towns and suburbs across the state.

On 19 March this year, the Hon. Mr Redford in the other place said that the waste is currently in 130 or 150 sites throughout South Australia. As I informed the house on 24 March, current estimates determined before the completion of the EPA audit indicated that there are 185 sealed radioactive sources which would be considered low level waste. These sources range over 50 sites. In fact, as the member for Davenport interjected, that is the information that is contained in the now infamous document entitled 'EPO23.' On page 4—

An honourable member interjecting:

The Hon. J.D. HILL: I have well read it now, I can assure the house of that. On page 4 of that document, the briefing states that there are 185 sealed radioactive sources that may be suitable for disposal at a low level waste repository. The location of the 185 sources ranges over 50 sites. I wanted to put that clearly on the record, because it does not help the debate when important commentators on the debate such as Senator Minchin are not aware of the facts and retails inaccurate information in the media.

Members interjecting:

The SPEAKER: Order! The minister is not being disorderly: it is members on my left. Unless I am mistaken, they are challenging the minister's remark that Senator Minchin is an important person in this debate. I think that is entirely inappropriate: of course he is important. I would ask them not to interject.

The Hon. R.G. KERIN (Leader of the Opposition): Sir, could I ask a supplementary question of the minister?

The SPEAKER: If he has finished his answer, yes.

The Hon. R.G. KERIN: Given the minister's statement that it is about time all the facts were laid on the table and there was some truth in the debate, will the minister now tell us how much of Australia's low level radioactive waste is currently stored at Woomera—put there by the former federal Labor government—and is it far more than the 1 per cent which the Premier's media unit keeps ringing and telling radio talkback?

The Hon. J.D. HILL: That is a good question. I have a lot of detail on that question and, rather than try to recall it now, I will get a full answer for the member for tomorrow. I can assure the member that the amount of radioactive waste generated in South Australia and stored on South Australian land as opposed to commonwealth land is very small indeed.

GOLDEN GROVE LAND

Ms RANKINE (Wright): My question is directed to the Minister for Urban Development and Planning. What is the status of the Golden Grove plan amendment report, and what has been done to ensure the integrity of the Golden Grove development is maintained in the future?

The Hon. J.W. WEATHERILL (Minister for Urban Development and Planning): I thank the honourable member for her question and acknowledge her powerful advocacy on behalf of the residents of Golden Grove.

An honourable member: It's unending.

The Hon. J.W. WEATHERILL: It is unending indeed, although there is no truth to the rumour that we have had to place additional resources in the ministerial office simply to deal with her numerous requests on behalf of the residents of Golden Grove. The honourable member is a powerful advocate on behalf of the interests of that important part of South Australia.

I am pleased to report that the public consultation process involving the Golden Grove plan amendment report has been finalised and that I have recently approved it. After the vigorous representations made by the member for Wright, this PAR will ensure that the district sports field in Golden Grove is protected for community public use into the future. The 20 hectare district sports field was set aside to provide recreation and sporting activities for the Golden Grove community. I am sure this will be a great relief to the members of the Golden Grove community.

Sadly, and the member for Wright has reminded me of this on a number of occasions, there has been considerable concern over a period that the Tea Tree Gully council has not provided adequate facilities for that site. What is also concerning, and what has prompted the member for Wright to make her representations to ensure that no residential development will occur on this site, is the publicly-expressed intention of the City of Tea Tree Gully to use this site for housing development. Members may recall that the joint venture (the state government and Delfin) gifted this land to the council for the benefit of the entire Tea Tree Gully area, not for the council to use as a housing development; so it is crucial that that avenue has now been blocked off. To dispose of this land in the future, the council will now need to undertake a process of community consultation and achieve the consent of the minister for local government of the day.

The other part of the question concerns the arrangements now that the indenture arrangements are coming to an end. Essentially, this area of the state will be governed in much the same way as any other council area. It will be governed by the state planning strategy, which will inform the local development plan, and in that way the council's development plan and local residents will essentially have the future, shape and feel of their area in their own hands.

SCHOOL BUSES

Mr MEIER (Goyder): My question is directed to the Minister for Transport. Will the minister take immediate action to ensure that schoolchildren in my electorate, and I believe in at least one other electorate and possibly two other electorates, will have access to school bus runs next Monday? The proprietor of a Northern Yorke Peninsula bus service has told me that his school bus service is in crisis due to the fact that the police checking of bus drivers is so far behind. According to my constituent, police checks are taking anywhere between four and six weeks and there is believed to be a backlog of up to 1 000 people awaiting police checks. As a result, the bus proprietor has informed me that he will be short of at least one school bus driver from next Monday, 5 May, and does not know how children will get to school. There is a further example of this in the Victor Harbor region, where a constituent of the member for Finniss has not been able to drive professionally for three weeks due to delays in police checks.

The Hon. M.J. WRIGHT (Minister for Transport): I thank the member for Goyder for his question. By the nature of the question, it is obviously a very serious matter, and I undertake to follow it up straight away. If there is any additional detail, I would appreciate that. I am sure that my officers will get onto the matter straight away. Obviously, from what the member has relayed to the house, this matter is very important and has great sensitivity, and we will pursue that as a matter of urgency for him and also, of course, for the broader community.

RETIREMENT VILLAGES ACT

Ms CICCARELLO (Norwood): My question is directed to the Minister for Social Justice. Does the government intend to implement a review of the Retirement Villages Act?

The Hon. S.W. KEY (Minister for Social Justice): I was pleased to announce during the Norwood community cabinet meeting that a formal review of the Retirement Villages Act 1987 has commenced. The government's intention is to maintain a specific act for the retirement living industry, with the aim of introducing new legislation into the parliament in early 2004. In doing so, we will deliver on a promise made by the Labor Party during the last election campaign.

The state government has had a specific role in the regulation of retirement villages since 1987. However, the operating environment and issues confronting retirement villages have changed considerably in the intervening years in what is a dynamic and evolving industry. Retirement villages are now a major housing option for older South Australians. There are about 330 retirement villages, which house an estimated 15 000 residents, managed by 19 'for profit' and 17 'not for profit' organisations. While there have been several important enhancements to the legislation over the years, there is still a need to review the act to ensure its continued relevance.

The Hon. Dean Brown interjecting:

The Hon. S.W. KEY: Very good. Industry operators and representatives support this approach. We know that the state's population increasingly has an ageing profile, and new retirement living models have emerged. It is difficult to determine whether or not they are all covered by the 1987 act. We must help the industry to respond to the changing market, while ensuring that the needs and aspirations of existing and potential residents are met.

The legislative review being conducted by the Ageing and Community Care Branch of the Department of Human Services is assisted by a reference group made up of several relevant groups. A short progress report on the legislative review will be made available in June. This will provide feedback to the people and groups who have contributed to the review. A detailed report, which will be prepared for discussion later this year, will cover proposed changes in detail and provide rationales for suggested amendments.

The following are the core principles which the government would wish to see reflected in revised legislation. The act:

- should facilitate independence for older people and support continuity of housing tenure and/or care;
- should be based on a long-term view of the industry;
- must balance appropriately resident and owner interests;
- should provide an adequate operational framework without imposing unduly prescriptive or excessive regulation;
- must ensure that, where practices are not in keeping with the requirements of the act, the body responsible for its administration has appropriate powers to rectify the situation; and
- legislation and standards should be easily understood so that there is the least opportunity for misinterpretation.

With these principles in mind, I am confident that parliament can look forward in early 2004 to some very good legislation for the retirement living industry.

WATER CATCHMENT BOARDS

The Hon. I.F. EVANS (Davenport): Does the Treasurer support the move by Revenue SA to charge water catchment boards payroll tax? The opposition understands that Revenue SA has written to water catchment boards advising them that they will need to pay payroll tax as from 1 July. We understand that this will cost some boards up to $45 000 per year, and constituents have raised concerns that this will move more money out of catchment programs and into Treasury.

The Hon. K.O. FOLEY (Treasurer): Far be it for the Treasurer to douse the enthusiasm of Revenue SA for ensuring that the law of this state is correctly applied. I will take that question on notice and seek advice. I will say in this chamber that I certainly expect Revenue SA to ensure that the law, as it relates to this taxing matter, is complied with to its fullest. Whether or not there is an argument—and, obviously, an argument would be put forward by some—that catchment boards should not be subject to payroll tax (and that may well be a legitimate argument; I will have to get advice on that and consider that advice), the role of Revenue SA is to ensure that the act is correctly applied.

As we know, the former government was very diligent in pursuing those who do not pay the taxes that they owe to the state, and we are as well. In relation to this specific issue, I am happy to come back with a more considered response, having weighed up the advice, looked at the files and considered the matter in more detail.

SCHOOLS, LOXTON HIGH

Ms BREUER (Giles): Can the Minister for Education and Children's Services update the house on the refurbishment of the Loxton High School?

The Hon. P.L. WHITE (Minister for Education and Children's Services): I know that that school community has been waiting for quite a long time for suitable and appropriate

facilities, a matter about which the local member (the member for Chaffey) has very strongly lobbied me. I can confirm to the house that I recently approved an additional $806 000 for the final stage of a multimillion dollar redevelopment project at Loxton High School.

This approval brings the total project cost so far for the redevelopment to $3.9 million and allows for the completion of the redevelopment of Loxton High School. I was impressed when I visited the school in November last year for the official opening of the new gymnasium and refurbished classrooms which had been damaged in a quite devastating fire the previous year.

I know that the Loxton High School community will very much appreciate this next stage of development at that school. There is a very good community spirit at Loxton, and I know that the facilities will be put to good use for the better education of the young people of that region.

TRANSPORT, STRIKE ACTION

Mr BROKENSHIRE (Mawson): Will the Minister for the Southern Suburbs assure the house and the residents of the southern suburbs that he will meet with his union colleagues to prevent the proposed industrial stoppage of public transport going ahead next week? The Transport Workers Union is threatening full strike action next Tuesday in the whole of the southern suburbs which will affect thousands of southern suburb residents who need public transport to get to work. In justifying this action in the media this morning, Alex Gallagher from the TWU said:

> We have had five years of disruption-free service to the public of Adelaide.

The Hon. M.J. WRIGHT (Minister for Transport): I thank the member for Mawson for his question.

Members interjecting:

The Hon. M.J. WRIGHT: The member knows that this question should be asked of me. This is a process, as he would well understand, that involves enterprise bargaining negotiations. During those enterprise bargaining negotiations, there will be a range of discussions, and, obviously, parties may well choose to publicise their activities during that process. We should allow that process to take its course. As the member, hopefully, would also be aware, this enterprise agreement is conducted within the federal system and has its own peculiarities, which we have talked about before and which are not ideal in solving disputes. Let us hope that the parties can get on and work out as quickly as possible an agreed position that does not disadvantage the member's constituents.

EMPLOYMENT

Mr O'BRIEN (Napier): My question is directed to the Minister for Employment, Training and Further Education. How do South Australian job creation figures compare with those for the rest of the nation?

The Hon. J.D. LOMAX-SMITH (Minister for Employment, Training and Further Education): I thank the member for Napier for his question. The honourable member has a keen interest in youth and general employment issues, and he would be particularly pleased to read the results of the Drake International Survey of Businesses and Jobs released today. The survey shows that South Australia has recorded the best jobs growth for the nation in the first quarter of 2003. This research shows that there is an overall jump in net hirings in our state of almost 1 per cent compared to a .7 per cent change in Victoria and a .4 per cent change in New South Wales.

Drake's research shows that South Australia's construction industry is leading the charge with a predicted increase of almost 5.5 per cent in employment levels. This is seen as a good barometer of economic activity and comes as most other states and territories report that their local building activity is slowing. It is true that our retail sector softened during the Christmas period, but Drake recognises that it is bouncing back with greater confidence. In addition, the survey findings show that employment prospects are looking good for the second quarter with an estimated 6 000 jobs being created. This is encouraging news after the creation since March 2002, in the first year of our government, of 31 600 new full-time jobs in South Australia. Figures also for this period show that there has been a fall in youth unemployment from 26.4 to 24.6 per cent and that since the Labor Party came to office last March the headline unemployment rate has twice beaten the national average. The most recent March figures show that our state's headline unemployment rate again is low at 6 per cent compared with 6.2 per cent nationally.

WIND POWER

The Hon. W.A. MATTHEW (Bright): Will the Minister for Energy explain to the house how his government was able to lose two wind turbine component factory opportunities to other states when negotiations by the previous Liberal government were at an encouraging stage, to the extent that one or both factories were likely to be built in South Australia? The previous government was involved in negotiations with Danish companies, Vestas and NEG Micon, with a view to establishing not only wind farms in South Australia but also turbine component manufacturing opportunities.

As minister for energy, I chaired a group of government officials from environment, industry and trade and Energy SA in an endeavour to have this occur. I visited Danish wind turbine manufacturing company, NEG Micon, in Denmark and I also accompanied a senior executive of Vestas, another Danish manufacturing company, to Canberra to meet with the then federal environment minister, Senator Robert Hill. Both companies were favourably disposed towards building in South Australia, and Vestas even selected a preferred site for its factory in South Australia and had costings prepared.

Since the change of government, both companies have decided to build their factories elsewhere. Vestas is now constructing its factory near Burnie in Tasmania and NEG Micon in Portland in Victoria. Complaints to the opposition have expressed their concern that this government is losing sustainable energy opportunities and is not serious about moving this exciting industry forward, just in taking media opportunities.

The Hon. P.F. CONLON (Minister for Energy): I am very pleased to hear this question and the rather long and self-serving explanation, because finally I have some idea about what this bloke was doing when he was minister: he was not preparing for electricity competition or full retail competition for gas. He was doing nothing about the dreadful problems which the Liberal Party's privatisation imposed on the people of South Australia. He was doing nothing to address these dreadful issues, including the mess that we have had to clean up as a result of their failed privatisation. Apparently what he was doing—

The Hon. W.A. MATTHEW: I rise on a point of order, Mr Speaker. There are a number of points of order that I could take but in this case I take the point of relevance. The minister is not answering the question.

The SPEAKER: I uphold the point of order. The minister will come to the substance of the question.

The Hon. P.F. CONLON: Apparently we were going to get wind turbines; we know that because the member for Bright has told us so, but the private sector was so disappointed at losing the member for Bright that it immediately scuttled those ideas when we won government. What nonsense! I will not go through what the private sector does actually think of the member for Bright and his role as minister for energy, because, as I have said before, my mother taught me that if you don't have something nice to say about someone you shouldn't say anything at all. I occasionally take my poor dead mother's advice, and I will on this occasion. I must admit that, in the past, I have strayed when I have been sorely tempted, but what we did inherit—and I will give them credit for this—

The SPEAKER: Order! Neither the chair nor the house is interested in the minister's late mother's advice. I therefore invite him to return to the substance of the question.

The Hon. P.F. CONLON: The member for Bright may well have gone to Canberra to visit Senator Hill—I understand that Senator Hill and the member for Bright had a lot to talk about on occasions—but I am sure that he did not visit Senator Nick Minchin, because they do not have the same community of interest in the Liberal Party.

What we did inherit—and I give them credit for this—was the Tarong proposal for a wind farm, which was in place under the previous government. I can tell you without a word of exaggeration the situation that I found when we came to government on, I think, 5 March last year. What we found—

The Hon. W.A. MATTHEW: I rise on a point of order, Mr Speaker. My point of order again goes to relevance. I specifically asked the minister a question about two factory opportunities. The minister has not addressed either factory opportunity.

The SPEAKER: I ask the minister to bring himself to the substance of the question, which is about the manufacturing facilities.

The Hon. P.F. CONLON: The way that South Australia would win a manufacturing facility in South Australia is to have enough wind farms come onstream to justify local manufacture. That is a fundamental point. I think the member for Bright might want to turn behind him and ask the member for MacKillop what the former Tories in the South-East think of this government in regard to the development of Babcock and Brown. You cannot have manufacturers unless you have wind farms.

I will tell the house what we found when we came to government regarding wind farms that need to be built to secure manufacturing facilities. The proposal of Tarong was well advanced but, without a word of exaggeration, the representative of Tarong was deeply frustrated because he could not get a number of agencies in the former government to agree with each other. We got those agencies into a room for the first time ever and we said, 'You are going to sort this out to allow the wind farm to go ahead; you are not leaving until you do.' We sorted out the frustrations of Tarong. If there is any doubt about that, simply ask them; I am proud to have our work openly looked at.

We managed to sort out the frustrations of Tarong and get that project in place, and today we have seen the first commissioning—not words, not promises, not trips to Canberra, not committees, not possible junkets to Denmark (which no doubt would have come on stream): what we have seen today is the commissioning of the first ever wind farm, the first power flowing into the grid under a Labor government. The member for Bright should know his place.

PAPERS, TABLING

The SPEAKER: Earlier in proceedings, the question was put as to the relevance of whether reports should be printed and published on time, and I drew the attention of the house to the fact that that is a rule that has been observed more in the breach than in compliance. There are several score such reports that should be required. During the course of question time I have sought, and been provided with, a list that extends to something like 14 pages, with in the order of 10 to 12 such reports referred to on each page. My own conscience may be at fault since assuming the responsibilities of the chair for not having compelled the Publishing Committee (as it is now known) to have reviewed that and reported to the house as to whether or not those reports have been received. Therefore, having checked the standing orders and consulted with people whom honourable members would have expected me to, I remind the house of standing order 355, which states:

> The Publishing Committee reports annually whatever papers have not been presented to the house as required by any act of the parliament.

I shall now vigorously pursue the Publishing Committee, compel it to sit and its members to take three or four of these pages and check out the 30 or so reports that have been required and report back to the house, in each instance, how many years it has been since some of those annual reports have been tabled or not tabled and bring that to the attention of the relevant minister, with a view to having the legislation requiring it either complied with or repealed.

