HOUSE OF ASSEMBLY

Thursday 17 November 1994

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

ENVIRONMENT, RESOURCES AND DEVELOPMENT COMMITTEE: MFP DEVELOPMENT CORPORATION

Mrs KOTZ (Newland): I move:

That the fourteenth report of the Environment, Resources and Development Committee (Environmental, Resources, Planning, Land Use, Transportation and Development Aspects of the MFP Corporation for 1993-94) be noted.

At the beginning of this month, I tabled the second report of the Environment, Resources and Development (ERD) Committee into aspects of the operations of the MFP Development Corporation during the past financial year. As I explained when speaking to the committee's own annual report on the next day, in addition to its normal function of inquiring into matters referred to it by the Parliament and initiated of its own motion, the committee also has a number of important functions imposed upon it by various pieces of legislation, notably, the Development Act, the Environment Protection Act and the MFP Development Act.

The committee naturally takes these statutory obligations seriously and has been scrupulous in observing them. One of these obligations is to 'report to the environmental resources, planning, land use, transportation and development aspects of the MFP Corporation's operations', to quote from section 33 of the MFP Development Act. In order to comply with its own statutory obligations, the committee relies heavily upon the corporation to comply with its obligations. The committee simply does not have the resources to conduct its own independent detailed examination of these major aspects of the corporation's operations. It relies largely upon an objective assessment of the reports which the corporation is required to give to it and its examination of the corporation's officers at public hearings.

In 1994 the MFP Development Corporation reported to the ERD Committee on 28 February and on 31 August. The committee heard supporting evidence from officers of the corporation on 12 October 1994 and received a supplementary report from the corporation on 14 October. The corporation's February, August and October reports are included as appendices to the committee's report. Thus the MFP's own words make up the bulk of the committee's report. The report therefore provides an important opportunity for the corporation to explain to the Parliament and to the people of this State what it is doing and how its activities will benefit the community and the nation.

The committee's aim is to provide a coherent picture of the corporation's activities during the reporting period, concentrating on those aspects of the corporation's operations which are of traditional concern to the committee, namely, protecting, restoring and enhancing the quality of the environment, ensuring the proper use of the State's resources and promoting efficient planning, land use and transportation strategies and sustainable development. Providing a coherent picture of MFP operations is made extremely difficult by the shifting emphasis and diversification of this project.

A major concern expressed by the committee in last year's report was the uncertainty which then existed about '. . . the future direction of the Gillman site as the focus of MFP activity'. In that report the committee strongly expressed the view that the Gillman site should be rehabilitated, whether or not it remains central to the project. In its latest report the committee reaffirmed this view. It was therefore heartened by the clarification offered by the corporation's Chief Executive Officer (Mr Kennan) in correspondence to the committee which is reproduced in full in our report. I take the liberty of quoting at length from this correspondence because of its importance in clarifying the current focus of the MFP. As part of an overview of the project, Mr Kennan said:

Since the report of the MFP Development Corporation to the Environment Resources and Development Committee in November 1993, the MFP project has undergone considerable change. The board of the corporation focused the project and has responded to the requirements of the newly elected South Australian Government, in consultation with the project's Commonwealth Government stakeholder. In particular, the Commonwealth-State agreement to extend the original MFP core site to include Technology Park and adjacent land. . . was a major step towards earlier MFP urban development and the realisation of MFP Australia's long-term objectives. This also has the potential to diffuse controversy which has surrounded simultaneous environmental remediation and urban development. There is now potential for both these important aspects of the project to proceed with MFP Australia able to demonstrate its urban development objectives on the extended site while proceeding with the necessary environmental remediation of the original site, paving the way for future development there.

Mr Kennan continues:

Your committee's report of November 1993 advocated the environmental remediation of the original Gillman core site regardless of urban development. We agree but have pursued that outcome confident it would make a positive contribution to public perceptions of the area and raise the value of land which would otherwise remain of little, even negative, value to the community. The recent work of MFP Australia has therefore been sharply focused on realising the opportunity now afforded by the extension of its core site while getting environmental remediation projects under way on the original site.

The committee believes that the more these changes in emphasis are explained to the community the better will be its understanding of the whole project and the stronger its support for it. The corporation has an obligation to make its activities as accessible as possible to the public and to clearly define the project to the public to overcome the almost universal confusion as to its nature. We therefore urge the corporation to continue its efforts to clarify and explain the inter-relationship between and priority accorded to the many activities which make up this project. Last year's committee's report noted problems with the shifting definition of the project, nonetheless its recommendations were abundantly clear. The committee stated:

More focused reports directed towards those issues which come under the ambit of this committee as set out in section 33 of the MFP Development Act will be required in the future.

Because of this clear formal written guide and its subsequent and formal reaffirmation in face-to-face meetings with the corporation's officers heard earlier this year, the committee expressed its view that the reports presented this year by the corporation were totally inadequate. The few reports on activities which were actually given were not adequately linked to the objectives of the Act and the functions of the corporation, as required by the committee.

The committee, and through it the public, was given no clear idea of progress during the year in fulfilling the objectives of the MFP Development Act and no overall perception of the corporation's success in performing its functions. Indeed, in both areas, the corporation offered no objective indicators or standards against which its overall

performance could be measured or its progress evaluated. Simply informing the committee and the public that an activity has been delivered by a particular date says nothing about how effective that activity has been in advancing the aims of the particular project or of the overall MFP concept. There should also be an assessment of whether the activity was performed efficiently and if, when compared to possible alternatives, it is an efficient way to advance the particular project and overall aims of the MFP.

The committee has no wish to labour these points. They were given an extensive airing in the public hearing held in October, and the committee is confident that its comments were taken to heart by the board, in particular, by the responsible officer, Mr Ross Kennan. The committee is mindful of the fact that the corporation must report to a number of bodies, State and Federal, and that it may feel that it is being deflected from the performance of its functions by constant attendance to unnecessary reporting requirements. The committee has expressed the hope that, by basing reports on the corporation's own logical classifications of its operations, it would tap into the corporation's own marketing and public relations strategies, which appear to be based upon selling its operations separately in three areas: the environment, community development, and business development. In adopting this framework, the committee was also anxious to ensure that the reporting process is integrated into the normal management of the project, that it is not seen as a separate, expensive, unwanted obligation but as a natural part of the ongoing management of the project and evaluation of its progress.

The committee has reaffirmed its continued interest in the testing being carried out at the core site in preparation for its eventual remediation and development, and looks forward to receiving regular reports on any testing carried out at the core site. As part of its interest in remediation efforts at the core site, the committee reaffirmed the concern strongly expressed in its first report about the extent of soil contamination at the Gillman site. Notwithstanding the shift of focus away from this site and the receding likelihood of extensive urban development occurring there, the committee continues to believe that community fears of the effects of toxic waste and soil contamination must be allayed, and it will continue to closely monitor this issue.

Committee members also questioned corporation officers about their involvement in the controversy over the Wingfield land fill. In the course of asking the corporation to provide a progress report on these specific activities the committee also signalled its interest in general waste management issues, and, on the motion of the Hon. Terry Roberts, will include on our agenda this issue as a committee motion. The committee was told that the corporation is working with a number of local council and State agencies to encourage appropriate waste management strategies for the future. The committee also expressed its particular interest in stormwater management and treatment issues when the corporation's officers appeared before it in October.

Impressive detail about the design of the Barker Inlet wetlands was provided in the corporation's supplementary October report, but specific questions about a water monitoring program being conducted in conjunction with the Adelaide University School of Civil Engineering and about the ultimate fate of the heavy metals, which may be stored in the wetlands, have not yet been answered in detail; nor was any detail provided about the corporation's recently reported involvement in the planned clean-up of the Patawalonga.

The Greater Levels Development must be more than simply another housing development. It must also be more than a development that simply incorporates new technology or even latest technology. It must be a world leader in the application of new technology. It must not only aspire to but exceed international standards in the areas in which it intends to act as a model and a focus of national and world attention. The committee expects that, in future reports, the corporation should demonstrate how the Greater Levels Development seeks to achieve these standards. When the committee questioned the corporation's officers on what it saw as the conservative goals established for the development, and expressed the view that they were not even close to world standards and that they were merely utilising existing technology, a lively and healthy debate ensued.

The committee makes the point that, without measurable goals or performance standards, this type of healthy debate cannot take place, because there is nothing to debate and, worse, nothing against which to properly evaluate the corporation's actual achievements. As with the Greater Levels Development, the committee will follow with great interest the achievement of the goals established for the New Haven Estate and hopes that they will fulfil the MFP's charter to serve as a valuable model for other developments within the MFP and beyond. With the rest of the community the committee takes an active interest in the exciting developments in information technology and telecommunications centred on South Australia and the MFP.

The committee looks forward to future reports on the development of an advanced urban IT&T infrastructure and on progress in attracting IT&T businesses to the MFP core site. These activities were foreshadowed in the corporation's supplementary October report. Last year's report signalled that the committee would closely monitor future developments in community consultation and, in particular, the work of the Community Advisory Committee established under the Act. The integration of MFP projects and activities into the local area were seen by the committee as crucial to the success of the whole project, and it remains squarely within the ambit of the committee's brief.

In conclusion, the committee is extremely disappointed that, in its second report on the MFP as in its first, it has had to dwell on procedural matters and not matters of real substance. It expects, in its next report, to deal with real issues and to concentrate on the tangible achievements of the corporation, or to examine how the corporation has failed to live up to its promise and to make constructive suggestions about how it can improve its performance. As I said at the beginning of these remarks, the committee's report provides an important opportunity for the corporation to explain to the Parliament and to the people of this State what it is doing and how its activities will benefit the community and the nation. It is a pity that this opportunity was not grasped by the corporation in the past, but the committee is confident that this intention and this opportunity will be grasped by the corporation in the future.

Mr VENNING (Custance): I congratulate the Environment, Resources and Development Committee on yet another comprehensive and constructive report. It is a key committee of this Parliament, and this report is further proof that it is doing its job. This is its third detailed report, in as many weeks, tabled in this House. The compulsory vehicle inspection report, which is still to come, began yesterday and

promises to be a very interesting, far-reaching and soul-searching investigation.

I congratulate the Chairperson of the committee, the member for Newland, who, once again, has shown diligence. When facing the professionals from the MFP it has not been easy for her to say what has had to be said at times, but the honourable member has done it with great consistency and professionalism. She has even surprised me, and I have always held the member for Newland on a fairly high pedestal. I am amazed at the depth, control and concentration of the member for Newland as Chairperson of the committee. When you are facing the likes of these people, who have much greater expertise in these areas than we do, to have that understanding has been very much appreciated by the committee. I also congratulate the officers of the committee, Ms Sladden and Mr Dennis, who have done a fine job.

I am very encouraged that the MFP is, at last, finding and achieving its role and getting much better public acceptance, because we know the position it was in, coming from a low public opinion base. In the areas of environment and business development, it is doing very well. The soil contamination, which has been there from the start, is a very important part of the role of the MFP, along with the issues surrounding the Wingfield landfill. Of particular interest to me is the Bolivar sewage treatment, particularly in relation to the outflow from the Bolivar works, which, as members know, is currently going into the gulf, and the problems it has caused with the mangrove depopulation and, of course, the fishery and everything else that goes with it. The MFP has worked on this project in relation to the planning of a pipeline to take the outflow to a useful area east of Two Wells for irrigation purposes, and so on. I look forward to the fruition of that project.

Stormwater management, as the member for Newland said, is another very extensive area of the MFP operation, particularly the use of waste water. We are becoming used to the term 'grey water'. The Greater Levels Development has also been mentioned. It has to be a world leader because we cannot have another project of mediocrity. This project has to be using and researching new technology: it cannot be just another modern development.

The MFP reporting has been a subject of issue in this House, and I know the member for Hart brought up this matter in a previous debate. I do not like to be in conflict with anybody, but I congratulate the committee on bringing this issue to a head for the third time. When an organisation such as the MFP reports to a statutory committee of the Parliament, it has to do so in a way that the committee wishes, particularly when it has been raised several times. The previous report, even though it did bear some criticism—but not as much as that meted out by the member for Hart—was, generally, very positive. Part of that report says that we want the MFP to give us information that the committee can understand, can constructively look at and then report to this Parliament.

We do not want to be continually dished up with highbrow gobbledygook, although that word was taken out of the final report. We want the information in simple dot points so that lay people such as I can understand it. Even a picture or two would help. We have to assess the position and make a report to Parliament. If we have to wade through a lot of hi-tech jargon, it makes it difficult to sort out the position, but I think we are winning this little battle. Certainly, I want to pay credit to the MFP.

Another problem has been that the MFP has to report to so many committees. It has to report to this committee, the Economic and Finance Committee and the Public Works Committee. I do not know whether it has to report to the Legislative Review Committee, but it does report to the Federal Senate standing committee, and this must take an inordinate amount of time. I appreciate the problems encountered by the MFP and perhaps we need to rationalise the position and allow the MFP to publish one report that could be considered by all committees. That aspect needs to be borne in mind when we critically appraise the performance of the MFP. We are all getting the message about that. I welcome the MFP reports to our committee because they are interesting and I look forward to each one.

The MFP has an exciting role and is winning public approval, after coming from a low point. The MFP was very political. By its reporting to the Parliament, members are appreciating that the MFP is getting the runs on the board. I congratulate the committee and I support the motion.

Mr FOLEY (Hart): I was not going to rise again on this issue, but some of the comments of the member for Custance make it necessary for me to make a few points. Last week in the debate on another report I indicated my concern as a private member that we are expecting the MFP Corporation to report to too many committees of this Parliament. It has to report to the Economic and Finance Committee, the Public Works Committee, the Environment, Resources and Development Committee, the Senate Estimates Committee, the State Minister for Industry, Manufacturing, Small Business and Regional Development, the State Premier, the Federal Minister for Industry—both Chris Schacht and Senator Peter Cook—and the MFP has its own board, an international advisory board and a community advisory board. Politicians then say, 'Why don't you get on and do your job?' It is difficult to expect the MFP to be completely focused on its task while politicians on both sides—both State and Federal—are forever inquiring into the organisation.

I believe that the State Government in conjunction with the Federal Government should look at some streamlining of reporting functions of the MFP to enable it to allow the manager to manage, as the Minister for Industry, Manufacturing, Small Business and Regional Development said last night about the electricity corporation, and have the appropriate checks and balances, but not to overdo it and not unnecessarily to burden the MFP with layers of parliamentary scrutiny. It is pleasing to be in the Chamber and hear Liberal members talk about the potential, excitement and prospects of the MFP. It is funny how times change. It was only in 1987 in the Federal election campaign when the Federal conservative Leader came out and raised the MFP as the great bogey and issue and he brought it into the realm of politics. Before the last State election the Premier as the then Leader of the Opposition said he would scrap the MFP. He called it SA Technopolis or the like—that was Dean Brown's renaming of the MFP. He wanted to scrap the Gillman site and simply to upgrade what we had at Technology Park.

Was that not a short-lived commitment by the Premier? After getting into government and realising the huge potential that existed with the MFP, he was eventually brought on track by the Minister for Industry, Manufacturing, Small Business and Regional Development, who I understand was instrumental, together with the Federal Minister for Business (Chris Schacht), in convincing the Premier of this State that there was much to be had from a vibrant and successful MFP.

Perhaps if it had not been for the work of the member for Kavel and the Federal Minister (Senator Chris Schacht), the Premier might well have got his way, and that would have seen almost the closing down of the MFP as we know it today. Of course, that is very recent history.

Technopolis SA, or whatever it was that the Premier wanted to call it, will be left in the history books, never to resurface. It is pleasing to note that eventually the Government has come in behind the MFP after the State Labor Party and Federal Party, of course, have championed the MFP for the past four to five years. Indeed, it was the former State Labor Government that was successful in attracting the MFP to Adelaide. In 15 to 20 years we will see the transformation of the Gillman-Wingfield area into a new city of the future, providing massive employment opportunities and a great standard of living. Of course, in the electorate of Hart—and I do not want to be parochial about it—after the next election essentially I will be the MP for the MFP, so I will keep you up updated and fully briefed as to how the MFP is going as part of my driving role as the member for the MFP. Again, it is pleasing to see that now, with a degree of responsibility added to all members opposite as they are in government, they have finally learned that the MFP is a good thing for South Australia and is certainly worth supporting.