It is a crazy situation for us to require such reports to be made on an annual basis and do nothing about delivering. It only brings us, as a house, into public odium, in which case, having been an earlier long time strong advocate of sunset clauses in legislation, I remind the house and the government that that may be the way to deal with it in the future to ensure that we do not fall into disrepair and bring ourselves into bad odour in consequence of failing to comply with the laws we make. I believe that it is unlikely that much serious offence has been caused in general, but the Printing Committee will have to be very busy during the next few weeks to bring the house, and itself, up to scratch with its duties. Accordingly, I assure the house that within eight weeks we can have dealt with the backlog, pending, of course, cooperation from the ministry—and I doubt that there will be any difficulty from that quarter.

GRIEVANCE DEBATE

HOSPITALS, QUEEN ELIZABETH

The Hon. DEAN BROWN (Deputy Leader of the Opposition): Earlier today during question time I raised the issue of copies of letters that had been sent to the Minister for Health and the CEO of the Department of Human Services concerning some serious matters and allegations with respect

to the Department of Radiology at the Queen Elizabeth Hospital. I wish to read the first of those letters, which was signed, I understand, by six different doctors or staff members at the Department of Radiology. The letter states:

Dear Mr Swan [who was acting CEO],

We are writing to you regarding events that have taken place within the Queen Elizabeth Hospital Department of Radiology over the last few weeks. We find these events disturbing and disruptive and this has resulted in a major conflict situation between administration and the majority of radiologists working within the department. The conflict is a direct consequence of the management style of the departmental director, Dr Roger Davies. The acquisition and installation of a 16 slice CT scanner by Dr Davies across the road from the hospital is the issue of major concern to the department medical staff for the following reasons:

1. The lack of consultation with and the misrepresentation of the group to other parties involved, namely the Manse group directors. The negotiation process was conducted in a clandestine manner and in so doing deliberately excluded other radiologists from participating.

2. The perceived conflict of interest of Dr Davies. Dr Davies' role as Director of Imaging at the Queen Elizabeth Hospital whilst owning and managing a separate private practice across the road is thought by our group to be inappropriate.

3. The perception given by Dr Davies that the information could not be shared with certain members of staff because of their outside employment in private practices would potentially undermine the project. Several of these doctors have been loyal long-term employees of the Queen Elizabeth Hospital and there has been no approach by any of these individuals to the Manse clinic directors regarding provision of imaging services.

4. The attempt by Dr Davies to claim private patients referred to the Queen Elizabeth Hospital Radiology as his own, and therefore able to be diverted from the Queen Elizabeth Hospital to his private practice. It is our belief the patients belong to the hospital department and no one doctor, unless specifically referred to that individual. This ploy by Dr Davies has placed some members of the clerical staff under considerable duress.

5. The attempt to have technical staff of his private practice trained by hospital staff for the purposes of setting up a competitive private practice. This has caused concern among the staff members involved in the training.

As a result of the above, we feel it is untenable that Dr Davies should retain his position as Director of the Imaging Department and a member of the hospital group private practice whilst he owns and manages a Private Practice that is in direct competition with the public hospital's department.

Other issues that we feel have been dealt with inadequately within the department of radiology include the lack of transparency in the private practice fund accounting.

I will read one other paragraph from the letter, as follows:

We feel a review or audit of these funds should be undertaken and extended to include the entire North Western Adelaide Health Service Imaging Service, as a number of staff work at both the Queen Elizabeth Hospital and the Lyell McEwin campuses.

Then there is a final paragraph. I will also read one paragraph of a later letter that was also sent to the CEO of the Queen Elizabeth Hospital. That paragraph states:

Dr Davies undertook travel to Japan paid for by Toshiba. This occurred during hospital time and without the permission of the CEO of the DHS—

and that has been personally communicated by Jim Birch—

Furthermore, he filled out his paysheet indicating he had attended his normal hospital duties during his absence. I was requested to attend a meeting and to sign a statement indicating my knowledge of this event. Doreen Marks, after 17 years service, resigned from the department as a result of the pressure this placed on her as a result of this matter. . . What action has been taken on this?

There are other matters raised in the letters. I know that these letters have been tabled in another place this afternoon. They are serious allegations, and the minister must adequately investigate them.

Time expired.

MINISTER FOR THE SOUTHERN SUBURBS

The Hon. J.D. HILL (Minister for the Southern Suburbs): I rise for the first time as a minister to use grievance time, and I apologise to whichever of my colleagues lost their opportunity this afternoon to speak in this debate. But I thought it was important that I should put on the record as soon as I could a little bit of information about what it means to be the Minister for the Southern Suburbs and the nature of the role that I have, because over the last couple of days a number of questions have been put to me that are clearly within the province of other ministers—and I note that a couple of questions also have been asked along those lines in the other place.

I want to point out to the house that being made the Minister for the Southern Suburbs does not create the principality of the southern suburbs over which I, as emperor, or mini premier, reign.

Mr Caica interjecting:

The Hon. J.D. HILL: What a shame, as the member for Colton said. But it does not work on that basis. I am not the minister for everything that happens within those boundaries. The Minister for Industrial Relations is still the Minister for Industrial Relations; the Minister for Transport is still the Minister for Transport; and the Minister for Industry, Investment and Trade is still the Minister for Industry, Investment and Trade in those areas. Obviously, they need to take a primary role in relation to those matters. The member for Mawson is probably being a little cute by asking me questions about what I have done in relation to transport, industrial relations or industry in the southern suburbs. Clearly, it is not my responsibility to answer those questions, and they will always be referred to the particular minister of the day.

Let me explain to the member for Schubert and others a little about my role. My job is to try to coordinate a whole of government approach to issues in the southern suburbs. It is partly a coordinating role, and it is partly facilitating access to government for local councils and community groups. In fact, that is what I have been attempting to do as the Minister for the Southern Suburbs with a small office and a budget of about $400 000 to $450 000 a year. It is not my job to get into the complexities of each of those issues, because I do not have the staff or expertise to do that. It is my job to advocate for the south and to ensure that there is coordination of effort at a local level.

In relation to the Mobil issue, over the past number of years that I have been a member, and even before then, as a minister I have met many times with the chief executive and others from Mobil. I have visited the plant on a number of occasions. I have been out in their boats on a number of occasions. I went to the football with the chief executive on one occasion. I have had plenty of conversations with Mobil about the needs of Port Stanvac and taken on many of the issues and concerns they have raised. I am not aware of the exact number of contacts we have had in the past 12 months, but I have had contact. I recall a meeting with the chief executive in relation to the plant.

To the best of my knowledge, Mobil had not sought to meet with me prior to its decision to close its operations, nor had it sought support from me in relation to that decision. However, it did call a meeting of local members following the announcement of its decision to stop production at the

plant. As I was attending a ministerial council meeting interstate, I sent two of my staff to that briefing. It is interesting to note that at the briefing, I am advised by my staff, the member for Mawson tried to get the chief executive of Mobil to suggest that the plant was closing because of some failure on the part of the Rann government. To his credit, Mr Henson rejected that proposition and said that it was because of international forces. Even if I had a dozen conversations with Mobil about its particular problems, there is nothing I or the government could have done to solve the problem, because it was outside the control of this state. That is what Mobil is saying: that is not just what I am saying.

In addition to the attendance by my staff, my office has been liaising with the City of Onkaparinga, and I have had a number of meetings—at least two meetings—with the Mayor and City Manager about this issue—and I will continue to meet. Also, the head of my office in the southern suburbs is represented on a working group set up by the Treasurer. We are involved in the process. We will continue to work hard on the process to get a good outcome for the southern suburbs in relation to the site and the problems caused to the southern suburbs as a result of the termination of production at that site.

I point out to the member for Mawson, and any other members who decide it is a clever tactic to ask me questions, that it is a silly exercise and I suggest that they quickly direct issues to the appropriate minister.

Time expired.

BARCOO OUTLET

Mr BRINDAL (Unley): I am glad the minister is still in the house, because I want to comment on what I believe are serious flaws is his ministerial statement to the house today. I would question whether he has either again not read this report or misread it, or otherwise deliberately misrepresented the contents of this report to the house. The summary states:

> The automatic operating system of the Barcoo Outlet since practical completion has performed well and to its expectations.

Yet the minister says that it revealed serious deficiencies in its fundamental design. The minister is here. I challenge the minister to show me anywhere in this report where there are serious design deficiencies, because I am worried for the following reasons: Kellogg Brown & Root prepared this report; Kellogg Brown & Root did the original modelling; and Kellogg Brown & Root then submitted for construction and lost because a non-conforming tender was awarded to a competitive company. Then Kellogg Brown & Root assess what was built by the competitive company. Incidentally, Kellogg Brown & Root do not use the modelling that they previously used to come up with their own design. They have developed another form of modelling, which they now argue is more sophisticated. It is more sophisticated, yet not sophisticated enough for them not to conclude with the following statement:

> The model used in this report has recognised limitations and is based on a number of assumptions.

So, they will not stick by the efficacy of their own figures. The minister says (and he is partially correct) that the report states that the modelling of the Barcoo system in 1999 would not have predicted a spill at the Patawalonga Lake during the February 2003 event. The modelling was based on a different concept. They go on to say that their modelling is now more sophisticated and does indicate a different level of result, but only because the outlet is now built; so they have not a model on which to work any more but, rather, a practical structure on which to work. Also, other information has become available.

Throughout the report it states that since the work was done in 1999 further information has become available. They have built the structure. Given all those things, we are now finding that the results are slightly different. What are we finding?

Mr Caica interjecting:

Mr BRINDAL: I challenge the member for Colton. For 20 years, every single day of the year, the Patawalonga was not available for human recreational use. The last government put in a system that allows the Patawalonga now to be used.

Mr Caica interjecting:

Mr BRINDAL: I will get to that. We hoped that would allow the Patawalonga to be used every year, bar one or two days. We now find that the Patawalonga, in a worst case scenario, if we lower the parameters to 1.5, might be closed six days a year. So, compared with 365 days a year, it puts us 359 days a year in front. For the minister to come in here and say there are serious design faults and serious problems is actually misrepresenting the truth.

Finally, I want to touch on the fact that the gates would not be open at all if this minister was doing what the Brown, Olsen and Kerin governments did, that is, work on wetlands and design parameters upstream to harvest water, as far as possible. Instead of its coming down here and being seen as a hazard, it should go through wetlands and be used exactly like on the wharf at Morphettville Racecourse; it should be put into the aquifer and be available for consumption by South Australians.

The member for Chaffey is smiling—and well she might. The river area, which she represents so well, would be much better protected if this government, instead of whingeing about how many times the Patawalonga might be closed, was to do some work, to actually invest money and to put their nose to the grindstone to do what the people of South Australia are paying them to do, that is, run this state properly and well.

Time expired.

GOLDEN GROVE LAND

Ms RANKINE (Wright): I rise to say how pleased I am with the Minister for Urban Development's response to my question today in relation to the Golden Grove plan amendment report. That report is part of the process of finalising the development and will help to ensure that the integrity of Golden Grove is maintained into the future. I was also most appreciative of the support the Minister for Government Enterprises gave my submission that residential development should be prohibited on the district's sports field site. That is a position that was also supported by the Land Management Corporation and Delfin Lend Lease.

Everyone recognised that this facility, gifted to the Tea Tree Gully council for the development of a regional sporting facility—and, I point out, not just a facility for the Golden Grove development and its residents but to be a regional facility—should be retained and protected for the benefit of the community. We probably will still have a battle on our hands for some time to ensure that sporting and recreation facilities are developed on that site. The council has steadfastly resisted doing any of that but, as has been its consistent position, it also resisted having housing development

prohibited on this site. Clearly, it has plans to carve up this site for housing, and that has been aired in a number of ways.

The council must think that the community has the memory span of a gnat, and its attitude towards the community is quite contemptuous. I recall vividly its reasons for not developing sporting facilities on the site. One of those reasons was that the land was too unstable to take grassed playing fields, yet they were happy to see the site developed for housing! One can only assume that housing does not need a stable site but we need a much more stable site for grass. The Tea Tree Gully council clearly has a disposal agenda for community assets. This may be in order to get it out of the financial mess that it currently finds itself in, and this is concerning in the extreme.

The council bleats constantly about financial constraints that it faces, but it did not have a problem spending nearly $1 million on a recycling dump site at Golden Grove, only to scrap that idea in favour of spending nearly that much again in developing it into an oval—not in the heart of the community, I might point out, where our young people can access it and benefit from it, but on the outskirts of the development. This was done in concert with its decision to implement a split bin recycling system, which has been abandoned by other councils for being inefficient. I can only imagine what the additional costs were.

It is no wonder that the council's cash reserves, as reported in the local paper, have whittled down to a reported $50 000. This is a disgraceful and very worrying situation and clearly puts our other valuable community assets at risk. The council recently removed the Recreation and Arts Centre and Sunnybrook Community House from community classification. This means that it can sell off these assets. The council denies that that is its intention, but why remove them from that classification? It also denied that it wanted to put housing on the district sports field site, and we have that on the public record now, but that certainly has been a consideration. After its public endorsement of selling off the land, the council had the gall to pass the following motion, which says in part:

> The council advises the Minister for Urban Planning and Development that council is not aware of any formal proposals for the development of dwellings in the Golden Grove Community Zone since its inception in the early 1980s.

There certainly have not been any formal proposals but they have discussed it at council and been publicly reported. With all this hanky-panky, we are expected to take the council's word that it will not sell off the other facilities. I for one would not trust it as far as I could throw it. There has been great interest in the local council elections, with five mayoral candidates and 12 candidates for four council positions in Golden Grove, eight in one ward alone. This is not an indication of support for and interest in the council: it is an indication of the frustration and concern of local residents.

I congratulate all those standing for showing this initiative and interest and urge all residents to do the same: to study carefully the information put out and to contact the candidates and speak with them personally. Let us find out where they stand in relation to our community facilities. Let us find out who supports a sell-off, who does not, and who will start to ask the hard questions in relation to what is happening in this particular council.

Time expired.

MUSIC ON THE MURRAY

Mrs MAYWALD (Chaffey): I rise today to inform the house about a spectacularly successful event that was held on the banks of the River Murray at Waikerie on the evening of Easter Sunday. The Sutton Ford *Music on the Murray* was the dream of local man Dean Grosse, and he provided over 1 700 people with a most incredible evening of wonderful entertainment. Through the skills of Adelaide's own professional conductor and composer Timothy Sexton, we saw a 160-voice choir with a 16-piece orchestra entertain over 1 700 people on the banks of the river in a most magnificent environment, making it a fabulous event.

This event entailed the positioning of an old, disused ferry on the river, with a barge in front of it, with 118 voices from the Adelaide Philharmonia Chorus coupled with the Riverland singing groups, from the Riverland Chorus Group and the Waikerie Community Choir. It was an absolutely incredible event. These people rehearsed separately for a number of months prior to the event, and the first time they had the opportunity to rehearse together was on the afternoon of the event. What we witnessed was an incredible music experience. The voices melded beautifully, the diction was absolutely fabulous and the event was enjoyed by all. I might add that my own piano was part of the event.

Dean Grosse, as chairman of the committee, had a dream, and he pulled together a committee of Waikerie people. The committee members were Ann Hall, Chris McDonald, Wendy Pfieler, Steven Noble, Kent Andrew and Ross Copeland. Libby Andrew was also a part of the committee up until January 2003 when other commitments meant that she was no longer able to participate. The committee worked diligently and established an incredible $50 000 worth of cash support for this event just from the community: unbelievable commitment. The Sutton Ford family were the family who backed it and had the naming rights, but the rest of the contributions from the community were extensive.

BankSA, the Rotary Club of Waikerie, the Waikerie Hotel Motel, Agritech Irrigation, Akuna Station, Noble Chartered Accountants, Riverland Water, the *River News* and SA Country Press, Kleemann's Thrifty Link Hardware, District Council of Loxton Waikerie, Mac Civil, Tourism SA, Hortinova Greenhouses, Regional Transport Training Services, 5RM and Magic FM, Lochert Brothers, W. Marschall and Sons, Arts SA, WIN TV, Annabelle's Hourglass Jewellers and the Department of Water, Land and Biodiversity Conservation all contributed to this extremely successful night.

Timothy Sexton, the musical producer, wrote to me afterwards and I had the opportunity to speak to him after the event. He was particularly excited about how extraordinarily successful the event was. He wrote to me as follows:

> As a freelance professional conductor and composer in Adelaide, I have had the privilege of working on quite a number of major outdoor and community events. All have been enjoyable, but the *Music on the Murray* event on Easter Sunday this year at Waikerie stands apart from the rest for the following reasons. I have never been involved in such a large event which has attracted so much financial and in-kind support from local businesses.

Over $50 000 came from local businesses and the community, but the in-kind support was in excess of $18 000 plus the many hundreds of hours that the committee donated to the event. The letter continues:

> To have this amount of support from such a small community is absolutely staggering. Added to this is the hundreds of hours of unpaid time donated by members of the *Music on the Murray*

committee—most notably (but not exclusively) Dean Grosse and Chris McDonald. . . That this level of support should come at a time of rural financial difficulty and restraint is even more remarkable. The next factor of distinction was the very high degree of professionalism of all participants in bringing this concert to fruition. The logistics of shipping ferries and barges up and down the Murray, not to mention creating a working stage capable of supporting 160 singers and a chamber orchestra, were daunting. But it all happened—and on the evening the weather conditions and technical support could not have been better.

That is part of the letter from Timothy Sexton, who goes on to talk more about the community involvement. He has nothing but commendation for those people involved. I would like to pay tribute to Dean Grosse and his team, who have done a wonderful job. I trust that this event will continue, and I am sure that the government will continue to support it in the future.

Time expired.

VIETNAM

Mr SNELLING (Playford): Twenty-eight years ago today, on 30 April 1975, Saigon, the capital of the former Republic of Vietnam, fell into the hands of the North Vietnamese communist army. What followed has been the darkest era in the 5 000-year history of the peaceful, proud and beautiful country of Vietnam. The communist regime implemented, and has continued to this day to implement, a policy of oppression and fear upon its 80 million citizens. Since April 1975, more than three million Vietnamese have escaped from their homeland seeking refuge and freedom. Nearly one million Vietnamese are believed to have perished in the attempt—drowning, being attacked by pirates and or by other fates that have befallen them. Many who survived this perilous journey still face the further ordeal of the refugee camps of Hong Kong, Thailand, Malaysia, Japan, Indonesia and the Philippines. Some were fortunate enough to complete the journey to Australia.

Between 1976 and 1981, 2 087 Vietnamese refugees arrived in Australia directly by boat, 300 of whom settled in Adelaide. Today there are about 14 000 Vietnamese Australians living in Adelaide, and 200 000 living in Australia. Most were allowed to settle in Australia, having endured months or even years of appalling conditions in refugee camps. I do not need to tell members of this house that members of the Vietnamese Australian community have made a successful and significant contribution. They have enriched our way of life with their cuisine, of which I am particularly fond, their unique culture and their determination to provide a better life for their children than they themselves have endured.

Today, on behalf of my constituents of Vietnamese origin, I wish to raise the continuing human rights violations and the lack of democratic and religious freedoms in Vietnam. Vietnamese citizens who publicly oppose the policies of the communist regime are regularly arrested and imprisoned without due legal process. Vietnamese prisoners of conscience are frequently detained without charge, refused legal representation, imprisoned without proper trial, denied access to medical treatment and denied the right to practise their faith. My constituents are greatly concerned about the health of many prisoners of conscience in Vietnam. These prisoners of conscience include: Mr Le Chi Quang, a lawyer; Mr Nguyen Khac Toan, a freelance reporter; Mr Nguyen Vu Binh, a journalist; Mr Pham Hong Son, a medical practitioner; Mr Nguyen Dinh Huy, a university professor; and Dr Nguyen Dan Que, another medical practitioner. Catholic priests include Father Nguyen Van Ly, Father Chan Tin and Father Nguyen Huu Giai. Buddhist monks include the Venerable Thich Huyen Quang and the Venerable Thich Quang Do. And that is to name just a few.

The detention of these prisoners of conscience by Hanoi is in violation of the United Nations Charter on Human Rights and the Universal Declaration of Human Rights of which, I remind the house, Vietnam is a signatory. All governments have a duty to protect, promote and uphold these very basic rights of their citizens. I believe the Australian government must raise our concerns of human rights abuses conducted by the Vietnamese authorities. The Vietnamese government must be made aware that the international community, including Australia, takes considerable interest in human rights issues in Vietnam and demands that those who have been placed in detention because of their political or religious beliefs must have the right to legal representation, a judicial system unfettered by political influence and interference, and immediate access to medical treatment when required.

PUBLIC WORKS COMMITTEE: FLINDERS MEDICAL CENTRE MENTAL HEALTH CAPITAL PROJECT

Mr CAICA (Colton): I move:

That the 187th report of the Public Works Committee, on the Flinders Medical Centre mental health capital project, be noted.

The Public Works Committee has examined the proposal to apply $12.3 million of taxpayers' funds to the Flinders Medical Centre's mental health capital project. In June 2000, the Department of Human Services published the Mental Health Services Reform Implementation Plan as part of South Australia's contribution to the implementation of mental health reform. The plan seeks to reallocate resources from institutional care to modern inpatient and community based care, develop psychiatric support through the non-government sector, and develop a capacity within the primary care sector to better meet primary mental health needs in the community.

The Flinders Medical Centre is the tertiary health unit in the southern region and will, under the present proposal, become the focus of an integrated inpatient service as part of that and total community mental health service in the metropolitan area.

The committee was told that the present proposal is for the construction of a new mental health facility at the Flinders Medical Centre to be known as the Margaret Tobin Mental Health Centre. The facility will contain 40 adult mental health beds, comprising an amalgamation of 20 beds from Glenside campus and 20 from the existing mental health ward at the Flinders Medical Centre, and it will be located on the northern boundary of the Flinders Medical Centre.

The complete project involves the relocation of the existing environmental services facility to a new purpose-built location at the Flinders Medical Centre site, the demolition of the vacated facility and the construction of the new mental health service on the site. The new environmental services facility will be a purpose-built compound of 1 125 square metres constructed on the south-eastern corner

of the hospital site, with access via a new road. It consolidates environmental service workshops, administration and plant in a single location.

The Margaret Tobin Mental Health Centre is to be a two-level facility of 3 150 square metres on the north-eastern side of the hospital site and allows for some expansion to the south and west of the complex. The facility will be accessed via an existing service road and will have a secure all-hours pedestrian link to the main medical complex. The facility will contain 30 acute mental health beds; 10 intensive care beds and associated day living facilities; a secure private external area; assessment and therapy areas; a secure patient entrance as well as separate general entrance; and teaching, administration and research spaces. The centre will also have car parking for 62 vehicles.

There will be views afforded from the site across the university ovals and courtyards, and it will be orientated north and exposed to winter sunshine to maximise amenity. The centre will be integrated with the main hospital complex and connected via an enclosed link corridor to the emergency department. Dedicated entries for the public and patients allow for the separation of teaching and research facilities from the clinical zone. Bed configuration allows for flexibility and patient accommodation, including operating some areas as either secure or open access when required. Bedrooms and day spaces are visible from staff stations.

The committee was told that the choice of site, the subsequent placement and design of the environmental services complex and the design of the proposed mental health unit facility are the result of extensive consultation between the agency, the hospital administration and clinical staff, research staff, volunteers and consumers. The project will enable South Australia to comply with the key aims of the national mental health plan with regard to the mainstreaming and realignment of mental health services. The facility seeks to:

- improve the quality of mental health facilities and services;
- cater for present and projected demand;
- be one part of an integrated community mental health service, with continuity of care between community-based resources and the in-patient facility;
- respond flexibly and sensitively to individual, cultural and social needs of consumers;
- be self-reliant and able to provide a safe physical environment, ensuring that there is a sufficient level of safety to protect patients from the risks of self-harm or harm to others; and
- incorporate environmentally sustainable design protocols that both enhance consumer and staff experience and allow effective management of recurrent costs.

The project has a total capital cost of $14 million, with the South Australian government funding provision being $12.3 million. Flinders University will contribute $1.7 million to the total cost of the project. The construction costs for the environmental services complex is $2.1 million and the mental health centre has a construction cost of $9.028 million, with the balance being made up of fixtures, fittings, contingencies, fees and disbursements. The project is assumed to be recurrent cost neutral. The annualised recurrent cost of provision of services is approximately $13.8 million and will not change in the new facility. An economic analysis of the project reveals a net present value of life-cycle costs over 20 years at a 7 per cent discount rate of $154.8 million.

The project will be ready to go to tender in May 2003, with the environmental services complex scheduled for completion in January 2004 and the mental health centre in January 2005. The committee is supportive of the project and the objectives of mental health reform which drive its construction, subject to the following concerns. The committee notes that the proponents conducted extensive investigations into the location of the proposed centre and chose the existing environmental services site only after all other options at the Flinders Medical Centre campus had been discounted. While the committee recognises the difficulties presented by the Flinders Medical Centre site and the need for an environmental services presence in the hospital complex, it remains concerned at the added costs imposed by the necessity of having to demolish an existing structure and relocate the environmental services unit before the mental health centre can be constructed. Further, the committee retains concerns about the size and the complexity of the environmental services facilities to be constructed notwithstanding the consolidation of services that is already proposed for the new complex.

The committee retains serious reservations about the cost of this project, which it considers to be excessive. Nevertheless, the committee supports the project on the basis that it will ease pressures within the wider health system. The committee is of the opinion that this project will require careful scrutiny of its costs as it proceeds. Pursuant to section 12C of the Parliamentary Committees Act 1991, the Public Works Committee recommends the proposed public work.

Mr VENNING (Schubert): I support the remarks of the Chairman of the Public Works Committee. I believe he is doing a good job, and he runs a good committee.

First, I pay tribute to the late Margaret Tobin, whose name this new facility will bear. I believe this will be a fitting facility that will reflect for many years the very fine work of the late Margaret Tobin, and we are reminded of the tragic way that she died. It is a pity that she is not here to see the important day when we pass this legislation and the new facility come to fruition.

I reiterate what the chairman has just said. In fact, I go a little further and say that I appreciate that the committee was very gracious in accepting some of my concerns in its final deliberations which the chairman has just covered. As he has said, the facility will contain 40 adult mental health beds comprising an amalgamation of 20 beds from the Glenside campus and 20 beds from the existing mental health ward at the Flinders Medical Centre, and it will be located at the northern boundary of the Flinders Medical Centre. There is always some confusion: I called the facility a 30 bed unit in some of my earlier discussions with my colleagues but, in fact, the facility will contain 30 acute mental health beds, 10 intensive care beds and associated day living facilities.

I think the big debate has been the choice of site, and the committee was told that the subsequent placement and design of the environmental services complex and the design of the proposed mental health unit facility are the result of extensive consultation between the agency, the hospital administration and clinical research staff, volunteers and consumers. Of course, this has made the facility very expensive—in fact, $14 million, which calculates out at over $350 000 per bed. In other words, as I said to the committee, you can almost build each patient a house for the cost of this new facility. Of course, we must bear in mind that there are more than just

beds in this facility: there are also an administration area and ablutions, as well as other areas which are required in a specialist mental health unit.

The design is modern and quite striking. Some may say it is a little over the top, but I think that generally most people would say that the way it looks is appropriate. There are box gutters in this building and I have an objection to box guttering, but the architect assures me that the box guttering is external to the walls of the building and, should it block, will not cause water to go inside. I will be interested on opening day to see whether that is the case, because I have some experience in these matters.

Also, as the Chairman said, the main reason for the greater cost of this building is the relocation of the maintenance group—that is, the environmental services unit. They have a rather large workshop which, although old, is still working very well. It will be demolished and taken away altogether, the site will be cleaned and the unit relocated elsewhere in a rather large, flash facility among the existing buildings. Certainly, we questioned this matter at length, and I refer particularly to the member for West Torrens. I myself asked a question about the rather extensive maintenance group that this hospital has. I think, from memory, that about 30 people are employed. All members of the committee agreed that emergency staff are needed on the premises, particularly electricians and plumbers, but people such as carpenters and others in such an area should probably be shared more than is currently the case.

Anyway, that is by the by. We have built a facility large enough to house these maintenance people in a new facility. It was obviously after the initial plans were done that it was known that it would be expensive. I wonder whether the facility had to be built at Flinders. If you know the site, it is very much hemmed in and very much built on, and there is not much room to do anything. The only open space there is the car park. I wonder whether it was ever an option to go somewhere else where there would be more space and where there would not be a need to demolish an existing building. I was told by the relevant people that they were told that it had to be built there because that is where the existing medical health unit is sited. Why it did not go back to the other facility at Glenside, I do not think was ever discussed. It could have been sited there, and this has added to the big increase in cost.

We will watch very carefully. As the chairman has said, the committee retains serious reservation about the cost of this project; that is, $350 000 per bed for a total of $14 million. The committee considers that to be excessive but, nevertheless, supports the project on the basis that it relieves the pressure within the wider health system. The committee is of the opinion that this project will require careful scrutiny of its cost as it proceeds, and the committee will ensure that that happens. In the time it has had in recent days, the committee has put itself through quite a rigorous training regime (particularly from our departmental people who have given us the benefit of their great knowledge) and its members are now up to speed in assessing situations such as this.

In conclusion, we need to finally reassure all those people working in the mental health area as well as those afflicted in any way with mental health problems—and I often say that we are all at different stages of mental health; some of us can cope with it and some of us cannot. Some days you feel good and some days you do not, which is a mental health problem. Everyone treats mental health as one of those 'don't talk about it' type of things. In the old days, anyone with a mental problem was treated as mad, crazy or whatever. However, I believe that today we have a greater understanding of these issues.

We can be proud that we will now have a facility equal to any in Australia for those needing this type of facility, and the people who work there will certainly do our state proud. I again remind all those involved in this building project that any blow-outs will come under very close scrutiny from the Public Works Committee—and I note, Mr Acting Speaker, that you have now been elevated to Speaker; it did not take long. It was a great report, sir. Anything at all like this, the Public Works Committee will be on to it and there will be 'Please explains.' I think the message has got through to the relevant people. I look forward to the opening day, and I am sure it will do proud the great memory of the late Margaret Tobin.

Mr HANNA (Mitchell): I support the remarks made by the member for Colton, the Chairman of the Public Works Committee, in outlining the benefits of this project. I am well aware of them, because I have many constituents who have family members or who themselves require the sorts of services that this facility will provide to the community. It is sorely needed. We have seen so many problems arising from the deinstitutionalisation of mental health patients since the 1980s. So many people in our communities live without adequate support. It will be some comfort to me and many families in my local community to know that there is a nearby facility at Flinders Medical Centre to cater for people with those particular problems. So, I am glad to see progress being made with this project.

Motion carried.

STAMP DUTIES (EQUAL ENTITLEMENTS FOR SAME SEX PARTNERS) AMENDMENT BILL

Mr HANNA (Mitchell) obtained leave and introduced a bill for an act to amend the Stamp Duties Act 1923. Read a first time.

Mr HANNA: I move:

That this bill be now read a second time.

This bill is about removing discrimination against people who are in same sex relationships. We all know what that means. The point is to provide parity between such people and those in de facto relationships, by which I mean heterosexual relations. Over the last couple of decades, I believe that we have made progress in giving many of the civil remedies and rights accorded to married people to those who are de facto married; that is, heterosexual couples who live together for a lengthy period of time or perhaps have a child together. The reason why I call that progress is because greater equity has been provided in those relationships, particularly, for example, when the relationship breaks down and it is a matter of distributing property accumulated during the course of the relationship. In the past, it has generally been women who have been the losers because of the traditional patterns of property holding.

In respect of same sex partners, many countries around the world and other jurisdictions in Australia have sought to provide a level playing field as between these different kinds of non-marital relationships. We are talking about adults, we are talking about consenting partners and, in my view, there is no reason to impose civil penalties and retain discrimina-

tion against same sex partners who live together and have their property merged and accumulated together.

One of the particular areas in which there is currently discrimination against same sex partners is in respect of stamp duty exemptions. In the Stamp Duties Act 1923, there is currently an exemption from payment of stamp duty where spouses or heterosexual couples transfer property between themselves. In long established usage of words, this has been termed 'transfer for love and affection' because there is not necessarily any material consideration for the transfer. The sorts of scenarios where it would be seen as desirable between a couple for such a property transfer to take place, I would summarise in three cases, as follows. One is where a couple has been living together for a lengthy period and they wished to avoid complications upon the death of one of the partners.

For example, a couple could have lived together for many years in a house which is in the name of just one of the partners. If the property owning party dies, it may be possible to fight a case in court by saying that some part of that property was held in a constructive trust for the surviving partner, but there is great expense and complication involved in that. Alternatively, there may be either a will or intestate provisions, which mean that the property does not go fully (or even partly) to the surviving partner, notwithstanding the wishes of the deceased property owning partner.

So, it may well be that a couple who for many years have enjoyed living together in the same property might wish to transfer it into joint names to avoid that complication to a degree. If there is a conflicting will, that is a different matter, but there is no doubt that, if the property is in joint names, it will make things easier—at least at an administrative level.

Secondly, there is a common situation where a couple might live together for a number of years and then the relationship breaks down. The question then arises of how to distribute the property accumulated during the relationship. There might be all sorts of permutations. The property might be in the name of one of the partners but payment of a mortgage on the property might have been made by the other partner. Alternatively, one of the partners might have moved into a house owned by the other partner but pay all the household expenses.

There are many situations where it would be proper for the two partners to have equity in the home, and this would be easier if the property were held jointly. If they did hold the property jointly and the relationship broke down, it would be reasonable under those circumstances, where the transaction was not at arm's length, for stamp duty to be exempted. In other words, the transfer of the property would simply be done to achieve equity between the two partners in the light of the history of the property dealings between them during the course of their relationship.

Thirdly, it may be that, when one partner goes to live with another and they live together for a number of years, simply out of love and affection and a sense of mutual respect it is appropriate for them to hold the property jointly. Irrespective of any shared property or material considerations, it may be more comfortable and more respectful for both partners to hold the property jointly. If that is what they wish to do, it is appropriate for the state to exempt from stamp duty the transfer of the property from single ownership to joint ownership.

The debate about same-sex partners having the same civil rights as defacto heterosexual couples has attracted a degree of controversy. I do not always find this easy to understand. Those who condemn homosexual behaviour often cross the boundary to condemn the individuals who practise it. I see this as not only uncharitable but also utterly wrong. Those who see in their religion a prescription against homosexual behaviour have every right to argue that proposition in the community, or in the parliament, or anywhere they please, but it is a different matter to retain civil penalties on homosexual couples who, in every other respect, are the equivalent of de facto heterosexual couples.

I do not mind if the people who condemn homosexual behaviour want to ring talkback radio or write letters to the editor (they can even hang around dance clubs late at night and try to persuade people not to practise that behaviour; that is their right), but it is a different matter to enlist the powerful forces of the state of South Australia to maintain a system of civil penalties against those who practise homosexual behaviour. To me, this is utterly wrong. It is wrong to maintain this discrimination on the basis of people's sexuality. I would like those who wish to maintain the current system of penalties for homosexual couples to explain how that is different from the status accorded to those who practise premarital sex; in other words, the rights and the status accorded to de facto heterosexual couples. Presumably, the same religious edicts that apply against homosexual behaviour apply with equal force against premarital sexual relations, yet we do not hear those same people condemn every couple that lives together without having gone through a marriage procedure. That is an aspect of this judgmental approach which I do not understand.

I want to pre-empt a couple of approaches that I expect will be taken in the chamber when this bill is debated. There is something that we call the Scalzi approach: that is to say, whatever rights are accorded to same-sex partners should be expanded beyond that category to all those who live together in some sort of a relationship. For example, they might be very good non-sexual friends or two sisters or two brothers living together. My point is that, if people such as the member for Hartley approve of according rights to that larger category of people, they must logically approve of those rights which are accorded to de facto heterosexual couples being accorded to same-sex partners who otherwise qualify in terms of the time they have resided together. If that is not the case, logic cannot explain it, and I can only explain it in terms of prejudice against homosexual people.