Motion carried.

FLINDERS MEDICAL CENTRE

Mr ASHENDEN (Wright): I move:

That the third report of the Public Works Committee on the Flinders Medical Centre Accident and Emergency Department upgrade be noted.

It is with pleasure that I table the third report of the Public Works Standing Committee. The Flinders Medical Centre, which is the subject of this report, is a 500 bed public teaching hospital and medical school located on the campus of Flinders University. The Flinders Medical Centre is a community hospital designed to serve the southern suburbs of Adelaide, from Glenelg to Willunga. The area that the committee investigated was in relation to the Accident and Emergency Centre at the Flinders Medical Centre, which provides a 24 hour service for the treatment of major and minor trauma cases and medical emergencies at a rate of over 50 000 *per annum*. The department has not undergone any structural improvement since 1978, despite a significant increase in population and patronage of the existing Accident and Emergency Department.

After examination of the proposal that was put before the committee, evidence was taken from witnesses and an inspection conducted of the site. The committee was unanimous in finding that the proposal is justified. The committee recommends the construction of the proposed new Accident and Emergency Department at a total cost of $5.817 million, based on the inadequate nature of the existing facilities and the clearly established need for expanded services in southern Adelaide. The committee noted the acute difficulties of both pedestrian and vehicular access to the existing department and strongly recommends the creation of a more direct and better signposted entrance to be a priority in the proposed project.

During its deliberations, the committee paid careful attention to the flexibility and adaptability of the proposal, particularly in view of its visit to Mount Gambier and the last report which it tabled in relation to that hospital, where we have seen millions of dollars wasted because absolutely no consideration was given to future needs in the planning stages of that hospital. Fortunately, that is not the case in relation to the Flinders Medical Centre, and the committee ensured that, in the plans that it viewed, attention was given to this key area of ensuring that the new wing of the hospital would be flexible and adaptable, and that it would meet the demand for accident emergency services not only in the present but also in the foreseeable future.

The Flinders Medical Centre Accident and Emergency Department is the only designated major trauma centre in the southern region of Adelaide, and handles over 50 000 patients in a year, making it the busiest department of its kind in South Australia. The deficiencies of the current centre were intended to be dealt with by the construction of stage 4 of the original hospital design. Due to funding constraints and changes in hospital usage patterns, this stage was cancelled in the late 1970s. Since that time, the number of patients being treated in the centre has steadily increased and current projections suggest that these numbers will continue to increase. The current centre is totally inadequate in terms of size and function; it is difficult to access; and it does not provide suitable accommodation for the variety of roles it undertakes.

The design solution presented to the Public Works Committee addresses the problems of the existing structure and features a 50 per cent increase in patient accommodation, separate areas for secure paediatric care and for viewing of deceased patients by family members, areas for handling disturbed patients, more than double the capacity for emergency resuscitation, and greatly improved monitoring facilities. As is the case with the Mount Gambier situation, the solution which is to be implemented does not require any increase in nursing or medical staff, but will allow for much more efficient use of the currently disjointed resources.

I know that I copped some flak two weeks ago when I talked about the South Australian Institute of Teachers and its role in relation to the problems at the Golden Grove High School, but I remind members opposite that prior to that I strongly commended the Nurses Union for the way in which it cooperated with the changes in Mount Gambier which ensured that we were able to retain a public hospital in that city. Again, I wish to commend the union for the way in which it has worked with the Government and others in the redevelopment of the Flinders Medical Centre, because with its cooperation there is to be a major redevelopment that will provide an area which will have considerably more space and which will enable treatment of a far greater number of patients. And the union is confident that there will need to be no increase in existing staffing levels.

Again, I strongly commend the Nurses Union for the way in which it has cooperated in this very important project and for the fact that members of that union are prepared to undertake the duties related to the treatment of more patients without any increase in staff. I am sure that will play a major part in ensuring that maximum public services are available to patients attending that hospital.

When the committee visited the site it found that the existing facilities were quite inadequate, inefficient, crowded and lacking in basic privacy, and I am sure other members of the committee who are going to speak will endorse the fact that we all left there rather flabbergasted that such a new building could present as being absolutely inadequate. That is not a criticism of the planning of the original building. It was anticipated that this growth would occur, and that is why stage 4 was planned. Stage 4 did not go ahead, as I said, and

the facilities are now quite inadequate, and I commend the present staff for the dedication they have shown in working with the facilities that they have and apologise to the patients who have been treated in these circumstances.

The day we visited the hospital was not a busy one, yet patients were in beds lined up along corridors, and we had a mixture of the elderly; the young; those who were injured; and those who were there for treatment of serious matters, such as heart attacks, and so on; and it really brought home to the committee in no uncertain manner the desperate need to ensure that this wing is built. Again, because of that, the committee indicated to the Health Commission and to the Minister that they should not delay in seeking tenders pending the tabling of this report yesterday.

We could see that the need was there and we made it very clear to the Health Commission officers and to the Minister that they should proceed with all haste. I am delighted that tenders were called before the report was tabled. Once again, I believe that the committee has shown its determination to ensure that when it investigates projects of an urgent nature it will do nothing to stand in the way of the development but, indeed, will do everything it can to encourage it.

A number of benefits and services will be provided by the new facility. I certainly do not intend to hold up the House by going through all of them. They are listed in the report that was tabled yesterday. However, I would like to mention that the committee did consider seven options in all in relation to the proposed development of the new wing, and in its analysis concurred with the recommendation of the Health Commission that option three would provide the most cost efficient and suitable resolution to the present problems at the hospital.

Option three proposes a new two-storey, infill structure between existing buildings comprising 872 square metres of new floor space and 1 080 square metres of refitted and upgraded floor space. In addition to this, a redesigned and upgraded pickup-set down area with 55 metres of kerb will be constructed. That is absolutely essential. I am sure that the local member will be addressing those changes. Therefore, I will not go into any great detail now, except to say that I am sure that he will be speaking very warmly about the much greater ease with which his constituents and others will be able to obtain treatment and about the improved signage, and so on, that will be developed. I will leave that for the local member to address.

The staff of the hospital have indicated that they are prepared to put up with very severe limitations, if you like, during the redevelopment, because it will be done in stages that will ensure that all the existing services and facilities are available and that no patients will be disadvantaged. However, that will mean that the staff will have to move from section to section as the redevelopment occurs. Again, I commend them for the way in which they have cooperated in that exercise.

I would also like to stress to the Parliament that the committee is convinced that the design will be flexible and allow for future expansion and, as I said earlier, overcome any of the sorts of problems that have developed in Mount Gambier. The existing facilities are totally inadequate and quite overcrowded, and the development that will go ahead will, I know, be a very real benefit to the future users of that facility.

In conclusion, the Public Works Committee is satisfied that a genuine need exists for an upgraded accident and emergency department at the Flinders Medical Centre. The committee is further satisfied that an appropriate concept, design and building solution has been developed to meet this identified need. In addition, it is satisfied that the Flinders Medical Centre has given due consideration to costs, design, forward planning, staffing requirements, occupational health and safety standards—which at the moment, because of the overcrowding, are not good—patient and visitor needs, community expectations and the best practice processes espoused by Construction Industry Development Agency.

On behalf of the entire committee, I acknowledge the professional approach that the Flinders Medical Centre and its staff adopted in conjunction with the Health Commission in the procurement of their project. The submissions they put to the committee and level of cooperation were, again, of a very high standard. Pursuant to section 12C of the Parliamentary Committees Act 1991, the Public Works Committee reports to Parliament that it recommends the proposed public work.

In closing, I would again like to commend the staff of the Public Works Standing Committee for their dedication and the speed with which they prepared the report. I would particularly like to commend the research officer, who has shown himself to be a person who can prepare and present outstanding reports.

Ms STEVENS (Elizabeth): I want to say a few words in support of the comprehensive report which has been presented by the committee's Presiding Member, the member for Wright. This is work of great need. We have looked at it very closely and unanimously agreed that it should go ahead and that all aspects should be done to the best possible design standards to meet the needs of the southern suburbs and also of a work environment that has changed markedly in hospitals over recent years. Having now seen two hospitals, I believe it is remarkable to see the differences in work practices and how important it is that facilities enable the redeployment of staff to take place in the best possible way. This is what we have seen at the Flinders Medical Centre. I will not go through the report in detail, because the member for Wright has already done that, and I am sure that the member for Mitchell will refer to it in great detail as the Flinders Medical Centre is in his electorate.

The design reflects new ways of operation. It is certainly designed to meet the needs of patients, because it is based on a client centred approach. It will certainly add to the very high class of Flinders Medical Centre as one of our major teaching and research hospitals in South Australia.

I thank the staff of the Flinders Medical Centre and of the Health Commission and all those people who provided clear evidence to us of a very good and comprehensive process. It involved many people, as the member for Wright said, providing very good evidence and plans which indicated to me that they have been very thorough in all the work that they did. I commend our research officer for his accurate and prompt work in getting reports of a very high standard to us so that we could get through our tasks.

It has been a pleasure to serve on the Public Works Committee. We have worked together very well and efficiently in moving the business through. I commend this report and look forward to watching with interest the building of the accident and emergency centre.

Mr CAUDELL (Mitchell): The Flinders Medical Centre is a 500-bed public teaching hospital and medical school located on the campus of Flinders University on the edge of

my electorate. It is a community hospital designed to service the needs of the residents of Mitchell as well as the surrounding areas, and the accident and emergency centre, which provides a 24-hour service for the treatment of major and minor trauma cases and medical emergencies, is currently treating more than 50 000 patients per annum.

The department has not undergone any structural improvement since 1978, despite a significant increase in the population and patronage of the existing accident and emergency centre. As the local member for that area, I welcome the $5.8 million upgrade of the accident and emergency centre as it will have an enormous impact on services. The present facilities are inadequate in size and function. They do not bring out the best working practices and they create problems associated with occupational health and safety. The Flinders Medical Centre is the only major trauma centre in the southern and south western regions of Adelaide and, as I have stated, it handles in excess of 50 000 patients per year.

The proposed facility has specific activities which will provide benefits that include the centralised treatment work stations which will significantly improve the observation of accident and emergency patients. The resuscitation room facilities provide for up to four patients to be resuscitated simultaneously and will improve the quality of critical care provided to seriously ill or injured patients. Eight additional treatment cubicles will significantly reduce the waiting time for patients, and will eliminate the common practice of locating patients in corridor areas. The second X-ray room will ensure that patients are not forced to wait lengthy periods for x-rays to be taken. The provision of a decontamination room will greatly reduce the potential for staff and other patients to be adversely affected by toxic fumes, fluids, etc.

The separate waiting areas for adults and children will provide more appropriate facilities and privacy for both client groups. The provision of a transport office on level 2 will provide privacy and comfort for patients awaiting transport to other institutions and improve patient pick up and set down facilities. The provision of a relatives room and a deceased viewing room will assist grieving relatives to cope with death or serious illness of family members. The centralisation of administrative facilities will further enhance multi-disciplinary cooperation. Existing problems with access to accident and emergency and security of other areas of the hospital after normal hours will be eliminated. The resuscitation and stabilisation of acutely ill and injured patients and life maintenance prior to admission and transfer will be improved.

During the past 11 years no allowance has been made for the problems in servicing the needs of Mitchell with regard to the Flinders Medical Centre. This project will enable a 50 per cent increase in patient accommodation in the accident and emergency area. It will secure paediatric care, double the capacity for emergency resuscitation, and there will be facilities for handling disturbed patients. More importantly, it will provide for the efficient use of medical resources. The problems for patients accessing the Flinders Medical Centre have been well known to the residents of Mitchell. The members of the Public Works Committee expressed concern during their inspection of the Flinders Medical Centre about the confused system of access to the existing accident and emergency department. The limited signage for pedestrians, public transport, patients in private vehicles, ambulances and distressed persons was a cause for concern.

I am glad people have acknowledged that the current system is a result of the expansion of the department beyond its designed capacity. The recommendation is for these issues to be treated as a priority in the redevelopment. I think that will be good news for the residents of Mitchell in that they will be able to access the Flinders Medical Centre with ease and with adequate signage to find their way around. The residents of Mitchell welcome the decision of the Public Works Committee and its recommendation to Parliament that this project is an appropriate concept, design and building that meets the needs of the local residents.

Mr KERIN (Frome): I add my support to the report on the Flinders Medical Centre. I refer to the problem addressed in the report about finding one's way around the Flinders Medical Centre. I know I am just a country boy but, when I was there, I got lost trying to find the accident and emergency department. A point that members of the committee picked up on was that people who are ill or who have injured children or loved one's with them are not always calm and logical. Obviously, with the layout there at the moment, it is very easy for people in this situation to get lost which then puts them at an even higher level of distress.

It has been recognised that that is presently inadequate, and we have recommended major improvements to the signage and layout of the accident and emergency area at Flinders. Hospitals are never pleasant places to visit, but accident and emergency areas are even worse. One of the other things we have picked up on is that, due to the range of people in waiting areas (often including intoxicated people), there will be a separate children's area in the new development, which addresses one of the current deficiencies. Also, lining-up in aisles has become far too common, and over time we have accepted that, so that has also been addressed in this report. We spent quite a bit of time discussing with witnesses the necessity for a new design to be compatible with any needs for future development, addressing current and future needs and also ensuring that any future upgrade could be done cost effectively and efficiently.

Of particular interest to the committee was the evidence given in relation to the compatibility of the upgrade with any proposals for private hospital development at Flinders. Like the committee, I have been convinced of the need for the upgrade to service the residents of the southern area, including the electors of Mitchell. Our site visit not only confirmed the member for Mitchell's view that Flinders serves a magnificent lunch but once again gave the committee the opportunity to witness at first hand the incredible dedication of the health professionals. It was very encouraging to see how not only the professionals but the ancillary staff and, in some cases, the volunteers worked very effectively in what can only be described as inadequate and in some ways inappropriate facilities.

With this in mind, I look forward to the new facilities and, like other members, commend the committee officers, Gabrielle Carey and David Emery, for the report that was tabled yesterday.

Motion carried.

PROSPECT BY-LAWS

Mr CUMMINS (Norwood): I move:

That by-law No. 2 made by the Corporation of the City of Prospect relating to streets and public places, gazetted on 1

September 1994 and tabled in this House on 11 October 1994, be disallowed.

The Legislative Review Committee has examined this by-law this week, the problem being in relation to paragraphs 2 and 3. It is clear as a matter of law that paragraph 3 is *ultra vires* of the power of the council to make that by-law. Paragraph 3 purports to prohibit parking of certain vehicles, but the power to prohibit the parking of vehicles was removed from the council under the Local Government Act and the provision proclaimed on 1 July 1979. In addition, in effect the by-law, if it were not disallowed, would prevent the parking in the streets of any vehicle that had any form of advertising at all. For example, if there were simply a small sign on the vehicle, such as the name of a business, under this by-law it would be prohibited from parking.

By-law No. 2 also appears to be *ultra vires*, but I really do not need to deal with that and do not want to. This does, however, raise the problem that I mentioned when I moved the noting of the recent Legislative Review Committee report, because once again we have a situation where two clauses of a by-law are invalid as a matter of law but the rest of the by-law is not. This by-law deals with things such as busking and distributing of leaflets in the area. Once again, it illustrates the need for reform, because we are now in a position as you know, Madam Acting Speaker, where we either have to allow or disallow these by-laws. Because paragraphs 2 and 3 are *ultra vires*, we are in the position of having to disallow the entire by-law, which means that it has to go back to council.

I have noted before and say again that there is a need for this House to have the power to amend subordinate legislation so that we are not constantly presented with this problem. Therefore, I commend the motion to the House.

Motion carried.

DENTISTS (CLINICAL DENTAL TECHNICIANS) AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 3 November. Page 958.)

Mr WADE (Elder): We continue on from 3 November with our tooth fairy story. I have already indicated three positives towards clinical dental technicians achieving their goal. I have two more positives. A fourth positive aspect is that clinical dental technicians are already registered and subject to the discipline procedures of the Dentists Act in respect of any unprofessional conduct; therefore, there is no requirement to ensure that their professional conduct is covered by law. A fifth positive aspect is that, as at 5 November 1994, the Tasmanian regulatory body indicated that in the 37 years since 1957, when its clinical dental technicians were allowed to deal in partial dentures, there have been no complaints whatsoever.