I also refer to the Labor government's review of the law generally in relation to same-sex partners. This is a welcome initiative, but I am deeply cynical about the commitment of the Labor government actually to proceed with meaningful reform. I say that because, as I have repeatedly pointed out, in my opinion the Labor leadership is poll driven and, if there is any controversy about it at all, it will sheer away from it. The very fact that the member for Florey's bill in relation to superannuation was not adopted as a government bill is an indication of the Labor leadership's approach, so I am deeply cynical about its commitment to reform. A Dunstan government they ain't!

The bill defines same-sex partners as those who are of the same-sex having continuously cohabited with the other as his or her partner in a genuine domestic relationship for at least three years. This provision puts them on the same footing (as far as their civil rights are concerned) as de facto heterosexual couples. I stress that this has nothing to do with marriage. Those who revere the sanctity and status of marriage in our society can rest assured that this bill does nothing to impose

or reflect those values on same-sex partners; it is a totally separate issue.

The clauses of the bill are straightforward once one comes to terms with that definition. The wording in the Stamp Duties Act referring to 'matrimonial home', for obvious reasons, is replaced with a definition of 'shared residence'. For the sake of removing discrimination, I recommend that members adopt this measure.

Mrs GERAGHTY secured the adjournment of the debate.

WIND POWER

Adjourned debate on motion of Mr Venning:

That this house calls on the Environment, Resources and Development Committee to examine and make recommendations on the economic, environmental and planning aspects of wind farms in South Australia, with particular reference to—

(a) the leadership role of government in a strategic approach to the management and overall development of the industry;

(b) the effectiveness of existing institutions, government agencies and their inter-relationships in delivering best practice to the wind energy industry in South Australia;

(c) addressing community concerns;

(d) defining the links with a state greenhouse strategy;

(e) examining the extent of their ability to meet the commonwealth mandatory renewable energy target;

(f) determining the appropriateness of setting state based renewable energy targets for South Australia;

(g) maximising economic and environmental outcomes for South Australia;

(h) evaluating the effectiveness of commercial generating machinery currently available; and

(i) any other relevant matter.

(Continued from 2 April. Page 2609.)

The Hon. W.A. MATTHEW (Bright): I support the motion moved by my colleague the member for Schubert in an endeavour to have this government seriously approach the issue of wind farm development in South Australia. It is quite appropriate that I speak today, after the Premier has endeavoured to yet again make some media play in relation to another issue that he is endeavouring to paint before the South Australian public in a way other than that which is occurring. As the Premier told the house, he went to Starfish Hill today to start the state's first wind tower, which is part of a development that is now being headed by Tarong Energy. I am very familiar with this development, because, when I was the minister, I saw it move through its infancy under the stewardship of what was a very different company in those days. The project was first driven by a company in partnership with Tarong Energy (Tarong Energy being the government owned Queensland electricity company), and a gentleman named Terry Kallis, who was working as a private consultant for the company, headed its endeavours to build the wind farm in that location. In fact, a separate company—Starfish Hill Wind Development, from memory, was the name of the company—drove this project. That company was still in existence at the time of the change of government, contrary to a somewhat different report given to the chamber today by the Minister for Energy.

One of the reasons why I am so familiar with this project is that I saw it move through from its infancy to the present day, and also, at the time of the calling of the last state election, all project approvals bar one had been given by the former Liberal government—by me and other responsible ministers. One approval remained, and it seemed to me that it was inappropriate to give that approval during the caretaker period. That approval was quite a simple one: it was the approval for compulsory acquisition of an area of easement on private property, which was needed for the placement of cabling to enable the power generated from the wind turbines to be taken to the grid. I gave the Starfish Hill company a commitment, through Mr Terry Kallis, and that commitment was a simple one; that while I could not give the approval during the caretaker period, if our government was re-elected I would ensure that that approval was conferred. If our government was not elected, I would personally represent the company to the new minister to ensure that the approval occurred, and that the paperwork would be sitting on my desk at the time of the election.

True to my word, I made contact with the new energy minister. I advised him of the commitment that I had given and, in fairness to him, he carried that commitment through, and in a very speedy fashion. Indeed, my recollection is that, within 48 hours of his being sworn in as minister, I had spoken to his staff. The minister rang me at my electorate office to advise me that he had signed the documentation that was left to be signed to enable the final approval to occur. At that stage Tarong Energy, according to my recollection, did not have the full responsibility for the project; that has happened subsequently. Of course, what has happened today is that the Premier has been to Starfish Hill to push the button for the first turbine to turn—one of many, as part of a wind farm.

The problem is that that is on the coat-tails of the work of the previous government. What every government—any minister exiting a portfolio—likes to see is for the new minister to continue with the work that was started. What has driven me almost to the point of despair is to see that work destroyed and to see it set back; to see government employees who had been doing that work leaving in frustration and going to other parts of government because, in their words, this government has killed off wind farm developments in South Australia.

We had some very exciting opportunities and, when I was minister, I detailed to this house the number of proposals before the Liberal government for development in South Australia. They are listed, and they are a matter of the record. The number varied, but it was up to something like 31 separate proposals. But, importantly, as I detailed to the house today in a question I asked of the Minister for Energy, other areas were also being pursued, namely, the establishment of factories in South Australia to produce major componentry. These are factories that have to be purpose built—specialist built—that cannot make use of existing factory infrastructure. We were negotiating with two principal companies, Vestas and NEG Micon. Vestas was very committed to opportunities that were offered here in South Australia, to the extent that it had selected a favoured site. Our staff in the Department of Industry and Trade assisted that company with the costings of its factory. Those factories have been lost to South Australia: one has gone to Tasmania and the other to Victoria. I put very firmly on the record that that has occurred because of the lack of interest that has been shown by this government in developing a wind industry in this state, and that lack of interest started very early after its coming to power.

One of the many things that our government did was to collect together a group of companies that wanted to be part of the industry and that could manufacture componentry outside of that needing specialist factories. We put together a delegation to take to Europe to attend an expo to meet with

the companies that were likely to bring turbines to South Australia. I was to lead that delegation as energy minister. Regrettably, the change of government meant that that was not possible. Naturally, the delegation expected that, at the very least, the new energy minister or perhaps the minister for environment, would do so. A matter of five or six days before the group was due to leave I started getting telephone calls. They told me that they could only assume there was a disagreement in government between ministers, because someone had been told that the Minister for Environment and Conservation was going, others had been told that the Minister for Energy was going, others assumed there was a battle between two ministers over who was going, and they wanted me to assist with who was to go with them. I encouraged them to call both ministers, and it was 48 hours before that group was due to go that in fact the member for Fisher was sent.

People in this chamber know that I have a very high regard for the member for Fisher; I regard him as a personal as well as a parliamentary friend. I know that he is very serious about seeing the industry develop here in South Australia. But the delegation expected that a minister would go. The opportunity is there again this year. This time the opportunity to meet with those companies is in Spain. And now the telephone calls are starting again. Will the government change its colours and send a minister, or will it send someone other than a minister? That is what the industry wants to know.

If this government is serious about establishing an industry, it will start to pick up from where it has lost ground—for lost ground it has indeed. As my colleague the member for Schubert has indicated to the parliament through the motion he has before this house, there is no direction. Under our government, a cross agency group was established, which consisted of industry and trade, the Office of Regional Development, Energy SA and environment. I chaired the meetings of that group to ensure that we removed every obstacle and provided every assistance to companies that wanted to establish wind turbine infrastructure in South Australia.

The change of government saw that group go. The industry is now telling us as an opposition that there is no direction; there is no desire by the government to move the industry forward; they do not know to whom to go; and there is a variety of departments involved. Effectively, they are not back to square one: they are worse than they were in the past. It is well for the Premier to go to a media launch to press the button for a turbine of a wind farm that was expedited by the previous government. It is all very well for the Premier, in other areas of sustainable energy, to advocate solar cells on the museum—again, a commendable approach—but when is the government actually going to do something? When will it provide leadership? When will it tell these companies what it has in place to ensure that the industry is driven forward?

What we have seen from this government is simply picking up on the coat-tails of the work we were doing. The Liberal Party has been out of government for 14 months. The momentum should have continued. We cannot rely on what happened 14 months ago to keep momentum going. A few months after the election, I was invited to the museum to a launch by the Premier of the government's energy policy framework. Well, I was very familiar with that document because it had been approved by a Liberal cabinet. Every reference in the document to government decisions was a reference to Liberal cabinet decisions, but the government rebadged it as their own. The phone calls I received from the bureaucracy told me they had taken our document, put on a new cover, and whipped it out. On seeing me there, the Premier had to acknowledge—and I give him credit for that—that our government produced it: his government was merely launching it.

What we want to see is leadership. I want to see this industry develop. I am sure members of the Labor Party want to see it developed. I encourage them to pressure their colleagues.

Mrs GERAGHTY secured the adjournment of the debate.

BUSHFIRES

Adjourned debate on motion of Mr Brokenshire:

That this house establish a select committee to inquire into and report upon bushfire prevention, planning and management issues between government and non-government agencies, and in particular—

(a) current policies, practices and support for community education, awareness and planning to prevent bushfires on properties, and whether existing powers need to be strengthened to ensure that people who are not prepared to clean up their properties can be forced to do so by the relevant authorities;

(b) current policies on bushfire prevention, cold burns and firebreaks on land under the control of the state government and especially national parks and conservation parks, whether those policies are being effectively implemented and whether there should be a broadening of mosaic burns in national parks;

(c) planning control of local governments across the state, whether councils have suitable planning and policy controls for bushfire prevention and whether or not there should be a recommendation for common planning and bushfire prevention controls across local government;

(d) the role and responsibilities for bushfire prevention between local and state government agencies;

(e) whether the Country Fires Act 1989 needs to be strengthened to give the Country Fire Service more control over enforcing bushfire prevention;

(f) evaluation of recent programs, namely, bushfire blitz, and community safety and education programs to see which has the best effect on bushfire prevention and planning for a community and whether that program should be extended beyond the Adelaide Hills and the Fleurieu Peninsula to cover other rural areas;

(g) current and future methods of advising the community of the issues around fires, once they have started in their area;

(h) the provisions of the Native Vegetation Act 1991 to assess hazard reduction and firebreaks; and

(i) the current and future funding requirements for the Country Fire Service.

(Continued from 2 April. Page 2699.)

Mr MEIER (Goyder): I speak to this motion by the member for Mawson seeking a select committee on bushfire prevention, planning and management. I thank and compliment the member for Mawson, as the former minister who had a great interest in CFS and emergency services generally. In fact, I would say that more was done under his leadership for CFS and emergency services generally than had been done at any time previously. Of course, part of the reason for that was the introduction, after about 25 years of debate, of the emergency services levy. Our government at the time knew only too well that the emergency services levy would not be a popular levy, but it was high time that everyone in South Australia made a contribution to emergency services.

Most members would be aware that the levy previously came out through one's insurance policy. But we know that many people were not insured, and we know that many people insured with an insurance company that did not

operate from South Australia. Both those groups of people were exempt from paying the emergency services levy. In addition, councils—certainly rural councils—had a component in their rating systems that went towards the CFS. People who did not pay council rates, such as all those who rented, likewise were not making a contribution. So a huge percentage of people were not making a contribution. Of course we can extend it further to those people who drove motor vehicles. Again, they made no contribution to the work emergency services members provided if and when they had a road accident such that emergency assistance was required.

The situation in virtually all my electorate, because country roads are an integral part of my electorate, is that if anyone is involved in a motor vehicle accident, while they may be attended by an ambulance—or will be if the accident is serious—in the first instance often the CFS or SES will attend that accident.

I am pleased that the new emergency services building is complete at Port Wakefield. It is located in an excellent position so that virtually anyone coming into Port Wakefield can see it. Site is not the important thing: it is located in an excellent position to service Highway One and feeder roads. Unfortunately, a lot of accidents happen along Highway One. Therefore, these men and women are kept very busy attending accidents, as well as bushfires.

Of course, this motion deals principally with bushfires. As you are aware, Mr Acting Speaker, I am relating the fact that conditions and equipment for emergency services increased dramatically over the last few years of the Liberal government, and as a community we are reaping those benefits. Basically, wherever I have been in my electorate in more recent years, the CFS and SES members are happy with the upgrade of equipment that has occurred. I well recall some of the vehicles that the SES used to use, and it is amazing that they were able to get to the scene where their services were needed. It is also amazing that some volunteers themselves volunteered, because their equipment was far from satisfactory. Today, in almost every case, the equipment is more than satisfactory and is excellent in the situations of which I am aware.

This background identifies the various things which need to be addressed and considered in an assessment of our present bushfire prevention efforts. I think it was brought home to us only too clearly with the Canberra bushfires. Who would have thought that Canberra residents would be affected in the way in which they were? It was a tragedy of the first order and shows that, even in 2003, we are at the mercy of the elements and there is often very little we can do to stop bushfires. At the same time, however, I would say that there is always more that we can do. I had just become a member of parliament when we had the Ash Wednesday bushfires of 1983. That was a catastrophe of the worst order, and we know how much tragedy was involved with that. That led to a massive re-evaluation of the CFS, what its priorities should be and how they should be arranged.

I well remember Don Macarthur coming in from Victoria to rearrange the CFS and make sure there was much greater equity across the CFS in all areas. Prior to his taking over we had a situation where some CFS brigades had equipment that made other brigades totally envious. I have nothing against them having such equipment, but it meant that a huge amount of resources was going to these particular brigades, whereas Don Macarthur brought across greater equality so that brigades throughout South Australia benefited. And we are still benefiting today.

I suppose that one of the things that came in was the lifespan of 20 years for vehicles. This government has now increased that. In the first instance I am not totally critical of that, but I am always very worried that, if we allow it to go too long, it will suddenly reach the situation that we had back in 1982, and I want to avoid that at all costs. I will admit, though, that the type of vehicle used these days is superior, just as motor vehicles of today are considerably superior to motor vehicles of 20 years ago in terms of their reliability and the functions they can perform.

This select committee that is proposed is perhaps not being considered straight away today because we also have the Premier's task force, and I await its recommendations with interest. Nevertheless, I am sure that a lot of notice will be taken of the member for Mawson's suggestions as to what a select committee should consider. Paragraph (b) provides that we should examine:

> Current policies on bushfire prevention, cold burns and fire breaks on land under the control of the state government and especially national parks and conservation parks, whether those policies are being effectively implemented and whether there should be a broadening of mosaic burns in national parks;

I am sure that the member for Stuart and the member for Heysen have great interest in this, as do I as the member for Goyder, because my electorate includes the Innes National Park, the most visited national park outside the metropolitan area.

Dr McFetridge interjecting:

Mr MEIER: It is an excellent park, and I hear the member for Morphett interject to say that he has visited many times. I invite all members to visit that park on a regular basis, but in the summertime we have to be very aware of fire there. In fact, a bad fire started several years ago and it took weeks before it could be put out. We do not want that sort of thing happening again, and controlled burning is one way to go. I support this motion.

Time expired.

The Hon. R.B. SUCH (Fisher): I would like to make a brief contribution. I commend the member for Mawson for putting this matter before the house. I have not finally decided my position, the reason being that the government is organising some bushfire summits—one major city summit and other summits around the state, with one to be held in my electorate next week—and I commend the government for that. It is easy to forget about bushfires once some rain comes. We have not had a lot but we have had some. I have to say that the experience of Canberra this year sent shock waves through the Adelaide Hills in a way that has not happened for a long time.

I know that in my own case I invested in a very sophisticated firefighting pump/engine/hose arrangement so that, if I need to, hopefully, I can protect not only our property but our neighbour's as well. But the situation in Canberra was so dramatic that it did send a wake-up call to people, particularly in the Adelaide Hills, because many people thought that that sort of fire could not happen in an urban environment like Canberra, and we know now that it can. Having grown up in the Adelaide Hills, I can remember times when the streets around Blackwood and Hawthorndene were so full of smoke that you could not see too far in front of you. I can remember being told about the police officers who lost their lives in Upper Sturt in the early 1950s. That was something that left a long-term impression on my mind.

I have great respect for the CFS. I was a member, in my youth, of the Blackwood CFS, which I notice has survived and expanded and done very well since I left. I do not know whether that is coincidental or whether there is any relationship! I am reminded of the efforts of the people who started the CFS in areas like Blackwood, going back many years. I can think of the Moore family, in particular, with one of the members driving an old Vanguard ute with 44 gallon drums in the back, and another member of the family operating a fairly primitive communications system. From that beginning, with the efforts of Laurie Moore and his wife, we now have a very sophisticated Blackwood CFS.

Indeed, the Mitcham Hills CFS is one of the best equipped and resourced collection of CFS units anywhere in the state, and it is something of which the City of Mitcham and the people who live in the Hills should be very proud. This motion for a select committee reminds me that this house had a select committee not that long ago on this very matter, chaired I believe by the Hon. Terry Hemmings. I believe that the member for Stuart was on that committee. One of the unfortunate things about these sorts of inquiries is that people get excited—I was going to use the term 'fired up' but it is not the right term! They get excited and come up with recommendations that are not necessarily acted upon.

We already have the report of that earlier select committee, which would be less than 20 years ago. I do not believe that many of the recommendations of that committee have been acted upon, so that will be a factor in my deciding whether or not I eventually support this recommendation. I am also aware that in 1939 there was a royal commission into bushfires in Victoria which, at that time and just prior, had some of the most devastating if not the most devastating bushfires Australia had ever seen. Reading the report of the royal commissioner, it sounds all too familiar. In fact, the commissioner in the 1939 royal commission recommended controlled burning and similar strategies, which we are still talking about today.

The commissioner then highlighted the importance of having appropriate vehicles and appropriate resourcing and proper coordination between government agencies—the sorts of things one would accept as commonsense and a sensible approach to fighting fires. I would imagine that very few people have even heard of that report, let alone read it. If you look at that 1939 royal commission report, you will see that they were canvassing similar sorts of issues then, but, sadly, were often ignored.

We now have at the federal level a committee that has been instigated by minister Wilson Tuckey (who has the nickname Iron Bar, for good reason). That committee is currently under way and will have significant resources, which this state parliament will never be able to match. That is another factor that will affect my decision about whether I support this measure. The federal parliamentary inquiry will be able to do an investigation in a way and to an extent that we just cannot undertake in South Australia. I have spoken to the member for Mawson and he says, 'Perhaps we can pick up on some of their recommendations,' but I am yet to be convinced that we need to plough the same field as the federal inquiry, which is looking, essentially, at the same terms of reference. As I said, I am sure that that parliamentary committee will report long before the one we set up could report.

With regard to the issues canvassed here, I have no problem with the terms of reference. They are very good. One of the issues—and I have already raised this with the minister responsible for planning, who is in the house at the moment—is the question of whether people should be able to build in areas that are of extreme fire danger. I personally believe that they should not. However, it is still happening today. The advice of the CFS is often ignored, and some councils—not all—in the Hills choose to ignore the recommendations that should be considered in terms of whether a location is appropriate, whether the materials of the house are appropriate, and so on.

If you travel through Upper Sturt at the moment, through the electorate of the member for Heysen, you will see that some relatively new homes have gone in there, and I fear for the safety of those people, come any sort of fire which is anything remotely like what the people of Canberra experienced recently. The people in those areas and in some other areas throughout the Adelaide Hills would have no hope at all of escaping from that fire or protecting their house.

We need to address issues such as communication; how residents should be advised in terms of a significant fire for evacuation purposes; identifying safe refuge areas; and the practices in terms of school children and schools in the Hills area in particular, and also elsewhere, when there is a significant and major life threatening fire. Many people living in the Adelaide Hills today have come from interstate or overseas. They buy a property when the Hills are nice and green and often overlook the potential fire danger that can exist in that area. We need an ongoing education program to make sure that people are aware of the risks and the responsibilities they need to take on board if they are going to live in those areas.

In terms of this motion, I am withholding final judgment, given those points I made earlier, and also in the context of what comes out of the government organised bushfire summit and the other meetings. I commend the member for Mawson for getting this measure before us, and I trust it will get the consideration it deserves.

Mrs GERAGHTY secured the adjournment of the debate.

PARLIAMENTARY COMMITTEES (FUNCTIONS OF ECONOMIC AND FINANCE COMMITTEE) AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 4 December. Page 2126.)

Mr HANNA (Mitchell): The Greens support the bill. I am concerned about exactly why the member for Davenport brings this matter to the house but, on the face of it, there is reason to support the bill. I have been informed that the Economic and Finance Committee has, in the past, looked at statutory authorities, and it seems to me that that is potentially very important for a committee which looks at the structure, organisation and efficiency of any area of public sector operations. I take those words from the description of the functions of the committee in the Parliamentary Committees Act. So, for the sake of consistency, it makes sense to me that the Economic and Finance Committee's brief is broad enough to encompass statutory authorities. The subject matter will often be intertwined with other matters which are fairly and squarely within the jurisdiction of that particular committee.

I realise that there is also a Statutory Authorities Review Committee of the parliament and, no doubt, it performs a valuable role. If there was to be a rationalisation of standing committees, however, it may be that one would look at

removing the functions of the Statutory Authorities Review Committee to the Economic and Finance Committee.

In fact, speaking more generally, members would have a number of suggestions about reorganising, rationalising and equalising some of the committees, in terms of both their functions and the remuneration that goes with membership of those committees. It is probably time to have a committee to look at the standing committees and to bring some equity and sense to the way that they are divided up and treated differently.

For those reasons, I support the bill. I do so in spite of the fact that I have also been advised by the chair of the committee, the member for Reynell, that there is a proposed review of the functions of the Economic and Finance Committee. In my submission, there is no need to wait for that review before proceeding with this measure. As I said, there should probably be a much more general review of the committees, but there is no reason to hold up this measure because of that necessity. So, I support the measure.

The Hon. M.J. ATKINSON (Attorney-General): The Parliamentary Committees (Functions of Economic and Finance Committee) Amendment Bill 2003 was introduced by the member for Davenport. The government opposes the bill. If passed, the bill will expand the functions of the Economic and Finance Committee by revesting its functions that were removed from it in 1994 when the specific purpose Statutory Authorities Review Committee was established. The member for Davenport wishes parliament to reverse the decision that was made under the Liberal government in 1994 about the proper roles of the Economic and Finance Committee and the Statutory Authorities Review Committee in 1994. He says that the reason why the act needs to be changed is that it is being interpreted to mean that the Economic and Finance Committee cannot deal with matters in relation to statutory authorities. He asserts that, if it had been interpreted in this way under the previous government, the committee would not have been able to undertake most of the more controversial reports it delivered.

I ask the honourable member what reports they would be, because I believe that he is mistaken about the basis on which the committee undertook some reports. For example, if he is referring to the committee's reports into the MFP Development Corporation, I can tell him that it was undertaken under section 33 of the MFP Development Act 1992. Several statutes, besides the Parliamentary Committees Act, confer functions on the Economic and Finance Committee. For example, the State Bank of South Australia Act 1993, which is still on our statute book, obliges an investigator appointed under that act to report to the Economic and Finance Committee in certain circumstances, and the Passenger Transport Act 1994, which set up the statutory authority called the Passenger Transport Board, requires the minister to report to the committee in advance of any proposed sale to the private sector of certain types of transport assets. Any statute can confer functions on the committee; no amendment to the Parliamentary Committees Act is necessary.

Besides opposing the bill because it is unnecessary, the government opposes it because it thinks that the amendment will not advance the purposes for which we have parliamentary committees and because it will result in an undesirable overlap in functions about which I will speak in more detail later. The government also opposes the bill because it thinks the timing is inappropriate. The outcome of the Constitutional Convention might be major changes to the parliamentary committee system with all committees becoming committees of the Legislative Council, in which case the change proposed by the member for Davenport would turn out to have been a waste of time.

In 1991, there was a major rationalisation of statutory parliamentary committees. The Parliamentary Committees Act 1991 was introduced by the then Labor government. The act that resulted from that bill abolished the Public Accounts Committee that had been established in 1972, the Public Works Standing Committee and the Subordinate Legislation Committee. It established four new committees. In 1991, the government thought that the four new committees would be able to 'scrutinise the full range of government responsibility and community activity'. One of the four new committees was the Economic and Finance Committee. Whereas the duties of the Public Accounts Committee had been limited to examining and reporting on the public accounts of the state, the Economic and Finance Committee had very wide powers. In addition, the Industries Development Committee established by the Industries Development Act 1941 was preserved. Its membership was changed to include four members of the Economic and Finance Committee and one person nominated by the Treasurer, but this committee reports to the Treasurer rather than the parliament.

Time and experience demonstrated that the four committees established in 1991 were not enough, and four additional committees have been established so that we now have eight permanent committees reporting to parliament. One of these additional committees is the Statutory Authorities Review Committee that was established in 1994. It is the relationship between the functions of the Economic and Finance Committee and the Statutory Authorities Review Committee that the house is now debating.

The Economic and Finance Committee is a committee of the House of Assembly. The Statutory Authorities Review Committee is a committee of the Legislative Council. The functions of the Economic and Finance Committee are set out in section 6 of the Parliamentary Committees Act. The Statutory Authorities Review Committee was established in 1994 by the Parliamentary Committees (Miscellaneous) Amendment Act 1994. The catalyst for establishing this committee was the losses and difficulties of some semi-independent government bodies, including the State Bank, SGIC and the South Australian Timber Corporation, and the failure of the Economic and Finance Committee and the Public Accounts Committee before it to identify the looming problems.

Parliament decided that a special committee whose only work was to scrutinise statutory authorities would 'make the operations of statutory authorities more open to detailed scrutiny to determine the desirability of their continuation and the propriety of their activities and actions'. A statutory authority was defined to include not only statutory bodies corporate but also government companies and subsidiaries. Parliament's intention was that particular statutory authorities, as distinct from statutory authorities in general, should be the province of a special committee for that purpose and that the Economic and Finance Committee should not have responsibility for those same matters.

It was thought that a specific purpose committee would have more time to inquire into individual statutory authorities than the Economic and Finance Committee with its very wide-ranging brief to inquire into matters concerning finance and economic development generally. Further, four of the members of the Economic and Finance Committee have

commitments through the Industries Development Committee. It was thought that a committee comprising members of the Legislative Council who did not have electorate responsibilities would have more time than a committee of members of the House of Assembly. Now that some major statutory authorities and government companies have been disposed of, the Statutory Authorities Review Committee should be even better placed to make thorough inquiries and carefully thought out recommendations on matters within the scope of its authority. Further, a committee of the Legislative Council is likely to have a mix of members, including Independent and minor party members, and be less likely to be dominated by government members.

An analysis and comparison of sections 6 and 15C of the act indicate that it is not a function of the Economic and Finance Committee to inquire into (i) the functions or operations of particular statutory authorities, or (ii) whether particular statutory authorities should continue to exist, or (iii) whether changes should be made to improve the efficiency or effectiveness of a particular statutory body. This is the task of the Statutory Authorities Review Committee. However, there may be occasions when the Economic and Finance Committee could look into statutory authorities generally; for example, under its function of inquiring into 'any matter concerned with finance and economic development'.

The reason for having parliamentary committees is to make the government more accountable to the public through the parliament. The government, then in opposition, supported the establishment of the Statutory Authorities Review Committee and the division of responsibility between it and the Economic and Finance Committee. Having a general committee and a specific-purpose committee both examining and reporting to parliament on individual statutory authorities will not enhance these objectives. It would also impose an additional burden on parliamentary and public services.

Section 32 of the act gives the presiding officers a responsibility, in consultation with the presiding members of committees, to avoid duplication of work, and this is done without a legislated or formal process. But there is an additional factor to be taken into account. The Economic and Finance Committee and the Statutory Authorities Review Committee are the only committees that are committees of one house only. It is desirable that there not be an overlap of functions, because it would create a potential for intractable differences between the houses about the committees. This would not advance the interests of good government or parliamentary efficiency.

If the Economic and Finance Committee is of the opinion that there should be an inquiry into the functions or operations of a particular statutory authority, or whether a particular statutory authority should continue to exist, the proper approach is for it to ask the Statutory Authorities Review Committee to inquire into the matter of its own motion or ask the government to recommend to the Governor that the matter be referred to that committee, or lobby members of the Legislative Council to pass a resolution referring the matter to that committee. Of course, any member has the right to speak in parliament about any statutory authority and to ask questions of the relevant minister.

In any event, the government thinks that it is not appropriate to change the functions of the Economic and Finance Committee now when there is before the Constitutional Convention a proposition that most or all policy-based committees be in the Legislative Council. If this proposal finds favour, the parliament will have to undertake an extensive revision of the whole committee system.

Mr MEIER secured the adjournment of the debate.

WATERWORKS (COUNCIL ROADWORK) AMENDMENT BILL

Order of the Day read for adjourned debate on second reading.

(Continued from 21 August. Page 1198.)

Ordered, on motion of Hon. R.J. McEwen, that this Order of the Day be discharged.

LANDOWNERS PROTECTION (RECREATIONAL USE OF LAND) BILL

Adjourned debate on second reading.

(Continued from 30 May. Page 402.)

The Hon. M.J. ATKINSON (Attorney-General): This private member's bill comes before the parliament against the background of a crisis in the cost and availability of public liability insurance. Concern about the crisis is shared by both the government and other members, and much has already been achieved by the government (with the support of members opposite) in dealing with it. Further measures are also now before the parliament and I hope that they, too, will secure the opposition's support.

I therefore express at the outset my sympathy for the motivation behind this bill. The honourable member, like the government, has been approached by many groups about the trouble they have in finding insurers willing to write the cover they need at a price they can afford. Popular events such as Dozynki (the Polish harvest festival) have been cancelled and use of land refused because cover cannot be obtained at a reasonable price. Horseriding events are one example, and there are many others.

The Hon. G.M. Gunn: The Peterborough steam town.

The Hon. M.J. ATKINSON: The member for Stuart mentions the Peterborough steam town, of which I am also aware. The bill tries to address this. It seeks to change the law in a way that will encourage private landowners to allow recreational use of their land.

The bill does two things. First, it changes the law of occupiers' liability. The occupiers' duty of care towards some entrants is reduced. If a person asks permission to enter the land for a recreational purpose, and is allowed to do so and no money changes hands, the occupier no longer owes a duty of reasonable care towards that entrant. The entrant uses the land largely at his or her own risk. The occupier can be sued only if the entrant was injured by a hidden danger of which the occupier knew but failed to warn. If the danger was not hidden, the entrant cannot sue. He or she should have detected the danger and guarded against it. If the danger was hidden and neither party knew of it, the entrant cannot sue. Such an injury is regarded by the bill as misfortune, the risk of which the entrant has assumed.

Secondly, the bill provides for landowners to enter into agreements with the government or a council to allow recreational access to their land. In that case, occupiers' liability toward recreational users falls on the government or council, subject to an indemnity from an owner who misrepresented the state of the premises or failed to notify of a

defect. I must say that, strictly speaking, no legislation is needed to achieve the latter object; it is already within the power of councils and the government to contract with private landowners for access to their land on whatever lawful conditions the parties may agree. The purpose of this part of the bill must be to bring that possibility to public attention. Whether such contracts are desirable depends on whether (and to what extent) one thinks the public purse should bear the risk of recreational injuries to some members of the public.

As members know, I hold that adults should be legally free to undertake the risks associated with their chosen recreations. This is the policy of the Recreational Services (Limitation of Liability) Act 2002. Further, I do not believe that the law should impose a duty to warn others about risks that should be obvious. People must take reasonable care for their own safety. This includes thinking for themselves about the dangers inherent in the recreations of their choice. It is not for the landowner (whether public or private) to act as a nanny to competent adult entrants. To this extent, I commend the policy behind this bill. As it stands, however, I cannot support it; and I will explain why.

First, I am concerned that the bill encourages the occupier of land to turn a blind eye to possible dangers to entrants which, in fact, the occupier could, with reasonable care, detect and avoid. This is because the occupier is liable only for harm done by defects of which he or she actually knew but failed to warn. An occupier might therefore think it prudent to know as little as possible about dangers on the land. Suspecting a danger, the occupier might choose not to investigate it further. The occupier might, therefore, through neglect, put the entrant in danger that could and should reasonably have been avoided.

Also, of course, it is easy for a person after the event to say that he or she did not actually know about a danger on the land. There will often be no evidence by which it can be proved whether or not this was so. The bill might therefore be thought to increase injury risks by relieving occupiers of the duty to take reasonable care to discover and reduce these risks. I wonder whether that is good policy.

In the Recreational Services (Limitation of Liability) Act 2002, the parliament was at pains to strike a balance between the legal protection of the provider and the physical protection of the consumer of the recreation through registered safety codes. It recognised that merely exempting the provider from liability was not good enough. This bill, on the other hand, leaves the recreational entrant to protect himself or herself as best as he or she may against dangers which are hidden from the entrant but of which the occupier should reasonably have been aware.

Another difficulty is that there is no definition of what is a recreational purpose (apart from the statement that it includes a purpose so classified by regulation). This means that the act is of broad potential application. As well as including organised events such as races or sports matches, it could include informal recreations, such as where a neighbour asks permission to use a tennis court or a swimming pool at the next door house. It is easy to imagine situations in which is not clear whether the bill would apply.

For example, if the neighbour asks permission to use the pool to practise rehabilitative exercises assigned by a physiotherapist, is this recreational? Does the owner have to ask the neighbour what he or she will be doing in the pool? What if the entrant asks to use the land to train for a sports contest that might lead to his or her selection to play professionally? What if the request comes from a school wanting to use the land for games that are part of the school curriculum? Presumably, if the games are compulsory, the purpose is not recreational but, if they are not, it may be. What if the purpose is mixed: for example, the land is to be used to provide a recreation as a fundraiser for a charity?

Members can see that, in many cases, it may be difficult for the parties to know whether the proposed law would apply to their situation. The landowner cannot rely on buying reduced insurance cover, however, unless the case is clear. There is obvious potential for litigation. The scope of the permission might also prove to be a vexed question. On one view of the bill, the proposed law applies only as long as the entrant is using the land for a recreational purpose, in accordance with the permission given by the owner. Alas, human behaviour is not as orderly as the law might wish. What happens if someone enters in accordance with the permission to go bushwalking on the land but, in the course of this lawful use, decides to go swimming, or to climb a tree, or simply ventures outside the area to which the permission applied? In that case, arguably, the protection does not apply and the effect of the bill is only to give the landowner a false sense of security. The alternative view is that, once the entrant secures the permission, all his or her activities on the land thereafter are covered by the bill. In that case, though, the landowner must consider, before granting permission, not only the known dangers associated with the proposed activity but also any other known danger presented by any aspect of the land that might be considered hidden. The duty to warn in that case becomes onerous.

The bill provides that a warning to the person who secures permission on behalf of others is taken to have been given also to those others. For example, if a club official seeks permission for club activities on the land and is warned, then all the club members who take up that permission are also considered warned. It is up to the official to see that, in practice, the warning is passed on, otherwise, presumably, the club member who is injured will sue the club rather than the landowner. What happens, however, if a club member brings along guests not covered by the permission, as might happen, say, in a bushwalking group, where friends or family who are not themselves members of the group might join in? In that case, the guests are not affected by the warning and, paradoxically, are better off than the persons who obtain permission.

A particular problem arises where the club members are children, as might be the case in a pony club. The club secures permission to use the land and is warned of the danger. The child members are then treated as having been warned and, in consequence, lose what might otherwise be legal rights to sue the occupier. This is so even though the hazard might be one that a child could not reasonably be expected to detect. Under the present law, children lack the capacity to waive their legal rights. The government last year asked the public whether it should allow parents to waive children's rights to sue for sports injuries. Many people said no. The government was persuaded, and cannot support a bill that would produce this result.

Another question is whether the bill might discourage people from asking permission to enter property because they might actually be worse off. The law of occupier's liability, as set out in the Wrongs Act, can apply to trespassers whose presence and exposure to danger is foreseeable. When there is a known danger on the land, such as an old unfenced mine shaft on a rural property, and the owner knows that people do

enter from time to time without permission (for instance, to use metal detectors), the trespasser could actually be in a better position than the person who asked permission. Again, I question the policy of such a result.