With the good comes the bad, with the Yin comes the Yang, and some of the negatives would be that for patients with some teeth missing a partial denture is only one option of treatment. An implant can cost from $1 000 to $2 000, as can a bridge. A clinical dental technician can offer only one solution to a missing tooth problem. However, it is a cheaper solution. We all know that the older we get the more trouble we have with our teeth. The member for Spence would not be aware of that, being still very young and having milk teeth, but with time, experience and learning he will, like the rest of us, become part of the ageing population. I do not know too many pensioners, particularly in my area, who have $1 000 or $2 000 spare for tooth repair. For many people, the luxury of expensive options does not exist, partial dentures being the only way to go. It has been claimed but not proven that clinical dental technicians would offer a much cheaper service.

Another negative is that natural teeth may need some adjustment or modification to fit a partial denture and a clinical dental technician is not trained or does not have the professional knowledge or skill to perform such sensitive work. We will come to that later. A counterclaim would be that a properly made partial denture, especially in relation to a removable resin denture, would not require the natural teeth to be adjusted in any way: if made properly it would fit correctly the first time. I cannot argue with that, as long as the training is there—again, that word 'training' comes up. Thirdly, we have the oral health difficulties and the preparation of the mouth and the control of infection. That is the nub of this whole matter.

Where does this Bill ensure that the clinical dental technician is trained in assessing whether the natural standing teeth, jaw, gums and proximate tissue are not abnormal, diseased or suffering from a surgical or other wound? Clinical dental technicians are not trained to provide partial dentures; that is true. Clinical dental technicians acknowledge that their main knowledge and skill deficiency is in their ability to professionally assess the condition of a client's natural teeth and the supporting structures in respect of providing partial dentures. In a letter of 19 October 1994, the Australian Commercial Dental Laboratories Association Incorporated stated:

> With proper training I am sure that clinical technicians could provide exemplary service to patients.

The letter was signed by Mr Tim Souter, President of the South Australian branch. Training and gaining knowledge are all-important, but where does the Bill ensure that a clinical dental technician is trained in oral health and in recognising that jaw, gums and proximate tissues are not abnormal? Where does the Bill provide that, and where in the Bill is the protection for the client? It would be irresponsible to imply that clinical dental technicians would act or are acting in an unprofessional, unsophisticated or unhygienic manner. That is not the point I am making. This similar Bill assumes that knowledge, expertise and protection of the public will suddenly appear out of thin air.

The member for Spence has attempted the easy path to fame and glory by hitching a ride on someone else's work. It is not a new technique; indeed, what is new in the world? However, by deciding not to be part of that small group who actually do the work but to be the part of that larger group who take credit for somebody else's work, the honourable member made a small mistake. The fact is that the Bill has a big cavity in it, and that cavity is all about training, knowledge and experience. The Bill is inadequate, because the honourable member has not put enough thought into it, and he has guaranteed its failure to pass this House's scrutiny. By his inaction the honourable member has let down his Party, the Parliament and, most sadly, those clinical dental technicians who placed their faith in him to present a Bill that would achieve their aims and protect their clients.

The ACTING SPEAKER (Mrs Kotz): Order! The honourable member's time has expired. The member for Elizabeth.

Ms STEVENS (Elizabeth): I rise to support the Bill, because I think it is a good Bill. It would result in the following benefits: a reduced cost of partial dentures without any decline in the service provided; better service, particularly with regard to repairs; reduced costs to the South Australian Dental Service—a big plus—making less go further; allowing patients the same privileges as those interstate; no cost to the Government, in keeping with the self-funded course it has said it is willing to undertake; and a final solution to the hostility between dentists and clinical dental technicians, allowing them to accept the inevitable and work together for a better dental service in the future. However, looking through the speeches and considering the way that the debate from the other side of the House is going, I am realistic enough to understand that this Bill will not pass.

I want to put on the record some of the things that clinical dental technicians have said to me, in the hope that when this matter comes up again people will look at these things and be more informed, and perhaps next time around it will get through. They were very anxious for me to put on the record that the Minister had only spoken with them in relation to this amendment in a five minute telephone call on 8 April and in one interview of 20 minutes on 15 June. They were surprised that he had not given them an opportunity to speak about the objections he has raised. However, I make the following points for the record.

As to the creation of a new profession, the quotation from the select committee itself recognises that this class of practitioner already exists in the work force. If it was not the intention to create a new profession in South Australia, they would argue that the rest of Australia has unanimously decided to establish the profession. It is blatantly obvious that dental procedures are another existing profession, considering there are approximately 300 in Victoria, 400 in New South Wales, 60 in Tasmania, 125 in Queensland, 20 in the ACT and 24 in this State.

As to the issue of the Queensland qualifications that the Minister raised, the severe criticism of those seven technicians who attempted the week of examinations in Queensland, three of whom have been successful, is unfortunate. The prerequisite of the examinations is to be a dental technician with its accumulative experience and qualifications. Those candidates have completed a minimum 1 000 hours of study preparation prior to this examination. Of the three who have passed this exam and have been duly registered in Queensland, one has yet to come out for fear of being listed. Those who have failed have wasted 12 months of study at a cost of approximately $3 000. To suggest that this is simply a one week course is similar to ignoring the five year dentistry course and just counting their examination time. As to the point the Minister made in terms of no experience, the clinical dental technicians say they have been practising for ten years. In that time all CDTs have established valuable links with dentists due to the common scenario of a full upper denture opposing a partial lower.

Mr Atkinson interjecting:

Ms STEVENS: Yes, and some MPs with beautiful teeth. At present CDTs will construct upper and refer the part lower to a dentist of their choice. The full upper denture will determine occlusion and function of the part lower opposing it. The dentist will take the impression for that part lower and will insert it. They made the point that they have had this experience.

The Minister raised the point of two standards of dentistry. They say, in response to this, there are already many standards of dentistry, all determined by price and the skill of the operator. If someone was to lose a tooth, in the ideal world they might have an implant. Only a minority of dentists possess this skill. Second choice might be some other sort of fixed bridge. If this is too expensive, then a metal removable partial denture is an option. More economical still is a removable resin denture. It is highly unlikely that natural teeth would be altered to accommodate a plastic resin denture. Because of the reduced cost of metal dentures provided by a CDT, it would be expected that there would be less resin dentures. In all States of Australia, CDTs rely on the expertise of the dentist to assess the arch and the natural teeth to receive a partial denture and alternative treatments in the interests of the patient are canvassed with the patient as standard procedure.

As to the grinding of natural teeth, another point made by the Minister, there was the implication that CDTs would be creating a risk of patients contracting subacute bacterial endocarditis. It sounds terrible! It probably is. This is what they say:

> There is simply no need for clinical dental technicians to grind natural teeth and hence no risk of such a problem.

It is surprising that the Minister would have suggested this. CDTs would only be allowed to adjust the removable denture, be it metal or plastic, and under no circumstances would they adjust the natural teeth. Clinical dental technicians have never claimed the need to grind natural teeth.

As to the importance of recognising abnormalities in the oral cavity, it is unlikely that even a dentist would diagnose cancer. The patient would be referred to a specialist for examination and possibly treatment on noticing any irregularity. CDTs are also trained to recognise irregularities and to follow the same procedure. As to the Bachelor of Dental Surgery qualification, not everyone wants to be a dentist. The training and abilities required to be a dentist or to be a dental prosthetist are different. There is a course for dentists; there is not a course for dental prosthetists in South Australia. Other States are moving towards an Associate Diploma for Dental Technicians which South Australia is at last commencing in 1995, as well as a degree course for dental prosthetists. As to cross-infection, they agree with the Minister that CDT's treatment of partial dentures, and I quote from the Minister, '. . . can be covered with appropriate infection control mechanisms,' so it is not a valid criticism.

The Minister referred to a list of heavies who do not agree. They say that this could be seen as a case of Caesar judging Caesar, and that, because all these establishments consist mostly of dentists with no representation provided for clinical dental technicians, it would obviously be expected that their arguments would favour the *status quo*. The South Australian Dental Service says that it understands that Dr Martin Dooland may have put forward a recommendation in April/May 1993 to the former Minister in favour of CDTs being able to provide a service in the partial denture area. Dr Dooland transferred to the Melbourne Dental Hospital before he could see this followed through. In other words, it is not a new thing.

Of the 190 technicians in this State, the Australian Commercial Dental Laboratories Association (ACDLA) has 29 voting members, and these laboratory owners believe that they represent all their 60 employees. The opposition is not as strong as may be supposed. Certainly, South Australian and interstate ACDLA members are practising dental prosthetists. Some of the local members of this body have

been wrongfully blaming clinical dental technicians for the fact that there are no more opportunities for other technicians to train in this field. The majority of technicians simply could not care which way it goes. Of those who do care, most are supportive of the measure. Finally, the Gilles Plains College of Technical and Further Education has expressed no such view in writing. It does have a representative on the Dental Advisory Committee. So I suggest that, when this Bill comes up again in this place, which I hope it does—

An honourable member: Probably moved by the Government.

Ms STEVENS: Probably moved by the Government—all members look carefully at all the information. Let us do the sensible thing and pass this measure.

Mr CAUDELL (Mitchell): When I first saw the member for Elizabeth get to her feet, I thought it would be interesting to hear what she has to say. Obviously, she is a true professional, a high school teacher with a lot of specialised training, and I thought it would be interesting to listen to what she had to say. However, later during her speech I became slightly disappointed with the tack she took. Towards the end, she seemed to be favouring deferral rather than putting forward a case. She talks about being realistic. I refer to the connotations that have emanated from the speech of the member for Elizabeth and also the member for Spence, who uses the same sort of connotations. I assume that they are saying that, because a clinical dental technician has worked in the area for the past 10 years and, therefore, should be able to make partial dentures, the same analogy can be used for, say, a snake oil salesman: that if a snake oil salesman sells products designed to fix people's health, obviously that person can then become a pharmacist.

Perhaps the member for Ross Smith, who is akin to a tribal witchdoctor because he has practised those sorts of things, should become a medical doctor. I can hear the member for Ross Smith, who is known to be a bit of a witchdoctor, saying to the member for Spence, 'I should be a medical practitioner.' Perhaps the member for Elizabeth, who might decide to do a PhD in education and end up with the title of doctor before her name, could then look after people's eyes because she is a doctor.

I refer to the objectives of this legislation and the member for Spence's amendment. I wonder where he is heading. He says that a course should be set aside for dental technicians to learn to make partial dentures. I do not believe there is a need to provide a special course for dental technicians, because a course is already available for dental technicians to learn how to fit partial dentures, and that is called the Bachelor of Dental Science course. The course is available at Adelaide University; I believe it is also available at Flinders University. They can attend those institutions, complete that course and subsequently become qualified to fit partial dentures.

There is no need for any further legislation. The legislation is firmly in place, the course is in place and they do not have a problem. They can fit partial dentures following completion of that course set down at the universities. The member for Elizabeth went to great pains to read from a letter from the Clinical Dental Technicians Association which was sent to all members, and I will go to great pains to read out the concerns of local dentists in the electorate of Mitchell. One such dentist wrote to me and said that, whilst the paper details the main points, a couple of items are critical and must be considered. The letter states:

> In patients with some teeth missing a partial denture represents just one option of treatment. Many cases may be treated by no partial denture replacement but just stabilisation of the remaining teeth. As a dentist I often consider that, as part of an overview diagnosis, a clinical dental technician with only one treatment option available to him will, I am sure, invariably construct a partial denture. This would constitute an over treatment and put at risk remaining teeth.

I am sure that the member for Elizabeth, the Opposition spokesperson on health, and the member for Spence—the previous Opposition spokesperson on health, before he was dumped by the new Leader because he could not quite come to terms with the position—would not countenance over servicing of the health system. I am sure that the member for Elizabeth, in her new found position on health, would agree with the Federal Minister for Health and our own Minister for Health in that they do not countenance over treatment. Members should support me in opposing this move from the member for Spence because it will mean over servicing of dental treatments.

To correctly make a partial denture often natural teeth must have their shape or dimension modified. For clinical dental technicians to claim that they can do this is unnerving, even if they are trained. Clearly, in many cases, they will construct inferior partial dentures. I am not quite sure about the member for Spence but I am sure that the member for Elizabeth would be greatly worried about inferior partial dentures. The member for Spence is another matter. As I said, those two points are extremely critical. Other dentists have informed me that clinical dental technicians have not been and are unlikely to be adequately trained to deal with the added complexities of partial dentures.

The expectation of existing clinical dental technicians that they would be able to undertake the clinical provision of partial dentures with a top-up course is an unacceptable public standard. As I said before, there is an existing highly trained work force in place to provide partial dentures to the South Australian public. That work force is called 'dentists'. That work force has attended a university course, achieved a degree and become qualified. Dentists carry out the clinical preparation of the teeth and the gums as the first stage of the partial denture construction. The dental technician, under instruction from the dentist, then carries out the laboratory procedures and, finally, the dentist inserts and adjusts the finished prosthesis.

Ancillary to that, a select committee in 1983, made up of a cross-section of members of this House, deliberated and decided not to proceed with a motion to allow clinical dental technicians to prepare and fit partial dentures. They found that the proposal was unacceptable and that there was no evidence to suggest that clinical dental technicians should be allowed to proceed on those terms. Nothing that has been put forward to date by the member for Spence or the member for Elizabeth, or by the clinical dental technicians themselves, suggests that that situation has changed. Therefore, I oppose this Bill.

The House divided on the second reading:

AYES (11)

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

NOES (28)

Andrew, K. A.	Armitage, M. H.

NOES (cont.)

Ashenden, E. S.	Baker, D. S.
Baker, S. J.	Bass, R. P.
Becker, H.	Brindal, M. K.
Brokenshire, R. L.	Buckby, M. R.
Caudell, C. J.	Condous, S. G.
Cummins, J. G.	Evans, I. F.
Hall, J. L.	Ingerson, G. A.
Kerin, R. G.	Kotz, D. C.
Leggett, S. R.	Matthew, W. A.
Meier, E. J. (teller)	Oswald, J. K. G.
Penfold, E. M.	Rosenberg, L. F.
Rossi, J. P.	Scalzi, G.
Such, R. B.	Wade, D. E.

Majority of 17 for the Noes.

Second reading thus negatived.

DAYLIGHT SAVING

Adjourned debate on motion of Hon. Frank Blevins:

That the regulations made under the Daylight Saving Act 1971 relating to summertime 1994-95, gazetted on 15 September 1994 and tabled in this House on 11 October 1994, be disallowed.

(Continued from 27 October. Page 835.)

Mr MEIER (Goyder): This motion must be an embarrassment to the new Leader of the Opposition. I am quite amazed that the member for Giles has been allowed to let this motion stay on the Notice Paper. All members here would remember the many statements that were made after the new Leader came into office, including that made in his own news release on 20 September, when he said:

> But we will not be a negative, carping Opposition which becomes stuck in a groove of opposing for the sake of opposing every Government initiative, policy or legislation. I want Labor's team in Parliament to be a positive Opposition.

Further on he said:

> But we will support the Government appropriately in bids and projects that benefit South Australia.

Also, in an article in the *Advertiser*, the date of which I do not have but which was written by Greg Kelton, the Leader is reported as having said:

> But we will also get behind causes that benefit the State. . .

Furthermore, in a speech to the American Chamber of Commerce on 2 September, the Hon. Mike Rann said:

> South Australia has to change its business culture and dropkick the whingers to the sideline if it is to succeed economically in the future. . . We need action, not words, and we need to escape from the blame mentality where it is always someone else's fault that things aren't being done. . . I see whingeing and blaming as a substitute for a lack of ideas and a lack of guts.

Finally, an article entitled 'My Way', in the 'Weekend Politics' section of the *Advertiser* and written by Tony Baker, states:

> The fact is that Mr Rann. . . is keenly aware that most people are sick and tired of bickering and highly receptive to a message of goodwill.

Yet, we see that the member for Giles is on the bickering concept, the knocking concept, wanting to knock something that his Government did: it went on its merry way, extending daylight saving indiscriminately when it wanted to do it year after year. Now he says, 'We will oppose that.' He has been on radio; I have heard him on 5CK asking, 'Where are the rural members? Why aren't they standing up for their own constituents?'