Mr MEIER (Goyder): I am surprised that the government, according to the Attorney-General, is not supporting this bill. Members should be aware, as the member for Newland said when she introduced this bill, that it is to limit the liability of certain landowners for injuries suffered by persons who enter their land for a recreational purpose, and for other purposes. Then she went on to explain. Surely, in this day and age, with public liability killing businesses left, right and centre, at the very least, we should seek to support a bill such as this, which will give landowners a chance not to be run off their land if someone decides to sue them. We know that we are in a litigious type of society at present. We were told years ago that, 20 years down the track, Australia would end up like America and, unfortunately, that is exactly the case. I suppose I could say a few words about the number of solicitors in our society today. There are many solicitors for whom I have a lot of regard but, unfortunately, there are also quite a few for whom I do not have high regard. But that is another issue.

I have highlighted to this house—and I certainly have highlighted in correspondence to the respective ministers—the problem that public liability insurance is causing for so many of our organisations today. Members would recall that the Yorke Peninsula Rail Preservation Society had to stop running its train last year because its public liability insurance was to rise from $5 000 odd up to $55 000 and, in the end, it could not even find a company to insure it. Thankfully, because it became a Lions Club, under Lions International, it started about two weeks ago. Apparently it had a fantastic number of people on the first train ride over the Easter weekend, and I compliment all concerned for the hard work they have done over the better part of 12 months to get that train up and running.

Only a few days ago we read in the paper about the closure of the St Kilda tramway, which is right next to the city. I listened to the Treasurer earlier today to see whether his suggested solutions would help St Kilda. St Kilda did not get a mention. So, it looks as though the tram will still not be running, and that is a great tragedy. Here is a situation where the member for Newland is seeking to limit the liability of certain landowners for injuries suffered by persons who enter their land for a recreational purpose. I would have thought that the government would be there with its ears back saying, 'Thank goodness the opposition has thought of this measure. We will show bipartisanship: we will support this measure.' But, on the contrary, we have just heard from the Attorney-General, and there is no such support.

I think the member for Newland highlighted very clearly in her speech, when bringing this legislation before the house, the various implications and situations that would apply with respect to her bill. It is not as though it will take away the common law right; it is not as though it will suddenly create new demands; it is not as though it will create a situation that is not palatable or something that we do not want to see in South Australia. Rather, it is there to help landowners and to give them a sense of security, so that they can sleep at night without worrying about someone walking across their land tripping over and breaking their leg and suing them. Of course, that is a reality that we have increasingly come to know, and I guess it has made life difficult for many of the insurance companies. It certainly is a reality in terms of people increasingly having to pay higher insurance premiums. Time after time over the last two years we have had increases that are very unpalatable. I will not speak further on this matter. I believe that the member for Newland made her point very clearly. I know it is something that goes very much to the heart of the member for Stuart and many others—in fact, I would probably say all members on this side of the house.

The Hon. G.M. GUNN (Stuart): I see that the minister has been looking at the clock: I do not know whether he is hoping that he will wind me up—

The Hon. P.F. Conlon: It certainly has a much better face than you!

The Hon. G.M. GUNN: I am delighted that the Minister for Government Enterprises is also here, because he is one of the members of that profession that has distinguished itself in creating a lot of the problems—

The Hon. P.F. Conlon interjecting:

The Hon. G.M. GUNN: I realise that the minister had a late night, and he gets really touchy when he does not get his beauty sleep. We do not want to do anything to get him on his pushbike, because this morning he did say some nice things about me, for which I was most grateful. I think he was caught on the hop a bit. I was listening to the radio in the motor car and I thought, 'Now, this response will be good,' when the interviewer asked about my views on a particular subject—I suppose quite unrelated to the matter we are currently discussing.

It was interesting to listen to the lengthy contribution by the Attorney-General. First he came in here and applauded and praised the opposition, and he slowly came to the conclusion that he would not support the course of action that the opposition has proposed. He praised the actions of the government in this area. We all understand that it is a difficult issue, but if something is not done to protect private owners we will reach a stage where they will not allow people to go mushrooming. As someone who, in the past—

An honourable member: Goat shooting.

The Hon. G.M. GUNN: Goat shooting is another matter; that is a matter very near and dear to our heart. It is a sport for gentlemen only. It protects the natural environment from the ravages of goats and other feral animals, and we should ensure that people are not deterred from making their land available. That is very important, and it ought to be one reason why we need to protect private landowners.

Mr MEIER secured the adjournment of the debate.

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

COURTS, FREDERICK, Mr M.E., S.M.

The Hon. M.J. ATKINSON (Attorney-General): I seek leave to make a ministerial statement.

Leave granted.

The Hon. M.J. ATKINSON: Recently, in the Port Adelaide Magistrates Court, Mr Frederick SM sentenced a woman charged with breaking her bail conditions. In the course of imposing and then suspending a sentence of six weeks' imprisonment, subject to eight conditions Mr Frederick thought would help rehabilitate the woman, including a stipulation that she live with her mother, the magistrate made sentencing remarks that are intemperate and

unfortunate. The woman had been bailed on a charge of soliciting in a public place, namely Hanson Road, for the purposes of prostitution. The woman had a long criminal record.

One report has Mr Frederick making off-the-cuff sentencing remarks along the lines of:

> You're a druggie and you'll die in the gutter. That's your choice. Stand up in the dock with your chest in and behave like an adult. I don't believe in that social worker crap. You abuse your mother and cause her pain. You can choose to be who you are. You can go to work. Seven million of us do whilst 14 million like you sit at home watching *Days of our Lives*, smoking your crack pipe and using needles, and I'm sick of you sucking us dry.
>
> Little Johnnie taxes us with all sorts and now with salt tax and maybe war tax. We dicks pay for your life. It's your choice to be a junkie and die in the gutter. No-one gives a shit, but you're going to kill that woman who is your mother, damn you to death.

I acknowledge that this is only one version of the events and not necessarily a version accepted by the magistrate. The sentence was successfully appealed. The sentence was quashed on the ground that the sentence imposed by Magistrate Frederick for breaching bail exceeded the maximum penalty for the offence for which the woman was on bail. On appeal in the Supreme Court, Justice Perry said:

> Remarks such as those which the sentencing magistrate is reported to have made in this case have a corrosive effect upon public confidence in the functioning of the courts and in the administration of justice. Magistrates and other judicial officers are perfectly entitled to speak in direct straightforward language to defendants during the course of sentencing remarks. There are some occasions upon which a fairly robust use of language may properly be thought necessary in order to communicate satisfactorily to a defendant. But a sense of decorum must at all times be maintained and the use of vernacular must be conditioned by sufficiently dignified delivery to ensure the respect for the courts is not undermined.

I agree with and endorse Mr Justice Perry's remarks. There is no excuse for a magistrate or judge using filthy language in court. There is scope for a magistrate or judge to use earthy language, short of expletives, or to be a blunt with a defendant. A magistrate or judge may express society's disapproval of crime in strong terms. Indeed, I think they should do this.

I understand Magistrate Frederick's frustration in dealing day after day with habitual criminals, people with addictions, people who disregard their obligations to society and their family, people who make life miserable for their neighbours, and people who are contemptuous of the court's authority. I also understand the heavy criminal case loads with which our magistrates cope so valiantly. But Magistrate Frederick has crossed the boundaries by using filthy language and curses, language that unnecessarily humiliates the offender, remarks that are conjectural and absurd, and language that is contemptuous of the Prime Minister.

I have spoken to the Chief Justice about this matter. I have met with the Chief Magistrate twice today. I understand that they discussed the matter this afternoon. I am informed that Magistrate Frederick will be summoned to the Chief Justice in a day or so to explain his remarks. It is not appropriate for me to discuss the nature of that discussion, nor will I report on the outcome of that discussion. I can report that this is not, by itself, a hanging offence. Magistrate Frederick will not be suspended or dismissed for this outburst alone. Magistrate Frederick has already been publicly admonished in the judgment of Mr Justice Perry.

Finally, to provide balance and to give him his due, it must be reported that Magistrate Frederick is a hardworking magistrate who has excelled in his work in our domestic violence program. This has come to public attention through an appeal to the Supreme Court. An erroneous decision has been quashed, and intemperate and unfortunate remarks rebuked. The system is working as it should.

ABORIGINAL LANDS TRUST

The Hon. M.J. WRIGHT (Minister for Transport): I move:

> That this house, pursuant to section 16(1) of the Aboriginal Lands Trust Act 1966, recommends that allotment 21 in the plan deposited in the Lands Titles Registration Office No. DP 58704 (being a portion of the land comprised in crown record volume 5407 Folio 6151) be transferred to the Aboriginal Lands Trust (subject to an easement to the South Australian Water Corporation marked A in the deposited plan and to an easement to ETSA Transmission Corporation marked B in the deposited plan).

This relates to the transfer of land. Some of the land that was needed for the bridge was owned by the Aboriginal Lands Trust and it was agreed to exchange that land for some land at Swan Reach. I am pleased to inform the house that those negotiations have now concluded, agreement has been reached, and that is why the motion comes before the house.

The SPEAKER: Order! I point out that the cameras in the gallery should not be filming anyone other than a member who is on his or her feet speaking.

The Hon. W.A. MATTHEW secured the adjournment of the debate.

STATUTES AMENDMENT (MINING) BILL

Second reading.

The Hon. J.D. LOMAX-SMITH (Minister for Tourism): 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 has been introduced as part of this government's commitment to transparency and accountability. The bill is required to give effect to certain recommendations made by Mr Hedley Bachmann in his recent review of the South Australian uranium mining industry ('the Bachmann Report').
>
> The Bachmann Report, which was released to the public on 17 October 2002, specifically recommends that:
>
> > [i]n order to allow the release of information about incidents which may cause, or threaten to cause, serious or material environmental harm or risks to the public or employees, the government should revise and appropriately amend the secrecy/confidentiality etc. clauses in the legislation referred to in Appendix B.
>
> Appendix B lists, among other legislation, section 14 of the *Mining Act 1971* and section 9 of the *Mines and Works Inspection Act 1920*.
>
> Section 9 of the *Mines and Works Inspection Act 1920* currently operates to prevent inspectors from reporting information gathered in relation to mining matters, except in an official report to the inspector's superiors, or when giving evidence in a court, or subject to subsection (1a). Subsection (1a) permits the Chief inspector to release information relating to a mining accident only where that information is a statement of fact (rather than an opinion or conclusion of an inspector), and where the release is approved by the Minister. The Bachmann Report identified this section as seriously limiting transparency and accountability in relation to incidents involving radioactive leaks at uranium mines, as well as accidents at other mines. This bill repeals section 9 of the *Mines and Works Inspection Act 1920*, and substitutes a provision that allows for the release, subject to the *Freedom of Information Act 1991* and, where relevant, the *Ionizing Radiation Regulations 2000*, of all information obtained in the administration of the Act, except information relating to trade processes or financial information. The proposed section

further sets out when certain information relating to trade processes and financial information can be released, namely:

- as authorised by this bill (or regulations under this bill); or
- with the consent of the person from whom the information was obtained, or to whom the information relates; or
- in connection with the administration or enforcement of this bill, or a prescribed Act; or
- for the purpose of legal proceedings arising out of the administration or enforcement of this bill, or a prescribed Act.

Information other than that relating to trade processes and financial information could, as a consequence of this bill, be obtained pursuant to the *Freedom of Information Act 1991*. The proposed provision is consistent with similar confidentiality provisions, in particular section 121 of the *Environment Protection Act 1993*, and provides for the release of information regarding incidents which may affect the safety of both the public and the environment.

Section 14 of the *Mining Act 1971* deals with the misuse of certain information for personal gain by persons employed in the administration of that Act, or in the Department of Mines. Whilst this section does not fall directly within the categories of secrecy or confidentiality, this bill repeals the provision as this type of conduct is properly covered by Division 4 of Part 7 (and in particular section 251) of the *Criminal Law Consolidation Act 1935*, a Division dealing with the abuse of public office.

Mr Hedley Bachmann consulted with a wide range of industry and environmental/conservation groups, together with state and federal government agencies, during the course of his review. The mining industry has expressed general support for the proposals, including those implemented by this bill. No objections were raised by environmental groups to the proposals contained in the Bachmann Report.

I commend this bill to the House.

Explanation of Clauses

PART 1

PRELIMINARY

Clause 1: Short title

Clause 2: Commencement

These clauses are formal.

Clause 3: Interpretation

This is a standard interpretation clause for a Statutes Amendment Bill.

PART 2

AMENDMENT OF MINES AND WORKS INSPECTION ACT 1920

Clause 4: Substitution of s. 9

This clause substitutes a new confidentiality provision in the principal Act which is consistent with the confidentiality provision in the *Environment Protection Act 1993*.

PART 3

AMENDMENT OF MINING ACT 1971

Clause 5: Repeal of s. 14

This clause repeals section 14 of the principal Act.

The Hon. W.A. MATTHEW secured the adjournment of the debate.

FRUIT FLY

The Hon. J.D. LOMAX-SMITH (Minister for Tourism): I am most concerned to lay on the table a ministerial statement relating to a fruit fly outbreak in Plympton made by Minister Paul Holloway in another place.

STATUTES AMENDMENT (GAS AND ELECTRICITY) BILL

Adjourned debate on second reading.

(Continued from 3 April. Page 2761.)

Mrs GERAGHTY: Mr Speaker, I draw your attention to the state of the house.

A quorum having been formed:

The Hon. W.A. MATTHEW (Bright): I am pleased to be able to stand this evening as lead speaker on behalf of the opposition to advise the government that the opposition supports the passage of the bill, which effectively consolidates the economic regulation of the gas industry with the Essential Services Commission and gives effect to the introduction of full gas retail competition to domestic, commercial and industrial customers. The history of the passage of this bill has been a fairly long and chequered one, and during my remarks tonight I wish to refer to some of the history that has resulted in this bill's being necessary and to draw the minister's attention to some areas of questioning that the opposition wishes to undertake in the committee stage with a view to expediting the parliamentary process in the shortest possibly time frame tonight.

Essentially, the government is obligated under the 1997 COAG Natural Gas Pipelines Access Agreement to facilitate gas full retail competition. Indeed, from 1 July 2001 all gas customers, including residential customers, became contestable. At that time, I was Minister for Energy responsible for facilitating this transition. At that time, it was quite apparent that it was not appropriate to deregulate the market for residential customers. In fact, an alternative gas retailer was not present in the market at that time, other than for businesses using more than 10 terajoules per annum, and there were a number of technical issues—notably technical metering issues—which effectively had to be resolved.

So, we faced a situation in South Australia where Origin Energy, albeit a very good company, still would have continued to enjoy a monopoly market, but a monopoly market that effectively would have been without government price control. We would have had the farcical situation where the market would have been contestable but there was no-one else in the market. There are technical issues preventing other people from entering the market anyway, so clearly there was a need to ensure that the competition was deferred. As a consequence, as the then minister for energy, as an interim measure, I ensured appropriate customer protection for South Australian gas consumers. That was done through a price fixing mechanism which was gazetted under my name on 28 June 2001. Since then, a number of companies have indicated an interest in participating in the retail gas market. That is fine, but a number of technical issues are still being resolved. They are not fully resolved yet, and I will be asking the minister questions during the committee consideration of the bill in relation to the resolution of those technical issues, and the preparedness of the market for competition in the way it is intended.

Of course, in contrast, the electricity retail market has been opened to full retail competition since 1 January this year. Although it could be argued that we have for this government almost as farcical a situation as, indeed, I faced as minister from 1 July 2001, a series of delays that I have already enunciated in this house on a number of occasions has meant that we entered an electricity retail market with no effective competition for householders. So, from 1 January this year, the monopoly retailer AGL—again, a good company, but nevertheless the monopoly retailer—was supplying to customers. Their price went up, but they had nowhere else to go. The questioning of the government in the committee consideration of the bill will focus on the extent and the rigorous nature of the protective mechanisms there to ensure that we do not face that situation again. I note that there are specific provisions in this bill that do not apply for electricity that do afford the government the opportunity to exert a particular influence. As an opposition we are pleased to see that inclusion within this bill, because we would not like to see the same situation occur for gas consumers as has

happened to electricity consumers for the summer peak, who were hit with an impost of some 32 per cent in price increases.

There is no doubt that there is a strong convergence between gas and electricity effectively in an energy market. Therefore, it is necessary to remove any constraints to effective competition between gas and electricity, and this legislation facilitates that. It establishes a legal framework for a retail market administrator and the associated market rules and business information systems. I am pleased to note that it does facilitate that greater convergence between gas and electricity retailers on a more equal footing. It would appear that the state's competition policy commitments with respect to gas reform will have been fully satisfied by the passage of this bill.

I certainly look forward to the day when dual fuel products will be offered. I have heard the minister speak in support of this day in a similar vein. Once we have a fully competitive gas and electricity market, there will be a time when consumers will be able to go to the one energy provider and buy both their gas and their electricity, and benefit from the associated discount incentives that should be offered at that time. That is certainly the type of market that has been envisaged by federal and state governments alike since the establishment of the market we now enter. This bill is the next stage to making that ultimately possible. There are over 340 000 gas consumers in South Australia, so it is a very important bill for many South Australians. It is the consumer protection aspect of this bill to which the opposition will focus some of its intention during the committee consideration of the bill, so that we can be satisfied that the government has sensibly provided the appropriate protection mechanisms that should be in place.

In terms of the new regulatory framework, essentially I note the gas industry licensing functions of the present gas technical regulator will be transferred to the Essential Services Commission. As I understand it, that leaves the technical regulator in the position where he or she will administer safety and technical standards in the gas and electricity industries. During the committee consideration of this bill I will discuss this aspect of change with the minister to ensure that the change as I understand it is the change he intends we put in place. Essentially, the Essential Services Commission, therefore, will subsume the regulatory responsibilities for things like third party access to the gas distribution network, and that is currently undertaken by the South Australian Independent Pricing Access Regulator. Effectively, further consistency between the gas and electricity regulation will be achieved through adopting a common appeal body as in the Essential Services Commission Act 2002.