I remind the member for Giles that we had a referendum back in 1982; in fact, it was on the same day as the election, the day I happened to come into this establishment. I well recognise that many country electorates opposed daylight saving; they made it very clear through their vote. My electorate, as it then was (and it is a considerably different electorate now), voted as follows with respect to daylight saving: in favour 6 859, against 9 371; informal, 297; making a total vote, 16 527. So the constituents of Goyder made very clear that they did not want daylight saving, and I acknowledge their views.

But, unfortunately, the people in Goyder and in many other rural areas were defeated, and it has become part of the established traditions of this State that daylight saving does come into operation. However, the member for Giles seems to have conveniently forgotten that. Furthermore, I refer to the hypocrisy of the member for Giles. In the last session, he introduced a Bill to get South Australia to go to Eastern Standard Time.

An honourable member interjecting:

Mr MEIER: I apologise; the member for Giles did not introduce the Bill; one of his colleagues introduced the Bill to go to Eastern Standard Time, but I well recall the member for Giles, getting up in this House and actively supporting that Bill. That is quite incredible, when now we find—and this shows the hypocrisy—that he has decided he will oppose the extension of daylight saving. What would we have if the Eastern Standard Time Bill, which the member for Giles supported, had been passed? We would not be one hour ahead at present; we would be 1½ hours ahead, so the poor rural people would be suffering extraordinarily. They would really be cursing the member for Giles and the Labor Opposition if that Bill had passed.

Again, I find it incredible that there has not been pressure on the member for Giles to withdraw this motion. Perhaps it shows that, because of his seniority, he has been allowed to get his own way; he has ridden roughshod over his Party members. I can see by their faces that they are embarrassed that the honourable member has this motion before Parliament. They recognise that he has sought conveniently to forget the past, as though it had not occurred—to forget what he, as a member of the former Government, did previously in relation to daylight saving.

There is no question that the reason for the extension is part of the overall plan for South Australia to make itself more competitive and to tie itself in where it needs to be tied in with the Eastern States. Members may recall that, when the Premier came back from the Premiers' Conference, he announced that, after years of no cooperation between the States, Victoria, New South Wales and Tasmania had agreed with South Australia that we would have a uniform ending—

An honourable member interjecting:

Mr MEIER: No; they agreed at the Premiers' Conference to have a uniform ending to daylight saving. Subsequent to that, New South Wales got cold feet and decided to opt out of that agreement. There is nothing South Australia can do about that. That is New South Wales's business; I am very sorry that it decided not to adhere to the commitment that was given at the Premiers' Conference. Therefore that uniform arrangement has not occurred, but at least South Australia went down the right track. Our Premier sought to have some sort of uniformity, which we have not had. And members might recall that, on 27 February this year, an article appeared in the *Advertiser* headed, 'Daylight Saving Mayhem'; and that is the type of thing that our Government is seeking to

overcome. We realise that we will never have uniformity with Western Australia because there is a good two hours difference, and we realise that Queensland is a law unto itself. Probably when it wanted to cede from Australia some years ago it might not have been such a bad option as far as it was concerned. I hope one day it also may come in on uniformity.

Whatever the case, members must recognise this motion for what it is: a hypocritical motion, which seeks to ignore what has occurred in the past, and it has been put forward by the member for Giles simply to try to make some cheap political capital in his own area and to create some dissension within the rural communities of South Australia. I myself have no problems; I have been an advocate of normal time for many years. In fact, members may be interested to know that I still have my watch set on the pre-daylight saving time. I do not know for how much longer I will keep it that way; I have not taken the opportunity to adjust it, because members would realise that their body clock does take time to change.

There is no question that the rural community is suffering greatly during daylight saving. However, as I have said, the question of daylight saving was decided at a referendum on 6 November 1982 and, no matter how much we might like to change it, we must recognise the majority view. The member for Giles recognised it all the time he was in government but, now that he is in Opposition, he simply seeks to create some trouble where he thinks he is able. I am sure that his Leader must be very unhappy with him. He has gone against what his Leader put forward in press releases and in interviews—saying that we do not want that sort of activity occurring on the Opposition side. However, the honourable member continues to ignore his Leader's instructions.

The Hon. FRANK BLEVINS (Giles): What a lot of nonsense we have just heard from the member for Goyder! Of course, he has not got a clue about what is going on in this area. In fact, I do not think he has a clue in general about what is occurring. Had he read the second reading explanation he would have seen the question of the referendum dealt with. That is precisely my point: there was a referendum. Whilst some constituents in my electorate may have voted against it, a considerable number voted for it. The referendum was carried; there is no argument with that and we have to abide by the majority view.

There was nothing in the referendum to say that daylight saving ought to be extended to bring us in line with Victoria when it holds the Moomba Festival. That is why it is being done. I can tell the House that my constituents in Kimba and Cowell do not give two hoots about the Moomba Festival. They do not want extra daylight saving. There was nothing in the referendum to say that we will extend daylight saving by a further three weeks because of the Moomba Festival. Where was that in the referendum? That would have gone down.

According to the member for Goyder there was an error in the first place—the people voted for daylight saving and he thought they should not have done. If he accepts the majority decision like a good democrat but believes that the original decision was wrong why compound the error? Why extend it by three extra weeks? There is no benefit to South Australia. I cannot even see the benefits of a Moomba Festival. There will not be one person attending the Moomba Festival saying, 'Isn't this wonderful. We have an extra half hour's daylight saving on the West Coast of South Australia.' What a joke!

The question was raised about going to Eastern Standard Time permanently. Where did that question come from on this occasion? It came from the Premier. The Premier said that he believed, for some of the reasons given by the member for Goyder, incidentally—that most of our business is done with the Eastern States—that we should go to Eastern Standard Time. He raised it; I wish he had not, but he did. The Leader of the Opposition went along with him and introduced the Bill.

I spoke on that Bill and I defy anyone who reads that speech to say that I spoke in favour of it passionately. I do not think that I have ever damned a Bill more with faint praise since I have been in the place. I said that the Bill would fail and that I would lose no sleep whatsoever over its failing. But, like a loyal Party member, I voted for the Leader's Bill. My constituents appreciate that—there is no problem with that.

The member for Mitchell certainly had his facts wrong, as did the member for Goyder. However, the member for Mitchell made an interesting comment. He said that this motion of disallowance is not in the interests of anyone in South Australia. I can tell the honourable member that many of my constituents and many constituents of members opposite who live in the country think that this motion is in their interests. They do not want a three-week extension of daylight saving. They think that it is not in their interests, and I agree with them.

What I tried to do in the first place was to say to the Government—any Government, I do not care which—that if it wants to deviate from what was passed at the referendum then it ought to bring it back to Parliament. That Bill, like the one we are now addressing, was not even given a second reading in this place. The Government stands condemned for not allowing that second reading. I am not suggesting that it is being malicious—merely incompetent. It does not know anything at all about parliamentary manners or the procedures of the House. My intention was that the Parliament should decide whether there should be any extension of daylight saving, not at the whim of a Premier who says he has a deal, gets the headlines, comes back, the deal falls through and we are left holding the baby of three weeks extra daylight saving somehow to assist the Moomba Festival. It does not go down well in my electorate or, I would argue, in the electorates of the majority of members. A similar motion has been moved in the other place and we are looking forward to support there as we expect it here.

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

The House divided on the motion:

AYES (11)

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

NOES (26)

Andrew, K. A.	Armitage, M. H.
Ashenden, E. S.	Bass, R. P.
Becker, H.	Brindal, M. K.
Brokenshire, R. L.	Buckby, M. R.
Caudell, C. J.	Condous, S. G.
Cummins, J. G.	Evans, I. F.
Hall, J. L.	Ingerson, G. A.
Kerin, R. G.	Kotz, D. C.

NOES (cont.)

Leggett, S. R.	Matthew, W. A.
Meier, E. J. (teller)	Oswald, J. K. G.
Penfold, E. M.	Rosenberg, L. F.
Rossi, J. P.	Scalzi, G.
Such, R. B.	Wade, D. E.

Majority of 15 for the Noes.

Motion thus negatived.

SHOP TRADING HOURS (EXEMPTIONS) AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 27 October. Page 836.)

Mrs ROSENBERG (Kaurna): Like the member for Reynell, I am opposed to extended shopping hours on Friday evenings and on Sundays. That aside, the question needs to be asked: what does this Bill actually address? An assumption has been put about in the community by the member for Ross Smith, who introduced this Bill, that it is intended to address those two issues. However, that is not the intention, and nothing in this Bill will address either of those two issues.

Mr Clarke interjecting:

Mrs ROSENBERG: Why didn't you? This Bill basically has absolutely nothing to do with shop trading hours, and we have to ask ourselves why it does not. The simple answer to that is that the Labor Party has not addressed the issue of shop trading hours in this Bill because it could not possibly sell the double standards that would need to be taken on board by the community to do just that. The real motive behind the Bill is quite simple: it is a political stunt, which the Labor Party is pretty good at, but it is a very cruel stunt for small business people, who have been lied to in this Bill and lied to by the person who introduced it in this Parliament.

Who gains from the Bill? Nobody in small business gains anything from it. The deregulation Party opposite seems to have forgotten all the previous deregulation methods it brought into this Parliament and to this State. I will detail some of these for the benefit of members of the Labor Party, since they seem to have a memory lapse in that area:

1. It introduced late night shopping throughout South Australia in 1977 against the wishes of small business.

2. It granted ministerial licence for petrol stations to have 24-hour trading seven days a week.

3. It deregulated furniture and floor covering sales in 1988 for 365 days a year opening.

4. It deregulated hardware shops and automotive parts in 1989 for 365 days a year, seven days a week.

5. In 1990 they extended shopping hours to include Saturday afternoons, despite its twice being rejected by Parliament.

6. It extended supermarket hours to five nights a week in October 1993, one month before the election.

We have heard from the Leader of the Opposition and the member for Price that this extension of Sunday trading to the city's CBD is underhanded, a backdoor method, a trick and perhaps even illegal. I challenge both those members and the members for Giles and Playford to stand up in this place and state how they voted in October 1993 concerning the decision of their Government just prior to the State election and say whether they supported that deregulation measure when it was introduced by their Government. Did they introduce it without its being brought before the Parliament? I stress: introduce it without its being brought before the Parliament.

The member for Napier goes on about consistency. Were they consistent in not supporting that extension at that time and, if so, why were they so silent then? One could also challenge the Opposition in the other place, but now that I have read the contributions made by the Opposition members in the other place it would not be worth the waste of time it would take to address the issues they raised. The Leader of the Opposition, as late as June this year, still insisted that the Labor Party would aim to extend shop trading hours, which is quite in opposition to what the mover of the Bill has indicated. This Bill does not attempt to deal with the 883 certificates of exemption passed by the previous Government, and attacks only this current Minister's right to use the same rules as the Opposition used so consistently over the past 10 years.

Members interjecting:

Mrs ROSENBERG: You can shout as much as you like; I can totally ignore you. I have ignored fools for years and you are just another fool like the rest of them. Once again, there is one rule for them and another rule for the rest. There is a real lack of genuine concern in this Bill for small business. They could actually have introduced a real test in this Parliament but, no, they took the soft option and challenged nothing.

The DEPUTY SPEAKER: Order! The member for Spence has a point of order.

Mrs ROSENBERG: Another waste of time.

The DEPUTY SPEAKER: The Chair will determine whether there is a waste of time and, if it is a frivolous point of order, the Chair will have something to say.

Mr ATKINSON: More than a dozen times the member for Kaurna has referred to the Opposition as 'them' and 'you'. I understand it is the practice of the House—

The DEPUTY SPEAKER: The point of order has been made, and it is legitimate, but the Chair believes that the point of order was made in a different spirit from that intended for points of order. That is the Chair's opinion, in view of the fact that the honourable member completely ignored the barracking from the members for Ross Smith and Hart, his own colleagues, when he chose to make the point of order. While the Chair has the floor, I would remind the members for Ross Smith and Florey that the point of debate is for all members to be given the opportunity for reasoned argument—

Mr BASS: I rise on a point of order, Sir.

The DEPUTY SPEAKER: The honourable member will be seated. The point of debate is for reasoned argument, and not for bullying interjection. The member for Florey has a point of order.

Mr BASS: Mr Deputy Speaker, I have been sitting here innocently and you have named me.

The DEPUTY SPEAKER: I appreciate the honourable member's concern. It was the member for Hart. The member for Kaurna.

Mrs ROSENBERG: As I said, it was a waste of time. The member for Napier goes on and on constantly about how supportive the Shop Assistants Union has been to its members. I note that the member for Napier fails to mention how utterly silent this concerned union was when its mates, the Labor Party, introduced five nights a week shopping just prior to the State election. Not a word was said by this supportive union at that time. This union is as hypocritical as are the members on the other side of the House. Let us correct the inaccuracy stated by the member for Price, who said that the previous use of ministerial exemptions by Labor was for

catering for 'specific events such as the Grand Prix, Christmas, Easter, etc, and for limited periods'. I am sorry to have heard this inaccuracy from the member for Price, because he was the only member on the other side for whom I had any respect. The member for Hart's contribution was simply a string of rhetoric, as usual, and not even worth referring to any further.

In summary, this Bill is a political stunt. It has lost momentum. It gives small business false hope that it addresses extended hours, which it does not. I oppose the Bill.

Mr CAUDELL (Mitchell): This motion put forward by the member for Ross Smith is an exercise in cynical endeavours. It is typical of the member for Ross Smith, with some of his activities we have seen before in this House. This is not a motion for debate on trading hours. This is not a motion to say whether it is right or wrong for controls of the retail industry: this is a motion associated with the ability of the Minister to issue an exemption for certain classes of trade to be able to trade during hours not previously allowed. If we wanted to debate whether a business should be allowed to trade, I will gladly take up the argument with the member for Ross Smith in relation to trading hours. I would gladly ask the member for Ross Smith: what difference is there in the retail industry versus other industries such as the hotel or tourism industries, the police, the Public Service, service stations and all industries which can trade on Sundays, Saturday afternoons and Friday and Thursday nights?

Mr Clarke interjecting:

Mr CAUDELL: If the member for Ross Smith will keep quiet he will hear a variety of things. I would like him to stand up in this place and tell us what is different about those industries. I would like him to be able to write to the people in Mitchell or come down to the electorate and stand up before a crowd of unemployed people in my district and tell them why they cannot have a job and why he is prepared to deny the people in Mitchell the chance of employment. He knows very well that, by allowing retailers to trade when they wish to trade, we will create employment, and that, as the pie gets bigger we will end up with a situation where we increase employment. I would like the member for Ross Smith to tell all of South Australia why retailing is different from the hotel, service station or tourism industries.

I refer to specific exemptions. I will deal with the one given in 1986 that dealt with service stations. As we are aware, prior to 1986 the service station industry was broken up into two different classes of trade: those in the inner metropolitan area and those in the outer metropolitan area. The inner metropolitan area of Adelaide had to close trading at 12 noon on Saturdays and could trade on Thursday nights to 9 p.m. In the outer metropolitan area of Adelaide the service stations a certain number of kilometres from the GPO, in suburbs such as Darlington and Tea Tree Gully, were able to trade 24 hours, seven days a week.

In November 1985 I set up a committee of six service station dealers, out of 356 service station dealers, to lobby both the Government at that time (some members of which are still here, but are now in Opposition) as well as the Opposition at the time—the current Liberal Government. I set up a petition throughout Adelaide to lobby the Government for 24-hour trading of service stations. As a result of the lobbying that I did personally and the petition that I provided to the then Attorney-General (Hon. Chris Sumner), he set up and held an inquiry under the chairmanship of Mr Virgo. The committee, of which I was chairman, comprised six service station dealers out of a total of 356 dealers. So, it was hardly a majority, but six people out of 356 were able to convince the Government at that time to hold an inquiry.

As a result of that inquiry, threats of discrimination and phone calls, the Attorney-General at that time, the Hon. Chris Sumner, by regulation allowed service station dealers in the inner metropolitan area of Adelaide the right to determine their own future and the right to trade when they wanted to, which is really all the present Minister has done in relation to retail trading. There is no difference between what previous Labor Ministers have done and what this Minister has done. I have supported his actions in the extension of retail trading in the CBD.

Mr CLARKE (Deputy Leader of the Opposition): I will briefly make a few points, in particular in reply to the member for Kaurna. The honourable member says that my Bill is not about the extension of Sunday trading. The honourable member is totally wrong, because this Bill provides that any certificates of exemption issued after 8 August of this year must be done by regulation and are therefore subjected to disallowance by either House of Parliament. My Bill has been supported by a majority vote in the Legislative Council, and it is already on the table here today. Some Liberal members of Parliament oppose Sunday trading and promised their electors prior to the last State election that they supported that position. It is quite clear that all they have to do is for 13 of them to join the 11 members of the Labor Party today. The Parliament will carry this Bill and get assent, then the Legislative Council will move motions of disallowance knocking out those extensions granted by the Minister for Industrial Affairs. So, it is very much about Sunday trading. You can try to run and hide, but at the end of the day your electors will know that you have ratted totally and utterly on this issue, and therefore you will pay the cost in three years, as will a number of your colleagues.

The fact of the matter is that the member for Kaurna and a number of others have said, 'Look, what about all the certificates of exemption issued by past Labor Governments?' What I am saying to the honourable member is that if my Bill is successful in this place it will ensure that no Government, whatever its political persuasion, now or in the future will be able to issue certificates of exemption willy-nilly across the board without coming back to Parliament. The Minister had a very simple solution to this issue. If he believed he had the support of Parliament on extended shopping hours, he had only to bring in specific legislation. He chose not to do it, because he did not want to embarrass his backbenchers in this House and also because he would have difficulty convincing his own Party room. Do not think this is the end of the issue. The reality is that by a three-nil majority the High Court yesterday granted leave to the Shop Assistants Union to have the matter concerning the power of the Minister to do what he did heard by the High Court, and it will be heard in March next year. At best, the Government's position is no more than 50-50. Then, if the Government loses the case, the Minister will have to bring in specific legislation.

Members interjecting:

The DEPUTY SPEAKER: Order! The honourable member will resume his seat. An issue before the courts may not be discussed in the House. The honourable member has just claimed that the matter is currently before the court, and therefore I ask the honourable member to steer away from

that line of argument in completing his second reading reply. I ask him not to pre-empt the court.

Mr CLARKE: Obviously I cannot pre-empt what the High Court will do on any matter.

The DEPUTY SPEAKER: Well, the honourable member was giving odds of 50/50.

Mr ATKINSON: I rise on a point of order, Mr Deputy Speaker. If you refer to page 326 of Erskine May, you will find that the Speaker has a discretion to waive the *sub judice* rule if he believes that discussion in this Chamber would not prejudice the justices of the High Court and he believes that the matter is of public importance.

The DEPUTY SPEAKER: The Chair chooses to defer from a ruling on that issue in light of the fact that the member has very little time left to conclude his address.

Mr CLARKE: In conclusion, for any member here, particularly those members of the Liberal Party, to assert that this Bill is not about extended Sunday trading, they are fooling themselves. I know they do not honestly believe it, but they are trying to rationalise away their ratting on their undertaking, given quite solemnly, as did the Minister for Industrial Affairs, prior to 11 December 1993. Today we will see whether you have the guts to live up to your commitment.

Mrs ROSENBERG: Mr Deputy Speaker, I rise on a point of order. The member for Spence took a point of order when I used the words 'you' and 'them' during my contribution. I understand that the member for Ross Smith just did exactly the same thing.

The DEPUTY SPEAKER: The Chair is not ruling on one point of order against another.

The House divided on the second reading:

AYES (11)

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

NOES (27)

Allison, H.	Andrew, K. A.
Armitage, M. H.	Ashenden, E. S.
Baker, D. S.	Bass, R. P.
Becker, H.	Brindal, M. K.
Brokenshire, R. L.	Buckby, M. R.
Caudell, C. J.	Condous, S. G.
Evans, I. F.	Hall, J. L.
Ingerson, G. A. (teller)	Kerin, R. G.
Kotz, D. C.	Leggett, S. R.
Matthew, W. A.	Meier, E. J.
Oswald, J. K. G.	Penfold, E. M.
Rosenberg, L. F.	Rossi, J. P.
Scalzi, G.	Such, R. B.
Wade, D. E.	

Majority of 16 for the Noes.

Second reading thus negatived.

SHOP TRADING HOURS (EXEMPTIONS) AMENDMENT BILL

The SPEAKER: This Bill is identical to the Bill which has just been disposed of. It is an important rule of parliamentary practice that the same question cannot be proposed in the same session. Accordingly, I rule that the Bill may not proceed further.

SPEAKER, IMPARTIALITY

Adjourned debate on motion of Mr Atkinson:

That in the opinion of the House the Speaker ought not attend parliamentary Party meetings.

(Continued from 3 November. Page 965.)

The Hon. M.D. RANN (Leader of the Opposition): In October I outlined a series of steps designed to improve our Parliament and make it more relevant to our times and more accountable to the people. I said that serious consideration should be given to introducing the right for citizens who are named, criticised or attacked in Parliament to submit a reply for tabling in this House subject to guidelines.

The same 'redress' provision applies in the Senate and, in my view, should apply in the South Australian Parliament. I called for reforms to be made to the conduct of Question Time because, while strict standards are applied to the consent, relevance and length of questions asked in Parliament, no similar standards apply to Ministers answering those questions. I believe that the Speaker should strictly apply the same rules to answers that apply to the asking of questions and, therefore, a change in the Standing Orders is required. I believe the Speaker should be given the rights and powers to temporarily remove a member who is disrupting the House—the so-called 'sin bin' approach.

I called for the sitting hours of Parliament to be reviewed but, above all, I stressed that for any reforms of Parliament to be achieved there must be a bipartisan commitment to restoring, upholding and enhancing the respect for and authority of the Speaker. There is no doubt that the standard of debate can only deteriorate if the status of the Speaker is weakened or if the Presiding Officer of the Parliament is considered to be biased and unfair. As we move towards the year 2000, all members must reflect on how we can ensure a better, more efficient and more accountable Parliament. The Speaker's role will be crucial in ensuring that this Parliament continues to be relevant as we embark on a new century and a new millennium.

In doing so, we can learn a lot from the past, from Speakers existing, living and dead, who believe and believed in this institution and in their central role in ensuring fairness and dignity. It is a difficult position. It is not easy for a Speaker or a President to distance themselves from a life of partisan involvement and from Party colleagues who are often close personal friends. It must be equally difficult for some Speakers or Presidents to deal fairly with long-time former and sometimes bitter opponents. So what do we all want from a Speaker or President in the next century? What future MPs will demand is what we have always had in this State—Speakers committed to fairness.

So I have, in a positive and constructive way, drawn up 10 basic requirements for Speakers and Presidents who will be elected by our successors. I want to state for the record that I am not reflecting in any way on current or past Presiding Officers in any House of this Parliament. It is often said that a Speaker must not only be independent but be seen to be independent. I believe that in South Australia we must always hope that future Speakers are not only seen to be independent but must in reality be genuinely independent: the perception is not enough. Above all, the Speaker must demonstrate moral leadership. He or she is not simply a manager, not simply a chairperson, and certainly not just a ringmaster.

There are both ancient and modern rights and responsibilities that the Speaker must uphold. A biased Speaker cannot show moral leadership. In the next century Speakers and Presidents must never apply different standards on interjections, parliamentary abuse and unruly behaviour to the Opposition compared with close colleagues in his or her own Party who were instrumental in getting them elected as Presiding Officers. In the next century we must never tolerate a future Speaker or President who applies different standards on relevance to the Opposition compared with the Government of the day, regardless of Party affiliations.

In the next century we must never tolerate a future Speaker who is so partial in his or her rulings that, in order to appear fair to the Opposition, only picks on those Government members who did not support their election as Speaker. I am told this has happened in other Parliaments but never here. We must never have a Speaker in the next century who takes instructions from the Premier or Deputy Premier, either behind closed doors before Question Time or actually in this Chamber. That approach has never been tolerated in this Parliament. We must never have a future Speaker or President in this Parliament who is told what line to take by Government minders, who then humiliate the Speaker by telling the media that he or she is going to throw someone out that day or take a hard line that week with a particular member.

In the next century we must never have a future Speaker or President who thinks of reasons to terminate a question or rule out an explanation on spurious grounds simply because he or she believes that question is embarrassing to the Speaker's side of politics. In the next millennium we will not need Speakers or Presidents who are so fond of the trappings of office—the car, the wig, the lace, the robes and the pomp—that they forget that their duty is to be impartial champions of the rights, freedoms and duties of all MPs. This is important, because experience throughout the British Commonwealth is that the weakest Speakers are often those who crave the trappings and perks of office. Strong, independent Speakers stand on their own two feet and earn respect because of their ability and not because of their clothes and puffed up sense of their own self-importance. I am sure that has never been the case in this State.

The SPEAKER: Order! I would suggest to the Leader of the Opposition that he is getting very close to reflecting on the Chair. Does the member for Spence think there is something humorous about what is taking place, because I suggest to him that he is running close to the line today, too? The Chair has listened very carefully to what has been said and the Leader of the Opposition has been particularly careful and particularly shrewd in the manner in which he has couched his remarks. I would suggest that the line he is taking now is a reflection on this Chair, because I am the first Speaker for some years who has reverted to wearing the traditional robes of office of the Speaker. So, I suggest he not continue with that line.

The Hon. M.D. RANN: No, I said, 'I am sure this has never been the case in this State', and obviously that applies to existing Speakers as well as to predecessors over the past generations. In the next century, future Speakers and Presidents must also give backing and support to the staff of this Parliament, not run them down and disparage them behind their backs in order to boast to their colleagues that they, the Presiding Officers, are actually running this place. This has never occurred in this place and would not be tolerated in this Parliament.

Above all, we will need Speakers and Presidents in the next century who are strong enough to have the integrity and honesty to admit their mistakes and have the courtesy to inform members personally when, on reflection, they had been unfairly dealt with because of some misunderstanding of the Standing Orders or the events that transpired in the Parliament. Certainly, changes to the Speaker's role are being considered in other Parliaments. Recently I was given a copy of a paper prepared on parliamentary reforms by the Clerk of the New Zealand House of Representatives. Mr McGee directly addressed the Speaker's role. He said:

> I think that, overall, Parliament's standing can only be enhanced by an enhancement of the position of the Speaker. This has been occurring in recent years with the creation of the Parliamentary Service Commission and the recognition of the Speaker as the 'responsible Minister' for the officers of Parliament. The Speaker now has a much more substantive role to play in the workings of Parliament. However, more could be done especially in respect of officers of Parliament with the Speaker assuming a prominent role in their appointments.
>
> Essentially, however, the Speaker must represent Parliament to the community in a way that is not yet recognised and can only be done by a strengthening of the Speaker's position. It is only right that a Government exercise the political leadership of the House, but I see the Speaker as exercising the moral leadership.
>
> I consider that the Standing Orders should confer greater discretions on the Speaker. For example, by the closure the Speaker effectively decides the length of many debates now. Why not make this explicit? The aim would be to build up the Speakership in the eyes of members as very much the first among equals in the House. It should be accepted by any Government that if a Speaker suggested that Government would desist, whether or not there was an express Standing Order forbidding it.
>
> I also consider that this moral leadership can only come by the Speaker (if re-elected as a member of Parliament) remaining in office on a change of Government. I do not favour a non-elected member being Speaker or a special seat for a Speaker. The Speaker's strength with members comes in large part from having shared their electoral travails and I do not consider that a Speaker drawn upon in another way would have that manner. But the special character of the Speakership would be demonstrated vividly by an incumbent remaining in office, so long as he or she was an elected member of Parliament, regardless of changes of Government.
>
> In such a way, the Speaker could be the real moral leader and embodiment of the House. In many ways this could be the most important parliamentary reform of all.

There are, of course, other divergent opinions. Former New Zealand Prime Minister, Sir Geoffrey Palmer, is also concerned about the future role of the Speaker. In 1992 he published a paper entitled 'New Zealand's Constitution in Crisis'. He said:

> In the end parliamentary reform depends on convincing MPs to have a different view of what they ought to be doing. There are, however, a number of other measures—

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

Mr ATKINSON (Spence): I would like to thank all members who participated in the debate.

The SPEAKER: I suggest to the honourable member that he respond next Thursday.

Debate adjourned.

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

DOG AND CAT MANAGEMENT BILL

Her Excellency the Governor, by message, recommended to the House of Assembly the appropriation of such amounts

of money as might be required for the purposes mentioned in the Bill.

RADIOACTIVE WASTE

The Hon. DEAN BROWN (Premier): I seek leave to make a ministerial statement.

Leave granted.

The Hon. DEAN BROWN: Members are aware that in 1986 the former South Australian Government began discussions with the Federal Government about a storage site for low level radioactive waste. At no stage during these discussions did the former Government advise Canberra that it was opposed to the establishment of a storage site in South Australia. As a result of these discussions, the Commonwealth has decided to move certain waste from Lucas Heights in Sydney to a temporary storage site on Department of Defence land at Woomera Rangehead, about 50 kilometres north-west of Woomera village.

The South Australian Government has had no say in the Commonwealth Government's decision to transfer the material to Commonwealth-owned land in South Australia. However, I believe the people of South Australia are entitled to be informed about what is now to occur within their State. Following consultation with relevant Government authorities about the timing of this task, I advise the House that movement of the waste is about to begin today. The material will be transported in about 120 semi-trailer loads, at the rate of about four trucks per day. The waste comprises drums of soil slightly contaminated with low levels of naturally occurring residue from uranium ore from processing studies conducted by the CSIRO between 1945 and 1964.

Some of the ores used in those studies were from Radium Hill in the northern part of South Australia. The radioactive elements in the waste are similar to those in tailings from uranium mining at Olympic Dam. I am advised that the radioactivity of the waste is such that over 95 per cent of the drums contain soil that is below the level defined as radioactive for transport purposes. Accordingly, the material is much less radioactive than the 'yellowcake' which is routinely and safely transported from Olympic Dam on South Australian roads.

The Pest Management Unit of the Department of Primary Industries has advised that the soil provides no risk of disease by its entry into South Australia. The Department of the Premier and Cabinet, the South Australian Health Commission, the South Australian Police and the Environment Protection Authority have also had discussions with Commonwealth officials about the transportation plan. South Australia has been advised by the Commonwealth that the contract for the transportation has been awarded to Brambles Project Services, a unit of Brambles Australia Limited, which has experience in the transportation of radioactive materials.

The transport plan has procedures which dovetail into those used by South Australian emergency services for responding to accidents involving spillage of such materials. They include training drivers in the procedures to be followed and arrangements for technical officers from the Radiation Protection Branch of the Health Commission to respond if necessary.

PUBLIC SECTOR WAGE OFFER

The Hon. G.A. INGERSON (Minister for Industrial Affairs): I seek leave to make a ministerial statement.

Leave granted.

The Hon. G.A. INGERSON: Following a period of negotiations with the United Trades and Labor Council, the Government today made a formal offer to increase salaries and wages by $12 per week for Public Service employees who are not yet subject to an enterprise agreement. The $12 per week offer will take account of past productivity change and absorb the $8 per week safety net adjustment provided for under the recent national and State wage case decisions.

The Government's offer is intended to firmly establish enterprise bargaining in the public sector and will be supplemented by Treasury, thus avoiding any additional job losses associated with the proposed wage increase. Supplementation of the $12 per week must be considered in the context of the Government's four-year budget strategy. The Government's forward estimates disclosed in the 1994-95 financial statement provided for an allowance of 2 per cent in each of the years 1996-97 and 1997-98. The effect of today's offer is to bring forward the major part of the first 2 per cent provision without impacting directly on employment and on the Government's four-year target to eliminate the underlying budget deficit this Government inherited. A key element of the offer is a requirement for the unions to agree to the speedy introduction of enterprise bargaining at the agency level with all future wage increases to be the subject of new productivity initiatives that will be self-funding.

INDONESIAN MINISTER

The Hon. J.W. OLSEN (Minister for Industry, Manufacturing, Small Business and Regional Development): I seek leave to make a ministerial statement.

Leave granted.

The Hon. J.W. OLSEN: I am pleased to advise the House today that the Indonesian Minister of Public Works, Mr Mochtar, has accepted the Government's invitation to visit South Australia. His visit follows discussions that I and the Chief Executive Officer of the EWS, Mr Phipps, had with the Indonesian Minister during the recent World Infrastructure Forum in Jakarta.