Essentially, the South Australian Gas Review Board will be dissolved and it will be replaced by the District Court supported by a panel of experts, and again the opposition is supportive of that change. I note that none of the amendments to the Gas Pipelines Access (South Australia) Act of 1997 changes the effect, scope or operation of that act, and the regulatory environment with respect to third party access to the gas distribution network remains unchanged.

The gas industry participants will be required to participate in an ombudsman's scheme approved by the Essential Services Commission. Of course, that scheme already applies to electricity industry participants, and effectively, then, the new ombudsman will build upon the existing electricity industry ombudsman. Again, in the committee consideration of the bill I will be questioning the minister about the manner in which he envisages that that will work, with a consumer protection focus on that line of questioning.

I note that the incumbent gas retailer Origin Energy will be obliged effectively to offer a standing contract for all customers taking less than 10 terajoules per annum from the time of commencement of full gas retail competition. Again, this is not inconsistent with the approach that was taken with electricity, and the opposition believes that it is a sensible approach to take, and that effectively also default contracts will apply and it will be subject to a price justification regime, again imposed by the Essential Services Commission in much the same way as presently occurs with electricity.

Of interest is the fact that a non-profit privately owned retail market administrator called REMCO has been established by gas industry participants to manage both South Australian and the Western Australian gas retail markets. That provides for a combined market of some 800 000 customers. It seems to the opposition that such a move has the opportunity to benefit from economies of scale and lower cost to consumers. I note that the government has given in principle support for REMCO. The opposition is prepared to do likewise and, like the government no doubt, will be keeping a watching brief on the formation of this organisation. However, in principle, it appears to offer benefits for both South Australian and Western Australian consumers as it operates.

What is of interest to the opposition is that a firm date for commencement of gas full retail competition has yet to be settled. Under the act, the government will have the ability to specify the 'go live' date as a licence condition if necessary. During consideration of this bill in committee the opposition will be questioning the government. The minister, in his winding up remarks before entering the committee stage, may like to proffer some viewpoint in relation to this, but the opposition is keen to know when the government sees full retail competition as being likely to commence. It is apparent that, even with the passage of this legislation, there is still a number of technical issues that need to be resolved and put in place, and some of those issues, while on the pathway to resolution, are not easily resolved, as the minister would be fully aware. I look forward to his explanation of the progress of the resolution of those issues, and a time frame, if he is able to provide the house with that at this stage.

Essentially, therefore, we note that, as a transitional arrangement prior to the establishment of gas full retail competition, the gas retail prices of Origin as the incumbent retailer will continue to be set by the Minister for Energy—certainly during this calendar year, and for whatever other period the government determines as being necessary. The opposition notes, however, that the government will be seeking advice from the Essential Services Commissioner and, again, during consideration of the bill in committee, unless the minister wishes to proffer information in advance, we will seek to question the government about how it sees that relationship with the Essential Services Commissioner being put into effect during that transitional period.

We note that a number of penalties are introduced in this legislation, certainly at the maximum end of the scale. We note that for things such as primary code or licence breach a maximum penalty of $1 million will be applied. This is consistent with what is already applicable in the electricity industry, and again it is a quantum that is supported by the opposition.

Of particular interest to the opposition in the bill is the level of ministerial powers over price control outside of the transitional period—in other words, at the time that the market becomes competitive. I refer in particular to clause 27 of the bill which inserts section 33(2) which provides, effectively, that 'the Minister may, by notice published in the *Gazette*, direct the Commission about' a number of things. One of those things is 'factors to be taken into account by the Commission in making a determination in addition to those that the Commission is required by the Essential Services Commission Act 2002 to take into account'. If one were to interpret that clause broadly, it could, for example, give the minister the opportunity to direct that the Essential Services Commissioner take into account CPI and place more emphasis on that than on other factors, and again the minister in closing the second reading debate might want to volunteer a viewpoint as to how he intends that section to work. But the opposition may still wish to question the minister in the committee stage so that it fully understands and appreciates how the minister expects that change to work and how he intends to exert the price-fixing powers that he seeks to have in relation to gas—although, interestingly, he does not seek the same sort of powers in relation to electricity prices.

We note that there are also a number of other miscellaneous amendments in this bill, and one about which I have received some representation is an amendment which relates to what some would argue is the rating powers of local government. Indeed, I received a very interesting piece of correspondence that was faxed to my electorate office yesterday from the Local Government Association—in fact, from Councillor Max Amber, the President. In particular, Councillor Amber requested that the opposition oppose the provision which ensures that gas infrastructure will have no liability to pay council rates.

I wish to have it put very firmly on the record that the opposition will not accede to the request of the Local Government Association and will agree with the position put forward by the government. In fact, I was quite disappointed by the nature of the correspondence that was sent to me because it argues, in part:

> Gas infrastructure on both public land and freehold land is presently rateable. The bill will make all gas infrastructure located on public land (for example, roads) exempt from council rates. As a matter of principle, we are opposed to any proposal to interfere with the fundamental basis of council rating. This will result in a redistribution of the annual rates burden from a commercial gas entity to local residents and businesses.

The Hon. P.F. Conlon: It is not entirely honest, is it?

The Hon. W.A. MATTHEW: The minister interjects that it is not entirely honest. At times I might argue with the minister that that might be unduly harsh, but on this occasion I think the minister is spot on. It is a very disappointing letter. No gas infrastructure is presently paying rates. I am aware, however—

The Hon. P.F. Conlon: Two councils are seeking to impose them for the first time.

The Hon. W.A. MATTHEW: The minister indicates two councils, and he might care to volunteer to the house in his closing remarks the name of the other one. I am certainly aware that the Port Adelaide Enfield Council is one of those two councils and, indeed, I am aware that it has sent an account in this case to investors in order to rate them for some of their infrastructure. That matter is being challenged in the courts, so I cannot delve into it because of its present status, other than simply to focus on the issue of whether council rates should be charged on gas infrastructure. Far from rates being paid, the council will now have to get money from elsewhere: there are no rates being paid and, indeed, the converse would apply. If this amendment did not occur and if we had a situation where councils were able to levy rates on gas pipeline infrastructure, the price of gas would have to go up.

The Hon. P.F. Conlon: It would be a flow-through cost to consumers.

The Hon. W.A. MATTHEW: It would have to be a cost to consumers, as the minister points out—a compulsory cost. If councils believe they can play games with parliament and believe that they can introduce a whole new way of council rating and enforce a back door tax, the opposition certainly is not prepared to be part of such games. I am very disappointed that I have received a letter, on the letterhead of the Local Government Association, suggesting that the opposition should oppose this measure. We will support the measure. We believe that it simply ensures that there is consistency between this act and what already occurs in relation to electricity. Heaven forbid that local government should be able to get its foot in the door on this issue: next, they would want a change to the Electricity Act so that they could also charge council rates for electricity poles and wires, and South Australians would be hit yet again. So, to those councils that might have been pushing the Local Government Association, I say that this will not be happening.

I will say one thing, though. The timing of the letter and the location to which it was sent is interesting. Normally, if a body was seriously lobbying, they would meet with the opposition and the government and lobby well in advance—for days and weeks beforehand. The letter was faxed to my electorate office during the joint party meeting that the Liberal Party holds routinely every Tuesday of a parliamentary sitting week, and I know that the Labor Party similarly has caucus meetings. That is well known to bodies such as the Local Government Association.

Normally when the LGA lobbies me, the letter will come to Parliament House, but in this case it was sent to my electorate office. Had it not been for my electorate staff being forever observant and realising that the bill was being debated today and ensuring that they faxed it to me at Parliament House so that I received it promptly, there is every chance I might not have received it and read it until after this debate occurred. So, I have to question whether the LGA was really serious in presenting the point of view in this way or whether they were going through the motions to satisfy the two dissident councils, a matter to which the minister might care to refer later. Hopefully, in referring to this matter in this way, the opposition will not see the Local Government Association indulge in political activity in this way again, and certainly not those two councils.

We also note that amongst the other miscellaneous provisions there will be, in certain circumstances, temporary gas rationing. Penalties will be increased to a maximum of $250 000 for failure by a person (for example, a gas retailer) to comply with a ministerial direction. As a former energy minister and having being through a number of instances where gas rationing was necessary, I am certainly mindful of the fact that heavier penalties assist in gas rationing being applied sensibly. I know that this minister, regrettably, has already had cause to go through one gas rationing incident, and an acting minister went through another incident. Again, the opposition is supportive of the quantum. With those

words, it is my pleasure to indicate that the opposition supports the bill.

Mr HANNA (Mitchell): The Greens take quite an interest in the different forms of energy used by South Australian consumers in their homes. In particular, there is a prevailing view that, when it comes to everyday use, gas is probably better than electricity. This bill takes us another step down the road to full retail competition for gas in South Australia. At present, there is effectively a monopoly enjoyed by Origin Energy. There are no contestable customers below 10 terajoules per annum usage, and that is certainly way beyond what I need to warm up my supper when I get home after a long evening in parliament or at community meetings. I am one of the 340 000 South Australian consumers who use gas at home.

Competition can only be a good thing in this respect. My economic theory tells me that, ultimately, if there is more competition, there should be a drop in price, although I note that there are two factors militating against that: one is the set-up cost for the legal and business systems necessary to operate a competitive market in South Australia, and the government has agreed to the industry's recouping that set-up cost by passing the cost onto consumers, admittedly in a measured or limited way. Secondly, there is a very important limiting factor; that is, the volume of gas we can get into South Australia. So, there is a comparison there to the electricity market where, in a sense, it does not matter how many retailers you have if you have only a very limited quantity of the product to get into South Australia. So, it will be necessary for the market to work really well to the benefit of consumers for there to be additional sources of gas coming into South Australia.

I note that there is a very substantial degree of oversight, both by the Essential Services Commission and by the minister, in relation to various aspects of the bill. As referred to by the member for Bright, there was a submission in relation to this bill from the Local Government Association in respect of rating of premises used for gas infrastructure and the like. I cannot support that proposition, either, particularly when it is important for the gas and electricity industries to be on the same commercial footing, broadly speaking.

Ultimately, I see the competition being promoted in the sector by this bill as being a positive thing for consumers and, certainly, we need to put consumers in a position where they are not disadvantaged from using gas as compared to electricity. So, I think that the bill does take a further step towards that objective. In any case, it is inevitable that we proceed down that road because of competition policy and the steps that have already been taken in South Australia. I support the bill.

The Hon. P.F. CONLON (Minister for Energy): I thank the contributors to the debate on the bill. With the successful passage of this bill and, of course, the work between this government and the Western Australian Government to establish REMCO, we will have largely done the formal pieces that the government needs to do to bring about full retail competition in gas other than, of course, doing what we have been doing and that is working very hard. I thank the officers here tonight who have been working very hard with the private sector to bring on full retail competition as quickly as possible.

In regard to the comments made by the member for Bright (many of them relating to a debate we have had many times both on other bills and in question time) it would probably not serve the interests of the house for me to point out once again the areas in which I disagree—and quite rightly disagree—with the member for Bright: I am more interested in getting a successful passage of the bill. I appreciate the support of the opposition and the member for Mitchell, and also I appreciate the support on the matter of ratings.

As the member for Mitchell rightly points out, were we to allow the rating of gas infrastructure it would put gas at a disadvantage to electricity. I can assure the house that natural gas produces far fewer carbon emissions than does the production of electricity, and that would be a bad outcome. So, we appreciate the support of both the opposition and the member for Mitchell. Until we can have full retail competition in gas, we have a second-best competition in electricity because of the inability to offer dual fuels. It gives a distorted market position to Origin, and that is something that we would like to cure, meaning no harm to Origin, at the earliest time. Therefore, I will say no more at this stage and answer the questions of the opposition and the member for Mitchell throughout the committee stage.

Bill read a second time.

In committee.

Clauses 1 to 4 passed.

Clause 5.

The Hon. W.A. MATTHEW: I refer the minister to new section 6A—'functions and powers of commission'—that is intended to be inserted by this clause into the act; in particular, the all encompassing paragraph (b)—'any other functions and powers conferred by regulation under this act'. I fully appreciate the reason why such a clause is introduced: it obviously gives the ability to set things by regulation that might not be envisaged at this stage. However, in view of the fact that regulations are mentioned, will the minister advise at what stage is the drafting of the regulations; and are there any other functions and powers that he has identified that he seeks to provide to the Essential Services Commission through those regulations?

The Hon. P.F. CONLON: It is precisely the same provision as that which exists in respect of electricity. I am not even sure if we make regulations for electricity at present, but I will check that for the honourable member. We have no plans to make regulations at present. I will obtain an answer to the first part of the honourable member's question. This is merely an identical provision that exists in respect of electricity. It allows the proper reference of all matters associated with gas. It has always been our intention to create a one-stop regulatory shop.

Clause passed.

Clause 6 passed.

Clause 7.

The Hon. W.A. MATTHEW: Clause 7 refers to the functions of the technical regulator. I simply use this clause as an opportunity to ask the minister how the position of technical regulator will function in the future. As I understand it—and as I detailed in my second reading speech—the technical regulator is essentially only going to be responsible for the safety aspects of the job and that all other aspects will be transferred to the Essential Services Commission. Clearly, that means that the job that was done by an individual before is now much smaller. I seek from the minister information as to how that is to work: whether there are other duties encompassed within this act that will be picked up by the technical regulator or will that position become part-time in association with some other duties within, I presume, the

primary industries department, or will the technical regulator be part of the Essential Services Commission also?

The Hon. P.F. CONLON: The honourable member would understand the intention of this clause. The job will not become part-time, at least no more than it was in the past. From memory, this is not a highly ranked job like jobs in those esoteric public sector structures which I do not really understand. This change came about as a result of the task force that we appointed under the head of Primary Industries into how best these matters should be dealt with in future. There will be a full-time officer (the office of gas regulator) who I understand has already been appointed. In the past, the technical regulator was also the chief executive of Energy SA. That structure no longer exists, but there is still a full-time person looking after the safety aspects. Many of what I think were probably more regulatory aspects in any event now rest with the desire that we have to create a one-stop regulator.

Clause passed.

Clause 8.

The Hon. W.A. MATTHEW: Clause 8 introduces a maximum penalty of $20 000. In this case, it is a penalty that is applied to the technical regulator's power to require information. There are a number of increases in penalty provided for in this bill. I do not argue with the concept of increasing the penalties because one of the problems that we have in this parliament relates to penalties provided for in a bill often becoming outdated as they cannot be amended until an amendment bill is put forward. I want to know how this penalty was calculated. The minister may wish to be more lateral in his remarks and encompass other penalties as well.

To assist the minister, I have indicated in my second reading speech our understanding of the million dollar quantum in penalties and the $250 000 quantum in penalties covered in this bill. This particular penalty is $20 000. There are other penalties scattered throughout the bill that are set as low as $10 000 and $50 000. I just seek to know the mechanism used to arrive at those quantums.

The Hon. P.F. CONLON: Very simply, in terms of the penalties here and elsewhere, an attempt has been made to make them as consistent as possible with the existing ESCOSA penalties and penalties under the electricity act. I understand this is a similar penalty for the failure to provide information to ESCOSA in terms of electricity. So, again an attempt has been made to create consistency and, if the honourable member is asking me to be more lateral in other areas, to provide greater penalties. Regarding the notion of greater penalties, with the private sector and competition operating, there is the opportunity, unfortunately, for people not to do the right thing—the rewards are great. We have attempted throughout to increase the penalty to make sure there is sufficient dissuasion in the act for people who might seek to do the wrong thing.

The Hon. W.A. MATTHEW: I questioned the minister in similar vein in relation to the Essential Services Commission Bill. I understand the reasons for the penalty, and I thank the minister for that explanation, but the dilemma is that the passage of time erodes the value of those penalties. Again I ask whether the drafting of this bill gave consideration to imposing those penalties through regulation which would give the minister a much easier ability to increase the penalties in quantum rather than having to come back to the house to put legislation through again.

The Hon. P.F. CONLON: The answer is much the same. Having adopted this approach in respect of the previous bill, we will not change it in respect of this one. I assure the member for Bright that, should the penalties prove inadequate for their purpose, I will be the first person to come back and seek a remedy from the house.

Clause passed.

Clauses 9 and 10 passed.

Clause 11.

The Hon. W.A. MATTHEW: This clause relates to advisory committees. The first committee referred to is the consumer advisory committee. It provides that the Essential Services Commission must establish an advisory committee. It does not detail the number of members of this committee nor, for understandable reasons, does it detail any financial payment that might be made to its members. I ask the minister how many people does he envisage will be on this advisory committee, what sort of representatives of consumers does he envisage the commission may draw into the committee, and are committee members likely to be paid and, if so, has a level of likely payment yet been established?

The Hon. P.F. CONLON: The intention, as the honourable member may discern from the last paragraph of proposed section 15, is that an existing consumer advisory panel is provided for in the Electricity Act, as the former minister well knows, with a very similar structure. The ESC perhaps adding some membership to that committee is what is contemplated. I do not assume there will be any great change in the sitting fees and such. My personal view—and of course there is a degree of decision for the commission in this—is that you do not need another committee, that we should merely flesh out the role of the existing committee. That is probably where we are at present.

The Hon. W.A. MATTHEW: I concur with that view. I hope the existing committee is also charged with that role.

The Hon. P.F. Conlon: Too many committees, Robert de Crespigny told us.

The Hon. W.A. MATTHEW: Indeed, Mr de Crespigny did say there were too many committees. That is one of the points that I was about to make. I am pleased the minister is thinking in that vein also. This clause also establishes under proposed new section 17 that the minister, the commission or the technical regulator may establish any other advisory committees. This is an all-powerful committee setting clause. The minister has indicated that he thinks there are probably too many committees and that he agrees with Mr de Crespigny, but it also leaves the commission and even the technical regulator free to establish other committees. I ask the minister, first, whether he is satisfied with the breadth of committee establishment opportunity allowed by this clause and, secondly, is he aware of any other committees (which might need to be established or which perhaps may be in existence) which this section covers?