There is an urgent need to upgrade Jakarta's water and sewerage system, designed by the Dutch colonial powers decades ago, to cope with a population of 500 000. There are now more than 10 million people living in that city. Mr Mochtar was going to spend just half a day here on his way from Melbourne to Jakarta, but he has now extended the visit by a full day and will be staying from 23 to 25 November. Mr Mochtar's request to extend his visit to South Australia is a testimony to the reputation of the State's excellence in water management.

The Minister will be accompanied by the Director of the Bureau of International Collaboration in his department, the President Director of the Jatiluhur Water Authorities, the Chairman of the Indonesian Contractors' Association and three key Indonesian business people. The Minister's party will also include His Excellency the Indonesian Ambassador to Australia.

The purpose of this visit is to provide our Indonesian guests with a comprehensive overview of South Australia's water management, including the productive use of waste water, the protection of water supplies, customer information and asset management systems. Minister Mochtar's party will also be briefed by Professor Don Bursill, Director of the Australian Centre for Water Quality Research, and Professor

Dennis Mulcahy, Head of the School of Chemical Technology at the University of South Australia.

The visit by Mr Mochtar heralds the development of close cooperation between South Australia and Indonesia in the delivery of infrastructure projects. This cooperation will bring mutual benefits. It will open up business opportunities for the new South Australian Water Corporation as well as private sector engineering and project management firms in South Australia. It means a better future for Indonesia and for South Australia.

QUESTION TIME

STATE BUDGET

The Hon. M.D. RANN (Leader of the Opposition): Does the Treasurer acknowledge that his 1994-95 budget delivered less than three months ago is now unachievable, and the reality is more broken election promises with increased debt, further cuts to services and possibly higher taxes? Yesterday, in an interview on radio, the Treasurer said:

> We are now going to have to go back and revamp all our budget estimates.

Will the Treasurer further explain this for the benefit of the House?

The Hon. S.J. BAKER: I thank the Leader for his question because it is an important question on how this State manages its finances. What I said yesterday is the same as I will say today. The Government had a position where no supplementation was provided in the 1994-95 budget. That was quite clear and was said at the outset. The extent to which the Government believes that enterprise bargaining will be a *fait accompli* within at least the South Australian jurisdiction was obviously a highly motivating force behind that pronouncement. The Government expected that it would be in a position where it could control its own destiny, and that wage increases would be offset by productivity and reductions in employment so that the integrity of the total wages bill would not be disturbed.

That was broken by an extraordinary decision by the Federal Industrial Commission, which we could never have contemplated under the circumstances, and was absolutely inconsistent with the statements made previously by the Prime Minister. It was quite clear to the Government what the ball park was at the time we made the statement but, like the way in which the Prime Minister and Federal Treasurer managed that astounding, astonishing and destructive budget brought down in May, the goalposts have been moved. If the goalposts are moved, obviously the Government has to accommodate that. A decision was brought down, and the Government had to wear it. It was not a decision of our making and, given the circumstances, it was unfair to insist that the guidelines laid down in the budget be pursued as a result of this wage increase.

The integrity of the strategy must be preserved. We can no longer build up deficits in this State. We can no longer build up our debt which we are paying for in large sums because of the rising interest rates. At the time of the budget we had a zero zero wage increase for the first two financial years (this year and next year), and in the out years we had another 2 per cent supplementation. We have brought that 2 per cent supplementation forward into this year. The Government has said that that two per cent increase in all future wage increases in an enterprising bargaining sense has now gone from the system. They will have to be negotiated on the basis that the wage integrity of the salary bill has to be constrained to the levels intimated at the time of the budget. The budget integrity is in place. We were visited by particular circumstances but, importantly, the Government has it under control.

INFORMATION TECHNOLOGY

Mr KERIN (Frome): Will the Premier inform the House of the latest initiatives by the Government to encourage the development of the information technology industry in South Australia?

The Hon. DEAN BROWN: I am delighted to receive that question because I opened a major information technology conference this morning in Adelaide. It was interesting to see the large number of international companies that participated in that conference, and also the large number of local IT companies and personnel from South Australia who attended. I was able briefly to outline what significant achievements have been made in South Australia in the information technology area over the past 12 months. Twelve months ago this State was facing four or five years of absolute disaster in terms of trying to set up several initiatives. Now we are able to report that we have achieved agreement in principle for the outsourcing of the Government's information data processing.

We are able to announce that EDS will establish its Asian headquarters here in Adelaide and that companies like Motorola, Australis Media, Silicon Graphics and others are starting to establish significant operations here in South Australia. We are now recognised throughout Australia for having achieved, in just a 12-month period, probably the biggest significant gain in information technology of any State of Australia. It was interesting that the guest speaker, who came from Sydney, was a consultant in the information technology area, and he commented very favourably on how South Australia had now become the focus for information technology companies throughout Australia. I was able to outline to the conference this morning three major new initiatives that the Government is taking to make sure we maintain our leadership in this field.

The first is to bring together a whole range of companies with in-house expertise of Government in a spatial information system. That is likely to range from satellite positioning right through to the final products that would be sold, including any land titling system, because this State has the Torrens titling system, which is regarded as one of the best if not the best in the world and which has been used for 150 years. Very important, also, is the layering that can occur. With a spatial information system you basically plot the perimeters of your land titles and all the other information from a satellite. You have an electronic data input, which you can then overlay with aerial or satellite photography, from which you can develop topographic maps.

You can even underlay what is occurring under the ground through bore holes, and with silicon graphic materials you can actually rotate the land and see what the horizons are below the ground. It is almost as if it is three dimensional. It is mind boggling to see what can now be achieved on computer. Very importantly, developing countries such as Indonesia, Vietnam, China and the Philippines are all asking for land titling systems and, rather than just give them a system that has been in operation, I believe this State will be in the unique position of being able to offer a spatial

information operation system, computer based, on which all their information can be based, including land titling but also the location and details of all Government assets, including pipelines under the ground, electric wires, Government buildings, the value of the assets, when they were last repaired, the zoning that might apply to the land and the valuation of the land.

The second initiative is the establishment of the Information Industries Development Centre at Technology Park. This is a great initiative and derives from the announcement that EDS will be based here. From that will come this independent centre where local information technology companies, particularly those involved in software development and in providing services, will be based at Technology Park, and EDS will be making a very significant input into that centre. It is estimated that something like $4 million will be put in by EDS, and it could well be that the Government or other companies put in a significant contribution. The very important part of that is that we will have a vast company like EDS (with 75 000 employees around the world, operating in virtually every country) out there identifying opportunities for software development and bringing those opportunities back to South Australia. The work is done here and then we have a company like EDS out marketing the final products.

The third important initiative is the establishment in South Australia of a major training facility for EDS for the whole of the Asian area. The EDS Chairman has decided that training for its Asian headquarters should come out of Adelaide, and some exciting initiatives will be developed through the universities here in conjunction with companies to make sure that young South Australians are able to participate in those training programs, and then, very importantly, to get jobs with these international IT companies.

STATE BUDGET

Mr QUIRKE (Playford): My question is directed to the Treasurer. Following the ministerial statement made by the Minister for Industrial Affairs today, what are the cost implications for the budget in the Government's offer? The Treasurer has always stated that this budget had no provision for public sector wage movements except by way of job reduction.

The Hon. S.J. BAKER: In cold hard terms, if it is an acceptable proposition to all parties (and I mean all parties), we are looking at a $12 per week increase, which translates into an impact in this year's budget of some $32 million. That then stays in the system unless it is offset by some means, and in the out years there will need to be further offsets not contained in this proposition if there are further wage increases.

We have said that this is where we want to finish over the four year period in order to have our budget in balance; we have said that we will take the decision now because it was not a decision made on wage bargaining principles but was a wage determination. We will bring it forward and all future negotiations will be based on off-sets. The decision in this financial year is $32 million and it is about double that in a full year. That is the wage impact. It puts pressure on the budget, as everyone can appreciate. In terms of where the budget will finish this year, we hope that the deterioration will not be dramatic for a whole range of reasons, but there is further pressure in the next financial year, with which we will have to cope.

ELECTRICITY TRUST TARIFFS

Mr WADE (Elder): Will the Minister for Industry, Manufacturing, Small Business and Regional Development tell this House what economic benefits are expected from the Government's decision in May this year to substantially reduce electricity tariffs?

The Hon. J.W. OLSEN: I will recap for the benefit of the House, and particularly for the benefit of members opposite, who seem to forget on occasions the significant reduction in electricity tariffs announced by the Government earlier this year and operative from 1 July. ETSA announced a tariff schedule, with small businesses expected to save up to 22 per cent on their annual electricity bill. The average reduction across all business community sectors was 7 per cent. Those price reductions were calculated to reduce the total power bill of business consumers in South Australia by $37 million per annum. Clearly, the reason for the Government's putting in place those tariff reductions ahead of and greater than Victoria is proposing is to position South Australia as a low cost of operating State, to give incentive and encouragement for business to invest in new plant and equipment in South Australia and to give us the capacity to be internationally competitive compared with the other States of Australia so that we can access our manufactured goods on the international market.

It is as well to ask, 'Has it worked?' The Centre for Economic Studies in South Australia has assessed the impact of the reduction of electricity tariffs in South Australia. It is anticipated that, by making the State's export sector more competitive, the value of the State's exports will be increased by a minimum of $45 million. The Centre for Economic Studies indicates that that will increase gross State product between $24 million and $39 million. It will create between 400 and 800 jobs and increase household incomes. The Government indicated that it would put in place family impact statements to assess the impact on families of Government decisions. This decision has returned between $13 million and $17 million into the household budgets of South Australian families. The direction we are taking is not only helping the business community and helping business to be more internationally competitive but also it is relieving the burden on the household budgets of ordinary South Australian families.

The sectors to benefit are agriculture, manufacturing, trade, transport, and communication and finance in particular. For agriculture, it is projected that exports will increase by $18 million and in manufacturing by some $25 million, with a significant impact and increase in other agricultural areas of gross State product of some 27 per cent. There will be an impact on employment in both manufacturing and the trade area: it will assist significantly to create long-term employment opportunities and greater employment security and certainty for South Australians. In all, the Centre for Economic Studies confirms that the Government's policy direction, which was announced last year by the Premier in his policy speech and which has been put in place in terms of action by the Government to reduce the cost of doing business in South Australia, is not only helping our export markets but creating jobs and at the same time relieving the burden on ordinary families in South Australia.

ECONOMY

Mr QUIRKE (Playford): My question is directed to the Treasurer. Will the Government revise its net savings target of $170 million in the non-commercial sector this year? The Government's budget strategy required savings in the non-commercial sector of $300 million per annum by 1997-98, including net savings of $170 million for this financial year. Yesterday, the Treasurer told an international accounting conference that the State already had a deficit of some $215 million as at the end of September this year.

The Hon. S.J. BAKER: The honourable member's question contains a number of unrelated matters. I know that the honourable member was intent on getting everything into his question, but the $215 million deficit was, in fact, for the month of September. The deficit for the first quarter of $223 million could be compared with a deficit of $278 million in the first quarter of the last budget of the previous Government. However, they are not comparable. I would just like to point that out. They are completely different, as the former Treasurer kept pointing out at length across the House when we raised the same issues. For the September quarter of 1993-94, under the previous Government the deficit was $278 million. This time, the deficit is $223 million. I want to get that out of the way so that no-one thinks that the budget has deteriorated to the extent of $223 million.

The second issue involves the adjustment of the savings target. Obviously, there must be adjustments to the savings target, which the honourable member would understand. Leave aside the wage issue and look at what Keating is doing to our interest rates. I have said in this House before, and I will say it again, because it is obvious that members opposite are a bit deaf and dumb; they are simple accountants who cannot recognise that when interest rates go up you actually pay more. They cannot recognise that, if you owe $8.5 billion, you have big bills and, if your average cost of securing funds goes up by 1 per cent, you pay a further $85 million per annum. I hope they understand what happens out there. We can appreciate why they performed so badly if they cannot understand that fundamental principle. I hope they have their arithmetic right.

Leaving aside the issue of wages, with which we have already dealt, the facts of life are that the Federal Government cannot control its budgets. The world and all its financial markets recognise that Mr Keating is a rotten Treasurer and a rotten Prime Minister. That is all right for the Prime Minister, but it is not all right for us.

The Hon. Frank Blevins: You ain't seen nothing yet.

The Hon. S.J. BAKER: The member for Giles says that we ain't seen nothing yet. He must have been talking to his friend Paul in Canberra. His new strategy on building the economy is to put up interest rates. That defies economic logic. However, I will keep my answer brief. The facts of life are—and I have said this time and again, so listen carefully—when we go into planning for the 1995-96 budget, adjustments will have to be made. We will go through that process in the new year and we will bring down an early budget. I have said it before and I will say it again: we will go through the process of adjustment to ensure that the four year strategy to balance the budget is retained. You can be assured that I am going to hit the target. I hope we can have a more sensible question next time.

MEAT

Mr BUCKBY (Light): Will the Minister for Primary Industries explain what progress has been made in the quality assurance program now being implemented for the South Australian meat processing industry?

The Hon. D.S. BAKER: I thank the member for Light for his question and interest in this matter. As most members would know, on coming to Government we instigated abolishing the Meat Hygiene Authority, which had been an impediment to the rationalisation that was needed in the meat industry in South Australia. One of the great problems, apart from a bureaucratic one with the Meat Hygiene Authority, was that all inspection services for domestically killed livestock had to be performed by AQIS. As we know, a lot of reforms have yet to take place in AQIS.

We set up a user's consultative committee consisting of some growers and abattoir and slaughterhouse operators, and the industry was completely restructured. The next phase was to get quality assurance programs going so that people could chart their own destiny and growth path concerning their product, thereby ensuring that it was of a quality acceptable to the marketplace. We let out to tender the audit and inspection services, and of the tenders accepted the firm SGS Australia Pty Ltd was the successful tenderer. AQIS did not even tender. SGS, which is one of the world's largest inspecting services, has the same role to play in the Victorian meat industry, which has been deregulated along much the same lines as our meat industry has been deregulated. We are working very well and in tandem with Victoria and taking steps to ensure that the rationalisation takes place.

We have included meat wholesalers and the smallgoods and game meat industries under this quality assurance program, so that all meats produced in South Australia for Australia's domestic market will have a quality assurance standard, thereby enabling consumers to have confidence that not only is the product of high quality but also that it has been produced under acceptable conditions. So, it is part of the ongoing rationalisation of the industry. It has gone very well, and SGS will soon be starting on the education side of the quality assurance program. South Australia and Victoria are at the forefront of deregulating the domestic meat market which will most decidedly mean a lower cost to consumers. That is what we are aiming to achieve.

CASEMIX FUNDING

Ms STEVENS (Elizabeth): My question is directed to the Minister for Health. Why has the Health Commission failed to release performance and case statistics for health units since the end of the last financial year? Does the Minister concede that the introduction of the casemix funding system for public hospitals has major problems? The Opposition understands that the Health Commission has been unable to run its data tapes and cannot make the information available to health units throughout the State. Also, metropolitan hospitals have been advised by the Health Commission that funding from one of the centrepieces of casemix, the throughput pool, is unlikely to extend beyond the September quarter.

The Hon. M.H. ARMITAGE: I do not agree that casemix funding involves any major problems whatsoever. In fact, as I go around the health community the reaction I am

getting from many people is that they accept that this was long overdue as a form of funding, because it recognises that the efficient hospitals will get paid for those efficiencies and the inefficient hospitals will be penalised. If the member for Elizabeth wishes to attempt to foster the rumour that casemix is not being accepted in the community, perhaps I can give an example which she and other members of the House might do well to take to heart.

Not long ago I attended a meeting at which there were many people from within the health community. It is fair to say that one of the people who was perhaps most sceptical about the potential benefits prior to casemix funding coming into operation was the Chairman of the board of one of the larger country hospitals. Across the chamber of people, I saw this man advancing towards me, and I thought that I needed to prepare myself for yet another diatribe, because I had not spoken with this fellow for a couple of months. I gritted my teeth and said, 'Hello', to him, and he said to me, 'Mr Minister, I need to apologise to you for a lot of the things that I've said, because casemix funding has now been going for about three months, and what I need to say to you is that patients are still being admitted to the hospital; they are still being treated; we are still being paid; the hospital is going as well as if not better than ever.' Importantly—and I would love the member for Elizabeth to note this—the fourth thing he said to me was, 'We have found a number of efficiencies we did not believe were possible.'

What I am happy to say about the introduction of casemix funding is that the patients are still being treated; the hospitals are still getting paid; and the hospital boards and the administration have found a whole lot of efficiencies, and that means that every single taxpayer in the whole of Parliament House (I cannot refer to those taxpayers who are sitting in the gallery, but if I were allowed to I would do so) and every taxpayer in South Australia has benefited because of the efficiencies this system has generated.

ENERGY

Mr BRINDAL (Unley): My question is directed to the Minister for the Environment and Natural Resources. Can the Minister advise the House of the action—

Members interjecting:

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

Mr BRINDAL:—the Government is taking to achieve the commitment of its environment policy to ensure that within 10 years 20 per cent of the State's energy will be derived from renewable resources? I was rather dismayed last night to hear—

Members interjecting:

The SPEAKER: Order!

Mr BRINDAL: I heard last night a comment that a step towards solar energy would be a retrograde step. Therefore, I ask the Minister whether he will clarify the Government's position on this matter.

The SPEAKER: Order! I suggest to the member for Unley that he pay close attention to his explanations: he was verging on comment.

The Hon. D.C. WOTTON: The Government's commitment to ensure that within 10 years 20 per cent of the State's energy will be derived from renewable energy sources just reflects our desire to see renewables playing a greater role in the future. Also it gives recognition that renewables can be a potential growth industry for South Australia. It is intended to explore all opportunities to reduce reliance on non-renewable forms of energy, and the motor vehicle is the only area that it is not intended to apply to. The policy includes suggestions on how this may be achieved, including pilot programs, integration with existing suppliers and encouraging the use of roof insulation by providing financial incentives. They are just some incentives that we may be able to work towards. The last incentive enables energy conservation and efficiency to be among the measures that can be considered.

The South Australian Greenhouse Committee established in July this year has formed a renewable energy working group to prepare a renewable energy action plan with the objective of recommending to the Government a set of measures which would assist us in achieving our target. The working group has members from key Government agencies, including the Economic Development Authority, the Department of Environment and Natural Resources and the Department of the Premier and Cabinet, and also it includes representatives of the Electricity Trust and the Gas Company who I am pleased today to say have agreed to participate. In addition, the Australian and New Zealand Solar Energy Society, which of course has a keen interest in renewable energy and whose members are involved in the renewable energy industry, is also participating. The Office of Energy is chairing and servicing the group.

The group's terms of reference require it to identify the current contribution of renewable energy sources in this State and to examine opportunities for the wider utilisation of renewable energy and measures to achieve this. Of particular importance is the fact that the group will also examine opportunities for manufacturing renewable energy technologies in South Australia. I am pleased to say that I am expecting the working group on renewable energy to report to me in the first half of next year. It has a very challenging task before it, and I look forward to receiving its report, to which I will be pleased to give serious consideration.

EDUCATION FUNDING

Mr QUIRKE (Playford): I direct my question to the Treasurer. Will the Government achieve this year's revenue target of $18 million from the sale of Education Department assets, and is the Treasurer aware that this target includes $8 million from the sale of schools not yet closed or declared surplus?

The Hon. S.J. BAKER: I am happy to say that this matter lies with the Minister for Education and Children's Services. The honourable member would be well aware that, in all other areas of asset sales, the amount derived goes back as an offset against the debt. That is the very wise and sound principle that we put in place; that is, that revenue received as a result of asset sales must be used to reduce debt. We have made one major exception and one or two minor exceptions. The one major exception is in relation to the Education Department. For some time the Education Department has used its assets sales program in some cases to bolster its revenue. I would not have thought that that was a particularly good practice, but that procedure was established by the previous Government. The other approach, which is far more constructive, is to be able to upgrade schools and do maintenance through the sales process. In that way, the proceeds from the sale of those properties goes back to benefit the education sector. As I said, this is the one major exception to the general rule on assets sales.

In relation to the individual details, that was not my

concern at the time of framing the budget; it was simply the Education Department's saying that it believed it had certain assets to sell and that it could constructively improve the quality of its buildings in addition to providing extra class space as a result of selling those properties. I have not received any updates to suggest that it cannot do that.

YOUTH EMPLOYMENT

Mr ASHENDEN (Wright): Can the Minister for Employment, Training and Further Education provide details of the employment and training initiative he launched at Enfield and how he believes it will achieve its aim of bringing young people and employers together?

The Hon. R.B. SUCH: Yesterday I had the privilege of launching an employment and training expo in the City of Enfield, which was organised by Employ SA and the City of Enfield and which was well attended by thousands of young people, employing bodies and a whole range of community organisations. I commend them for that initiative. On a lighter note, I was intrigued that the member for Ross Smith, the Deputy Leader, was introduced as the Leader of the Opposition. I know things move quickly on the other side, but they are obviously moving faster than some of us predicted. However, it seemed to be a quirky slip of the tongue by the MC.

There were a couple of important messages from that expo, the first of which is that if you do not have skills today your chance of finding employment is very small indeed. It is a message that parents and young people must understand: if you leave school too early you have little to offer an employer and hence your chance of remaining unemployed is quite high. In South Australia we inherited a situation of high youth unemployment. It is not acceptable in economic or in human terms. We have to do something about it. We inherited the highest youth unemployment in Australia, and it is something that the Government is not prepared to accept.

To that end, I have instructed my department to move as quickly as possible in conjunction with the Commonwealth, and working with the Minister for Education, to target the at-risk young people—mainly working class young people; people who have been ignored by the Labor Party for the past decade or two, much to its shame. They are young people who are dropping out of the system; they are not getting into TAFE or university. In fact, they are not going anywhere but into unemployment, and long-term unemployment at that. We will target those young people at risk and also create a junior version of KICKSTART, a YOUTHSTART program focusing on the 15 to 19-year-old age group who, sadly, are in the business at the moment of being unemployed. There are thousands of them, and it is not something that we can sit back and accept.

Sadly, many of the young people who have come through the education system in recent years have problems with literacy and numeracy. We might find that hard to accept, but it is a fact that many teenagers today who are looking for work are illiterate and have problems with maths as well. They are issues that the Minister for Education and Children's Service will address through his portfolio. However, working in conjunction with him, we want to tackle the whole range of issues of literacy, life skills and training options, because we are facing a skills shortage. We have unemployed people yet we have a high level of demand in industry for skilled people. We must match those two things.

If we reach a situation in the next few years where we have to bring people into this country, there will be a justifiable outcry from parents and young people because they have not been trained and have not been getting employment. So, there is a very serious message to employers, parents and young people. They need to recognise the importance of training so that our young people can get a fair go and a job. The Government is doing all it can, in conjunction with the Commonwealth Government—which I must say has been supportive in relation to this issue—because we cannot allow these thousands of working class people, in particular, in the north, south and west of Adelaide, as well as young people in the country areas, to miss out on their opportunities in life to have a rewarding career. The expo yesterday was an important part of that process of bringing employers and young people together to make them aware that in today's world you need to be trained and have skills if you want to obtain employment.

HEAVY VEHICLES

Mr CLARKE (Deputy Leader of the Opposition): I direct my question to the temporary Minister for Employment, Training and Further Education.

The SPEAKER: Order! The Deputy Leader of the Opposition has been in this House long enough to know that that is out of order. He is commenting and, if he continues, I will withdraw leave for the question.

Mr CLARKE: Will the Minister for Employment, Training and Further Education provide special assistance to students who have been seriously disadvantaged by the decision to transfer all stage two and three heavy vehicle courses to O'Halloran Hill? The chief executive of the Minister's department has approved changes to off-the-job training of trainees and apprentices which seriously disadvantages students living north of Adelaide. Students who previously undertook these courses at Croydon are now required to travel to O'Halloran Hill and have complained about the cost and time penalties resulting from this decision. The students have also pointed out that the majority of the State's heavy transport industry is located north-west of Adelaide.

The Hon. R.B. SUCH: This is an important question. As Minister I have inherited the most sophisticated heavy vehicle training facility in Australia which, for political reasons, was located at O'Halloran Hill by former Labor Governments. We have to make the best use of our resources. I realise that most of the heavy vehicle companies are located in the northern suburbs. In the process of consultation, which is the way I operate, I have arranged for people in the heavy vehicle industry and the people in TAFE to work together to see whether we can resolve this situation where we have a politically located training facility in the south, and match it up with the location of the heavy vehicle industry people in the north. We are working through that process at the moment. There was never an intention to transfer all of the heavy vehicle training to O'Halloran Hill because, as members may realise, we also have heavy vehicle training in country locations, so it would have been a partial transfer to O'Halloran Hill. We face the reality of a costly facility that was plonked there on political grounds rather than economic or other considerations.

Mr Clarke interjecting:

The Hon. R.B. SUCH: It has been there since 1988. Like a lot other issues, the Government has to try to do the best it can for South Australia with what it has inherited, and then

go on from there. I cannot pluck $11 million out of the air to build heavy vehicle training facilities all over the place. We are working with the people in the industry, which is the way I operate, to see whether we can come to some arrangement to meet their needs and to satisfy the training needs of all South Australians.

CONVENTION CENTRE

Mr CUMMINS (Norwood): My question is directed to the Minister for Tourism. How much activity did Adelaide's Grand Prix generate in terms of special conventions and dinners at the Adelaide Convention Centre? I understand that this year's event was the largest broadcast Grand Prix in the history of Formula One and that it broke Adelaide attendance records with 328 000 people attending over four days. I also believe that the off track activities were equally successful, attracting large numbers of interstate and international visitors to special events such as the Grand Prix Ball and the Grand Prix eve concert.

The Hon. G.A. INGERSON: I thank the member for his question and I note that, whilst his suburb would have been dislocated over the past few days, his support for the event has been superb. The Adelaide Convention Centre is an important part of the tourism hospitality offered in our State. When we look at special events and other issues as they relate to tourism we tend to forget how important the convention business is in our town. The Grand Prix rally dinner attracted some 1 100 people. The Grand Prix eve concert, which was basically for people under the age of 25, attracted 3 500 people, and the Grand Prix ball was attended by 1 250 people. These three events provided employment for 262 staff (predominantly those staff are young, casual people under the age of 25) and generated net cash revenue of $350 000.

As a flow on from those events, this morning I was pleased to open a special event dealing with occupational health and safety. There was a convention of some 800 people for an accounting group in the two days prior to that, and this Saturday a five day ground and water hydrology conference with another 400 delegates will commence. Those three conferences straight after the Grand Prix are estimated to generate another $200 000 in income for the State.

GLENSIDE HOSPITAL

Mrs GERAGHTY (Torrens): Further to the Minister for Health's comments yesterday about Glenside Hospital, will he say whether consultant psychiatric staff have lifted their deadline of 28 November after which they will no longer provide medical supervision of patients in unsafe situations? If not, will the Minister say how all acute mental health patients will receive appropriate assessment, supervision and care? Since hearing the Minister's response yesterday I have been contacted by many people who are still very concerned about acute patient care.

The Hon. M.H. ARMITAGE: The most important thing that I said yesterday was that this disaster is not of the Government's making. The problem has grown up over many years of mismanagement by the previous Government. Everyone recognises that the trauma in the psychiatric service was caused by the previous Government. Everybody knows that the senior psychiatrists left the system under the previous Government. The number of people in the system is now increasing, and that is pleasing. The other thing that I said yesterday was that there are large numbers of potential changes and discussions which are taking place and coordinating across the system between the various chief psychiatrists and so on, and the Government anticipates that change will occur before that date.

TORRENS BUILDING

Ms STEVENS (Elizabeth): Will the Premier confirm that the Torrens Building will be refurbished and made available as rental accommodation to 26 non-Government service organisations? Following a review of the proposal to make the Torrens Building available to community organisations, the Premier wrote to these groups giving them his full support. Groups are now concerned that these plans have been stalled by Cabinet.

The Hon. DEAN BROWN: I can confirm that, in principle, the Torrens Building will be refurbished, upgraded and made available to a range of community groups for community service, and money has been allocated in this year's budget for that. An expensive proposal was put to the Government for refurbishment of the building. We are looking at that to see whether a less expensive option can be adopted. Whilst I think there is strong support for setting up a refurbished Torrens Building for that sort of purpose, we need to make sure that we get value for the money spent, and the Government is trying to make sure that we get that. The community groups who will finally go into that building have not been decided.

ECOTOURISM

Mr BROKENSHIRE (Mawson): My question is directed to the Minister for Tourism. What steps is the Government taking to convert the recently released ecotourism plan into action?

The Hon. G.A. INGERSON: I thank the Minister for the Environment and Natural Resources for his participation in the combined effort to make sure that we develop for South Australia some nature based tourism (particularly in national parks) by using national parks as a destination, and making sure that we promote all the natural assets of our State in any tourism or environmental push. On 21 November there will be a symposium on ecotourism development in Adelaide. The symposium has been put together by the Tourism Commission and is for financiers, tourism developers, consultants and resource managers. The proposal is to bring together a whole range of people within South Australia to listen to a group of lecturers from the United States.

The member for Mitchell, who took specific interest in this area by attending a conference in Tasmania, would be aware that these people are coming to Adelaide, and we will all be very interested to hear how they have developed their national parks in America and the whole process of ecotourism, particularly as it relates to accommodation. The Tourism Commission is also working very closely with district councils to see whether major tourism opportunities can be developed close to the beach, because there is a lot of interest in smaller developments in this ecotourism area. Finally, you, Mr Speaker, would be interested to know that we are working with Aboriginal groups in your area to develop a combination of Aboriginal ecotourism projects and cultural tourism.

STATE TAXES

Mr QUIRKE (Playford): Given the Treasurer's answer

today that this year's savings target will need to be revised and that the budget is under wage and interest rate pressures, will he rule out tax increases in next year's budget?

The SPEAKER: Order! Before calling the Treasurer, I suggest that the question is getting very close to being hypothetical, therefore I ask the Treasurer to bear that in mind.

The Hon. S.J. BAKER: Thank you, Sir; I was thinking along the same lines, but I am more than happy to answer in more concrete terms. I have listened to the questions today, and members opposite seem to have forgotten one fundamental fact: who caused the problem? I have sat here and diligently answered the questions.

Members interjecting:

The Hon. S.J. BAKER: The problem is over there. The problem was always over there and it will be over there for a long time. I would ask that all members just remember where our budget difficulties arose. Until now I have refrained from mentioning who caused the problem, but I think it is time for a little reminder. And it is Labor all the way. It is not only Labor in the State sphere, with the enormous amount of damage it did with the State Bank, but it is Labor in Canberra. Labor in Canberra and Labor here: we have a dynamic duo working against us.

The Hon. J.W. Olsen: Half of them over there is the problem.

The Hon. S.J. BAKER: Half of them over there. I simply make the point that there are challenges facing the budget. In answer to the honourable member's question, we have said consistently that there will be no increases in the rate of taxation and no new taxes introduced.

BLUE LAKE

The Hon. H. ALLISON (Gordon): Will the Minister for the Environment and Natural Resources give the House a comprehensive report upon his personal visit this morning to Mount Gambier in the South-East, where he released the Blue Lake water management plan, and is it correct that his department prepared the plan with a view to protecting the underground water resources of the South-East, of which the Blue Lake forms an important part?

The Hon. D.C. WOTTON: I was delighted to be able to visit Mount Gambier this morning, in the electorate of the member for Gordon. I went there for a number of reasons, one of which—and the most important—was, as the honourable member says, to launch the Blue Lake management plan. Before I go into the comprehensive reply that the honourable member has requested, in recognising that the honourable member was not able to be there this morning for this ceremony—

The Hon. H. Allison interjecting:

The Hon. D.C. WOTTON: I can assure the member for Gordon that the lake was as blue as ever. But very obvious is the significant part that the member for Gordon has played in ensuring that this management plan was released today. The member for Gordon is recognised not only as the city father but also as the patron of the Blue Lake. It was particularly good to be in Mount Gambier this morning—

Members interjecting:

The SPEAKER: Order! There is too much conversation.

The Hon. D.C. WOTTON: —to recognise the combined effort that has gone into this plan on the part of the State Government, local government, the community, industry, tourism and all those other bodies that have had a part to play in its development. The Blue Lake management plan provides Government and community guidelines for managing ground water and lake water in the Mount Gambier area. It aims to maintain the water quality and the unique colour change that we all recognise as being a significant tourist asset, not only to the South-East of Australia and to the State but to Australia, and also it recognises the environmental significance of the lake itself.