The Hon. P.F. CONLON: There are none contemplated, to the best of my knowledge at present. I can tell the parliament that I am much more comfortable with advisory committees than any other form of committee. Not only do they provide advice that one does not have, but also they are much cheaper than most forms of committees that I have seen. I can assure the member that none is contemplated at present. It is merely a provision to provide that advice, should it be seen to be necessary.

Clause passed.

Clauses 12 to 26 passed.

Clause 27.

The Hon. W.A. MATTHEW: This clause relates to the all-important aspect of price regulation by determination of

the Essential Services Commission. I note that the clause provides for a number of quite sensible things, including the sale and supply of gas to small customers; services provided in accordance with applicable retail market rules; services provided by a gas entity; and sale and supply of gas by gas entity customers. Interestingly, it also includes, in new section 33(1)(e), 'other goods and services in the gas supply industry specified by the minister by notice in the *Gazette*'. Often in the drafting of bills it is useful to have such clauses for the all-important catch-all so that, if something is not thought of while the bill is being drafted, there is an opportunity to be able sensibly to provide coverage without coming back to the house. But in providing such broad powers, it also introduces other opportunities. I seek what I think is obvious advice from the minister, namely, his assurance that there is no intention of using such a clause, for example, to control the retail price of bottled gas or of any gas burning device. It could extend to gas connected barbecues, stoves or gas space heaters. I would be surprised if that was the minister's intent, but I want to seek his assurance that that is not the intent of this—

The Hon. P.F. CONLON: I give the member the 'no' right now; I assure him. The family barbecue is safe!

Clause passed.

Clause 28.

The Hon. W.A. MATTHEW: During the course of my second reading contribution, I indicated that the minister has been provided, through this act, with a number of price fixing powers (for want of a better expression) that were not provided through the changes that were made to the Electricity Act. I note that the minister has the ability, by notice published in the *Gazette*, in fact to direct the Essential Services Commissioner about factors to be taken into account by the commission in making a determination, in addition to those other factors that the commission is required by the act to take into account. How does the minister intend that this power should be used? Does he intend for it to go so far as to suggest to the Essential Services Commissioner—indeed, direct the Essential Services Commissioner—that he needs to take into account the consumer price index as the most significant factor in determining a gas price increase?

The Hon. P.F. CONLON: The overall answer is that it is my intention to use it as little as I have to. We do not resile from our position, and the position around the country, that these matters are best in the hands of an independent regulator. I think I will have to do it for setting fees for participation in an ombudsman's scheme, and I will reserve the right to make sure that recovery of costs for retail competition is in our hands. The difference between this matter and electricity is that there is more in this that remains within the direct control of the state jurisdiction as opposed to electricity—the transmission costs and the spot market in the hands of federal regulators and the distribution costs set at privatisation. So, there is greater control at a state level, as I understand it; therefore, I think we have greater responsibility to make sure that that is done correctly. Other than that one matter, on which we may have to do so, there is one particular item with respect to which I reserve the right to ensure that South Australian consumers are protected, and that is with the flowthrough of FRC costs. It is my intention that the overarching principle of this goes with an Electricity Act. The legislation provides that there should be an independent regulator as an independent umpire for setting costs, which is, of course, as the member would be well aware, the overwhelming view of western nations.

The Hon. W.A. MATTHEW: The opposition certainly does not disagree with the minister's viewpoint that an independent regulator should be able to exercise that role accordingly, but it notes with interest that this power was not sought in relation to electricity. In fact, it could be argued that there are some parallels between this power and the powers regarding electricity that the Victorian Labor government has been able to exercise, somewhat successfully, in keeping its electricity prices lower. I heard the minister's argument over differences in control perhaps not of infrastructure but in terms of market establishment. We do not have a national gas market in the same way that we have a national electricity market.

It is true to say that a reduced quantum of factors is involved in the administration of gas versus electricity. But surely the same situation prevails. If the government has the opportunity to intervene in the gas market (and, after all, the gas system is privatised: the Labor government sold off the old South Australian Gas Company; that is privatised, and electricity is privatised), why would the minister not seek to have exactly the same power for electricity? Why would he not bring the same clauses to this parliament, seeking exactly the same power in relation to electricity prices?

The Hon. P.F. CONLON: Whether or not the member agrees with me, the difference is that the vast bulk of electricity costs is controlled outside of the hands of this state parliament. We could have changed distribution costs, but that would have been at the risk of repudiating deals done by the previous Liberal government, and with enormous areas of sovereign risk. The one area that was free to be regulated or established was the retail price. In relation to the retail price, I had, and I continue to have, full faith in the ability of the independent regulator to do it. Gas is a different proposition. The honourable member may not agree with me, but that is the reasoning.

The Hon. W.A. MATTHEW: I put it to you, minister, that you have squibbed it on this one. You had every opportunity to do the same for electricity. You are happy to try to blame, in your words, the dreadful Liberals for this dreadful impost. You are happy to sit back and see a 32 per cent increase occur for electricity summer prices. You are happy to see it go to some 24.7 per cent overall. Why would you not be consistent in your approach? This is about retail price fixing. You are asking the parliament to agree that you should have the power to intervene and, if necessary, fix the retail price of gas. But you are saying that you do not want it for electricity. Why not?

The Hon. P.F. CONLON: I have attempted to explain it to you, and this is great proof of what one said in a court case that, after my explaining it to you twice, you are none the wiser, but you are certainly better informed. The only thing that could be controlled at a state level by the regulator or by me was the retail price. The opposition made sure that the distribution costs were locked in, the transmission costs were locked in, and the pool price is set somewhere else. If the honourable member wants to talk about prices of electricity, we will talk about them. I prefer to pass this bill in the interests of South Australians. But I can tell the honourable member that the regulator found—

The Hon. W.A. Matthew interjecting:

The Hon. P.F. CONLON: The honourable member says that I am happy: well, I am not happy. What the regulator found for small customers, namely, an average price increase of 23.7 per cent, was bloody awful, but it was demonstrably better than the average 45 per cent increase that the opposi-

tion imposed on large customers of gas under the same system a mere 1½ years earlier. The honourable member can deny and argue it and make all the points he likes, but the truth is that the opposition locked in massive electricity price increases. A 45 per cent increase was delivered to large customers. The honourable member has never asked me a question about the 45 per cent increase they gave large customers, but he wants to ask about the 23.7 per cent we were obliged to pass onto small customers through the regulator because of the opposition's disastrous privatisation. I think it is time members opposite got over it and helped us move on to help the people of South Australia.

The ACTING CHAIRMAN (Mr Caica): I remind the committee that we have already dealt with clause 27. We have been moving along well, and perhaps we can refocus on the bill before us.

Clause passed.

Clause 29.

The Hon. W.A. MATTHEW: My question relates to the minister's power to require information. New section 34D provides:

> The minister may require the commission, a gas entity or other person to give the minister, within a time specified by the minister (which must be reasonable), information in the person's possession that the minister reasonably requires for the purposes of this division.

It provides for a penalty of $20 000 if the person does not provide the information to the minister during the time specified. What time frame is considered reasonable? What sort of information does the minister believe he would need to require to necessitate the insertion of this power into the bill?

The Hon. P.F. CONLON: It would depend on the nature of the circumstances and the event. It would have to be very fluid, and that is the reason this clause is written as it is. If the honourable member wants examples of the types of events they might be, we could probably run through those for him.

The Hon. W.A. MATTHEW: Does the minister have a list of potential events? I appreciate that it is an all encompassing clause. Again, I repeat my caution concerning such clauses. The opposition needs to be satisfied that there is good valid reason for putting it there. If the minister can put forward a good valid reason, we will accept it.

The Hon. P.F. CONLON: An example would be a business going into administration, a retailer of last resort being required in those circumstances. The circumstances may vary enormously, and I am hopeful that we never need to do it at all.

Clause passed.

Clauses 30 to 63 passed.

Clause 64.

The Hon. W.A. MATTHEW: This clause refers to temporary price fixing provisions. In fact, it is one of a number of sections of the bill that refer to price fixing provisions. I will group together a number of queries in relation to price fixing. When does the minister see it necessary to use this temporary provision? The schedule provides that from time to time the minister may fix a maximum price or a range of maximum prices to a prescribed group of customers. How often does the minister envisage this being used, or is it something he envisages might be used on an ongoing basis rather than temporarily?

The Hon. P.F. CONLON: I am hoping that I will be doing this for the last time this year. It describes what the current practice is. Certainly, if we get FRC up in any reasonably timely fashion, then this power will be exercised once more by me shortly, I imagine. We have an application at present, I understand.

The Hon. W.A. Matthew interjecting:

The Hon. P.F. CONLON: Not beyond that, unless there is some delay to FRC that we do not foresee at present. In fact, it has an expiry date in there.

The Hon. W.A. MATTHEW: That will be done?

The Hon. P.F. Conlon: Yes.

The Hon. W.A. MATTHEW: I alluded in my second reading contribution to the fact that the bill does not provide for a commencement date of FRC, for understandable reasons. When does the minister expect that FRC is likely to commence, and what remaining technical issues are to be resolved that prevent the establishment of FRC at an earlier date?

The Hon. P.F. CONLON: I am a bit circumspect in answering because, frankly, we are looking at the earliest possible date and have been working very recently in a very productive way with absolutely every member of the industry to try to bring the date ahead to the earliest possible time. I am very circumspect about putting down one of either of two dates that are out there at present. Having gone down this path in the interests of efficiency and costs, we rely on the cooperation of the Western Australian government, and we are speaking to them about a number of matters now. If the honourable member presses me I will give him a date, but I would ask him not to do so. However, I would say early next year—in the first half of next year.

There are technical issues that need to be resolved, although not by us; they are industry matters. As I understand it, we have developed our rules in principle. It is the market systems that need to be developed by the participants. There need to be market systems developed by REMCO, as I understand it. These are matters in which I am not an expert. Market systems need to be developed by participants according to a type of system used by REMCO and according to the rules we set. Those are the matters that we are attempting to compress through working with the industry at the moment because, as I have said, until such time as we achieve this, we have second best competition and electricity. I will not go into the views that I have expressed before about why we are in this position, because I am interested in getting the bill through.

The Hon. W.A. MATTHEW: The clause also provides for the minister's power to require information. Under this clause the minister may by written notice require a person to give the minister, within a time stated in the notice (which must be reasonable), information in the person's possession that the minister reasonably requires for the performance of the minister's functions under the schedule. Again, this is a necessary power if the minister expects that there might be people who are being difficult. Is the minister able to provide me with details as to which individuals, bodies or organisations he envisages may not be prepared to impart information and what time is considered to be reasonable as prescribed within the intent of this insertion?

The Hon. P.F. CONLON: I think the honourable member would be aware that last year the method of fixing a retail price of gas, because of an ability to disentangle pipeline costs that had not been there in the past, was based on a cost plus margin basis for the first time, and we are doing that this year. So, the type of information that would be sought by us in trying to set a retail price would be that sort of business information relating to costs and administration expenses, as

I understand it. Delivering that information would be on the basis of time.

What occurs is that Origin comes and says, 'We need this much and this is why,' and it is examined. Then we will say, 'We need more information.' Usually, Origin are as interested as anyone in getting that information to you quickly because until you get it they do not get a price increase. That is the beauty of the current system. The time would be on the basis of the sort of information sought but, frankly, I do not imagine our ever having difficulty in getting the information we ask for because they are in a difficult position. Until they deliver information, their retail price does not go up, so there is a safeguard.

Clause passed.

Remaining clauses (65 to 78) and title passed.

Bill reported without amendment.

Bill read a third time and passed.

ADJOURNMENT DEBATE

The Hon. P.F. CONLON (Minister for Government Enterprises): I move:

That the house do now adjourn.

Mr VENNING (Schubert): For any members who have read any rural or regional newspapers since the start of the year, the contentious proposal of discontinuing the single desk system of exporting the grain of South Australia's celebrated barley industry would not be a new one; it has been around for some time. In the correspondence I have had with barley growers, many have flatly rejected plans to abolish the single desk, with a huge majority of all growers believing that the Australian Barley Board should keep the single desk for barley exports and that it provides them with orderly marketing and a premium price for their grain.

This clearly demonstrates the will of barley growers in South Australia to Primary Industries Minister Paul Holloway and the committee responsible for determining the future of the single desk in South Australia. I remind the house that it is indeed a decision of this house in relation to the Australian Barley Board.

Mr Rau: What about the free trade agreement?

Mr VENNING: The honourable member says,'What about the free trade agreement?' That does give me a lot of concern. That is why we should give this free trade agreement a lot of scrutiny, because the Americans are pushing free trade at us at one side, trying to get rid of our orderly marketing on the other side, and then they will immediately go and do what they want to do, anyway. So, I would absolutely agree with the member for Enfield.

The South Australian Farmers Federation believes it can show the overwhelming support South Australian farmers have for the single desk, so this should help protect present marketing arrangements. The support comes despite pressure from companies competing with the Australian Barley Board grain to dismantle the single desk marketing system.

It also flies in the face of changes made to the barley export marketing arrangements around Australia, which have been moving away from single desk selling structures and arrangements. Western Australia is operating a modified barley single desk because of that state's grain pool and the CBH merger. New South Wales' single desk will wind up at the end of 2005 and looks unlikely to be renewed, while Victoria's single desk finished last year—as I said in a debate this afternoon—due to a sunset clause in the legislation that created it. However, in each case, the opposition of growers to the erosion of single desk powers has been absolutely overwhelming. A deregulated market in Victoria has been credited with changing the opinion of a small proportion of farmers in the South-East and Mallee who opposed the single desk initially, albeit while the majority still overwhelmingly supported the existing structure.

Farmers do not easily forget the troubles of the early 1990s when many primary producers were nearly brought to their knees through the poor privatisation of grain exports. Indeed, some are still nursing the wounds of that disaster. Put simply, for the benefit of government members, I point out that the grain industry's volatility means that, to remain viable, there needs to be some consistency and guarantee in the market, some avenue for farmers to enjoy some security in poorer seasons. Certainly, forward contracts can give a barley grower good prices when the market is poor. However, equally, this is a gamble and can backfire. Most will advise that if they had sold everything through the barley board pools over 10 years they would have come out better financially, and that they are slowly disenfranchising themselves from forward contracts. I could not agree with that more, because most of those who have taken the gamble with forward contracts, put options, etc., in the end have regretted that they ever did it. Let us take advantage of our existing system, with the gradual abolition of single desk in other states. We should be thankful that our single desk can remain, leaving barley growers of this state the envy of those across the border, and, in fact, support a price that is benchmarked by the other states. The fact that we have the single desk here guarantees, sets and stabilises the price for all the other states to benchmark their prices. Let it not be said that we are not still leading the way.

I also note a new issue that will require action by this house very shortly—the ability of our domestic grain traders to sell grain back to the Australian Barley Board's grain pool, as is the case with the Australian Wheat Board. As we know, AusBulk has branched out into the malting industry, with the acquisition of two large malting companies, and they are now the largest maltster in Australia and, indeed, eighth in the world. To be able to buy malting barley competitively and to be able to offer multi-grade contracts to the people who grow the barley—that is, the barley growers—AusBulk (or Ausmalt as that arm is called in this instance) needs to be able to sell back the unwanted feed barley to the Australian Barley Board. The only reason it has to have this feed barley is that, when it signs a contract with the grower prior to harvest, it is unknown whether the barley will make the malting grade quality or fall down to a lesser quality, either malting No. 2 or 3 or even feed. So they can end up with a lot of feed barley which they do not really want and which, of course, cannot be used for malting. This will also put another buyer—and hence more competition—into the barley market, and the growers would certainly welcome that, so that all the growers and everyone concerned will generally be advantaged. This could also assist the occurrence of a merger between AusBulk and the Australian Barley Board.

This is a controversial speech to be making in the house tonight. However, I say that with grower support, because the majority of growers would support a merger between the Australian Barley Board and AusBulk. I think it will happen; it is just a matter of when. When this issue is addressed by this parliament—allowing Ausmalt to sell the feed barley back to the pools—it will certainly bring that about. As I said

earlier, the Western Australian operators are also tipped to be involved in merger talks, so just watch this space!

Also involved with this on another arm of the industry is the port at Outer Harbor. We had an economic summit in this place a couple of weeks ago, and the word from that was that we must be export oriented. Of course, to do that we have to be efficient exporters, we need a deep sea port and we need access to the port. I welcome the final decision last week from the government that it will build this swinging bridge at Outer Harbor on the third river crossing. We have heard yet again the decision to build the bridge. Apparently, the road is under way, and the Public Works Committee will inspect the road progress very shortly. I understand the parties that will be operating the new grain facility at Outer Harbor are getting closer to a final agreement, that is, AusBulk, the senior partner, the Australian Wheat Board and the Australian Barley Board.

I hope that by this time next year, May 2004, things will be well under way, because if they are not we will lose substantial competition advantage with Port Melbourne coming into operation with its new deep port around mid 2005. Also, if we do not make progress at Outer Harbor, the players will do their own thing separately in South Australia (this involves Ardrossan and Myponie Point) for the wheat board. That would be an absolute disgrace. The only reason that AusBulk would develop the Port of Ardrossan—and I note that the member for Goyder is here—which is one of our least efficient ports and the shallowest port, is that they own it per kind favour of the deal it did with BHP and the government. That would be a real shame. If the wheat board decided to do its own thing at Myponie Point, it would be an excellent port but it would serve only the grain growers—us. It would not serve the Port of Adelaide or most of the people in the City of Adelaide.

Therefore, it is in all our interests to make sure that everybody gets their act together at Outer Harbor. Now that we have the agreement to build the bridge, the roads are going ahead and people are getting together to make a final decision on the operation, hopefully by this time next year we will see some action and we can look forward to continued success. Hopefully the findings of the recent summit will bring about more efficient exports, and South Australia will go into the future with some confidence.

Motion carried.

At 9.08 p.m. the house adjourned until Thursday 1 May at 10.30 a.m.