The plan outlines four areas where action is needed to protect the city's underground water, calling for better planning of land use to minimise the impact of pollution; the prevention of stormwater and ground water pollution; the assessment and remediation of existing ground water pollution; and protection of the lake from direct pollution. It is recognised that, while the quality of water pumped from the lake is still very good, and better than Australian drinking water guidelines, there is a need to protect the water for future use, and that is what this plan is all about.

This morning I was keen to promote the fact that the community also has a significant role in preventing pollution. It is far cheaper to prevent pollution than to get pollutants out of the ground water later. We are all part of the solution as much as of the problem, and I urge people, particularly in the vicinity of the Blue Lake, to be aware of their role in preventing contamination of stormwater.

Finally, I was most impressed with a pamphlet that is to be handed out to all residents of Mount Gambier which very clearly and simply sets out the areas where the community can become involved and how the local environment can help to keep the Blue Lake blue and to preserve the quality of the water supply in that vicinity. Again, in closing, I commend the member for Gordon for the role he has played in all this and, in particular, the community of Mount Gambier that has worked so hard to ensure this plan could be released today.

MEDICAL OXYGEN

Mrs GERAGHTY (Torrens): Will the Minister for Health inform the House whether he is aware of the difficulties experienced by people who require medical oxygen? Does he intend to restructure the electricity cost reimbursement system for people who require CIG medical oxygen? One of my constituents uses CIG medical oxygen for his oxygen concentrator. The electricity cost is reimbursed, but this takes up to four months and there is no indication of what constitutes the electricity charge.

The Hon. M.H. ARMITAGE: I am aware of the problems, because they were extant under the previous Government and I used to write regular letters to the then Ministers of Health, and very little was done. However, what I can report is that the matter of charges for all those matters is basically a decision for hospitals. I am more than happy to look at improving the process of reimbursement and, if I can obtain some details of the particular constituent, I will be very happy to look into the matter.

MEDICAL SERVICES

Mr CUMMINS (Norwood): Does the Minister for Health see any future for the sale of South Australian medical services overseas and, if so, what benefit will it have for South Australia?

The Hon. M.H. ARMITAGE: I thank the honourable

member for this question, knowing of his interest in a number of matters to do with the economy, medical research in general and, indeed, the future of those types of things. Our health policy was made very public prior to the last election, and I remind everyone sitting in the House that at the last election the people of South Australia gave us 36 seats and the Labor Party 11, so they must have liked something in the health policy.

One of the things in the health policy was a focus on the export of health sector products. I believe it was the first time in a State Government policy that that had ever occurred. I was keen as the shadow Minister, and I am now even more keen as the Minister, for the export of health services to occur for two reasons, as the benefits are two fold. First, if the number of jobs in South Australia increased because of the need to provide more services, syringes, computer programs or whatever to be used overseas, obviously the South Australian economy would benefit. Primarily, let us not forget the knitting of the health portfolio, which is the health services in South Australia. The only way we will be able to export any health service is if it is the best in the world, because no overseas country will come to us and say that they would like to purchase whatever service it might be if we are only the second, third or fourth best.

In gearing ourselves up as potential exporters, we are obviously making a commitment to the South Australian people that we will have world best practice. The exports obviously can be constituted by a number of different things. Services can be provided overseas, be it education, hospital management or goods. If people come from overseas to South Australia and we provide operations, there is again a benefit. Primarily people will pay a lot of money to go to the United States: our operations are just as good on clinical processes and are much cheaper. In particular, the economies of the areas of the Asia Pacific rim are expanding at the rate of about 8 per cent per year and, as the standards of living are increased, those people want the health services that we have.

I am delighted to report to the House and to the member for Norwood in particular that at last week's Grand Prix a number of people, in particular from Malaysia, were most interested in speaking with me about a number of matters in the health export area. Having had an opportunity to speak to these people and potentially setting up a number of contracts, I am very disappointed that the Leader of the Opposition let the opportunity for the Grand Prix to remain in South Australia slip through his fingers, because a great opportunity has been lost. In answer to the question from the member for Norwood, yes I am keen to promote the export of health services from South Australia because, clearly, South Australians will be the beneficiaries.

PERSONAL EXPLANATION

The Hon. S.J. BAKER (Deputy Premier): I seek leave to make a personal explanation.

Leave granted.

The Hon. S.J. BAKER: Last Tuesday during Question Time I made mention of an incident at an Ampol service station at North Adelaide. I remarked at the time that the person concerned in this instance bore a remarkable resemblance to the Leader of the Opposition. The Leader has since discussed that matter with me and he has given me his assurance that he was not in any way associated with that incident. I therefore accept that assurance and I withdraw.

GRIEVANCE DEBATE

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

Mr BRINDAL (Unley): Those of us who were elected to this place in 1989—

Mr Atkinson interjecting:

Mr BRINDAL: And it was a good year.

The SPEAKER: Order! There is too much audible conversation. The member for Unley has the call.

Mr BRINDAL: Those members would be aware that it is almost exactly five years since we were elected and it is upon that fact that I wish to reflect today. It strikes me that in my time thus far in this Chamber, and from observing more closely other Parliaments in this nation, we spend far too long on albeit the important but often the mundane and the trivial, and not long enough devoting ourselves to the sort of things that are of genuine interest to the people of this State or country and their long-term betterment.

Nowhere do I see a better example of that than in the current level of debate emanating from the Federal Parliament. I am appalled at the way in which a number of issues about the future of this country are being dealt with, in particular issues such as the debate on the republic. I do not want to enter that debate except to say that this country is about to reach a centenary of Federation—a most important milestone. In this Chamber and in the Chamber that they consider paramount in Canberra, members should be showing leadership, style and direction befitting a nation which is but 100 years old and which wants to take itself as a mature country into the next millennium. All that they can think about is almost the trite icing on the cake: whether we should be a republic or remain as we are. They do not stop to think that the first question should be: what is the shape that this nation wants to assume to take itself into the future?

Who says that, if a constitutional monarchy is not right for Australia, a republic is? There are other forms of Government, and the first argument should be about the right shape for the Government of Australia. But they start not with the practical or the sensible but with the icing. They could consider the system of honours that we have in Australia. We have moved from a system of imperial honours to a system of honours based on the Order of Australia, but the Order of Australia closely mirrors the old system of medieval England. It is a pale copy of that which pertains in Britain. We have a system that contains no honorifics at all. I put to this Chamber that it is most important, if a nation honours its people, that, amongst the way it honours its people, is to give to them an honorific: the title 'Sir' in England, 'Cavaliere' in Italy and a number of others.

Mr Foley interjecting:

Mr BRINDAL: If the member for Hart would let me, I will explain. This country could have its own honorifics and in so doing honour the indigenous people of this nation. There are words that could be used as honorifics for us all as a tribute to people which meant that they were unique and recognised Australians and also acknowledged the indigenous heritage.

An honourable member interjecting:

Mr BRINDAL: The member for Hart might well make light of the Aboriginal people and our heritage, but I for one believe in reconciliation at more than the tokenistic level that is currently being offered by the hypocrites in Canberra who dish out the money and then let us watch on television while people literally starve to death in the Northern Territory or suffer for want of health care. If the member for Hart thinks it is a joke, let him tell the people of South Australia what a mob of hypocrites he supports in Canberra. If he does not, let him be quiet and listen: he might learn something.

I stand by the fact that I think we could have a new system of honours, based on Aboriginal words, and I would not be ashamed to be accorded such an honour. We could create something decent and uniquely Australian—a partnership between the indigenous people and all of us who are now inheritors of that tradition. I believe that that is the way we should go.

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

Ms STEVENS (Elizabeth): I want to refer to the transfer of heavy vehicle courses about which during Question Time the member for Ross Smith asked a question of the Minister for Employment, Training and Further Education. I have been approached by a constituent who is most concerned because he is a student in stage 2 and stage 3 heavy vehicle mechanic classes, which have been moved from the Croydon college to O'Halloran Hill. He is doing an apprenticeship at R & L Diesel Services at Elizabeth West. He started his course at the Para Institute of Vocational Education and Training at Elizabeth, and then moved to Croydon, and he has now been informed that he will have to go to O'Halloran Hill to do the course next year.

My constituent sent to me an internal memo from the department informing staff and apprentices of a range of changes to course locations. That particular course was moved to O'Halloran Hill not only from Croydon but also from Whyalla and Mount Gambier. The memo also outlines other changes in relation to automotive mechanic classes, which will now be provided at Port Augusta, Elizabeth, Croydon and Mount Gambier and no longer offered at Port Pirie and O'Halloran Hill. The memo further states that stages 2 and 3 of brake mechanic and light engine mechanic classes will be provided at Croydon.

I understand that sometimes there is a need to rationalise and to reorganise where courses are to be placed, but I have been told that there is a number of problems with this course. First, heavy vehicle mechanic classes depend on relating with heavy vehicle mechanic operations. The point that both my constituent and his father make is that at O'Halloran Hill there are no such industries close by, whereas all the workshops are located near the Croydon College at Regency Park and north of Regency Park. Another point they make is that, because these industries are located north of the city from Regency Park, that is where apprentices are employed. So these young people, like my constituent who lives at Elizabeth, have to travel to O'Halloran Hill to do the rest of the course, having started it close to the city.

My constituent has outlined to me some of the problems for him and others who live on my side of town, such as the cost of travel, and the distance and safety involved in public transport, which they now have to take from Elizabeth to O'Halloran Hill, which is a long way.

An honourable member interjecting:

Ms STEVENS: Yes, it is a shame. This student also notes that they are no longer covered for workers' compensation during journeys because of changes to WorkCover. Generally speaking, there is a great deal of inconvenience and extra cost for him and others. In answer to a question during Question Time, the Minister spoke about the needs of unemployed youth and the need for courses and training to improve the options and chances for young people. It seems to me and to my constituents that this move severely disadvantages people because they will have to travel long distances. People in areas such as mine do not have a lot of money, there are few people with a second car or young people with cars, and it seems to them that this is pretty unfair. It also seems unfair because they are part way through the course and have no option but to try to complete it. Otherwise, they will be half or two-thirds of the way through their course and not be able to finish it. I am concerned on behalf of my constituent about the sort of consultation and investigation into the needs of students that occurred before this decision was made.

The ACTING SPEAKER (Mr Bass): Order! The honourable member's time has expired. The member for Hartley.

Mr SCALZI (Hartley): I refer to the quota system and women in Parliament. First, I would like to welcome the new member for Taylor and wish her a long career in this place. From the beginning, I have supported an increase in the number of women, not only in this Parliament but in all positions of authority, because if we are truly concerned about equality that should be reflected in the general community. However, I believe that the promotion of quotas contrary to promoting that ideal is a contradiction in itself. In seeking a quota, the opposite effect can occur, because it can be said that someone has been promoted because of the quota and not because of merit.

As one who understands the difficulties that women face in the workplace and in promoting their career advancement while at the same time caring for a family, I appreciate the obstacles that are placed before them, not because I am a woman, obviously, but because I am a man with the responsibility of being a sole parent. I understand their position well, and I believe that we should work hard to reduce the discrimination that exists which prevents women, or indeed any individual, from realising their full potential. So, I support that ideal.

Parliament, as in every other sphere of life, should be truly representative of the general population. However, as I said previously, to promote a particular number is in itself a contradiction. For example, if we were to follow a quota system and say that there should be a certain number of members from a particular background, whether it be a non-English speaking or rural background or other types of professions, that in itself would be fraught with danger. I would not like anyone to attribute my success in being here solely to my particular background. Joe Scalzi, the member for Hartley, represents the broad electorate. I believe that Joe Scalzi supports not only the men in his electorate but, indeed, also the women. If I were to fail to represent the women of my electorate I should not be here. What we need is women who are sensitive to men's issues and men who are sensitive to women's issues. We need people in this place who are truly representative of the broad spectrum of society.

Mr Atkinson interjecting:

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

Mr SCALZI: We need people who will work in the interests of the well-being of the community. It is important not only to put into power more women but in doing so to ensure that the majority of women are empowered by their elevation because, if the majority of women are not, we are not only failing in the cause but also failing half of humanity. What the ALP or any Party does is its business; I am merely stating an opinion because, as a member of Parliament, I have been asked by many students in my electorate what my position is, so I thought I would make that clear. I would like to finish with a quote by John Ferguson, as follows:

> If you are male and planning to become a Labor MP, it's time to see a career counsellor. . .

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

Mr LEGGETT (Hanson): Without wishing to sound repetitive, like most members opposite, in particular the member for Spence, I draw the attention of this House once again to yet another article in the *Advertiser* promoting mercy killing or voluntary euthanasia. An article on 22 October had alluded to terminating a man's life in Holland, this having taken place live on prime time television. It involved the termination of a life in exactly the same way as we kill a dog or a cat. The only difference here is that the man had instructed the doctor to make sure that he did not put it off.

Obviously this man was desperately ill with an incurable muscular disease or disorder. I make two points here. First, apart from the doctor's act in terminating the patient's life—and I believe that is playing God—it was very wrong to perform the mercy killing, as I have said before in this House, live on television. Secondly, as I have also mentioned previously, over many years—about 30 years, although I can go back a bit further than that (but not much further)—as a nation we have been desensitised into accepting many types of programs, including films, music and other rubbish, which would never have been accepted two, three or perhaps four decades ago.

Having voiced my displeasure and concern at this controversial event in Holland being brought into the family living room, I was amazed to read in the *Advertiser* of Saturday 12 November that this same event will be replayed on Channel 9 in Adelaide on Thursday 24 November at 8.30 p.m.—on prime time television. In the press report in question, television writer Simon Yeoman reports that the documentary, which is called 'Death on Request', will be shown throughout the Channel 9 network—I think throughout Australia, but certainly in Adelaide—commercial free for one hour, obviously so that it can have a maximum influence, impression or what they obviously hope is a tremendous impact on viewers. A Channel 9 spokesman said:

> It's up to the people in Adelaide to form their own opinion on euthanasia by watching this program.

I believe that Channel 9 is very wrong to highlight such an event. Many young people and teenagers, many with their own problems brought about by society's laxity on questions of law and morality, will be able to watch this event. I therefore ask the management of Channel 9 to withdraw the program. I ask the people of South Australia, irrespective of their view on this issue, to think about the impact it could have on young people in our society. I believe that it will have a very detrimental effect.

We need to protest at the showing of 'Death on Request' on prime time television in South Australia. I believe it is in very poor taste. I agree wholeheartedly with the views that were expressed in the same article by the Director of the Southern Cross Bioethics Institute, Dr John Fleming, when he called the documentary 'a wonderful piece of propaganda for the euthanasia movement'. Dr Fleming also stated that it would not show people killed in Holland without their knowledge, a percentage which Dr Fleming believes, according to a Dutch Government report, could be as high as 55 per cent.

I know that there are two sides to any issue. Obviously I happen to be opposed to voluntary euthanasia. Although I do not agree with the supporters of euthanasia, I respect their views. However, I believe that to show the program on television is wrong. Again I ask the channel to replace it with another program. Might I suggest to Channel 9, for the sake of the Minister for Infrastructure, the Minister for Education and the member for Frome and myself, that it be replaced with a replay of the 1983 Grand Final when West Adelaide won the premiership!

Mrs GERAGHTY (Torrens): Yesterday afternoon the member for Mawson continued the poor form of members opposite. He stooped into that black pit that members opposite seem to stoop into quite often. In this place I have encountered first-hand attacks of a discriminatory kind. I do not recall, before coming to this place, previously encountering any form of sexual discrimination, but I certainly have in here. In the year of the celebration of the suffrage of women, we find that this disgraceful activity continues and is encouraged by members opposite.

I will not repeat the unpleasant and outrageous comments directed at me by another member but I will say that they were unwarranted, offensive and best forgotten. Now we have the member for Mawson having a go. I will comment on his poor attempt to intimidate me. This member has decided that I am fair game. Well, I am not. His attack was unfounded and, as I have indicated, denigrates the integrity of this place. After reflecting on some of his past contributions I have come to the belief that he has little to say that has any credence, and so he has decided to attack me and my relationship with my spouse—a spouse of whom I am very proud. I state for the record my pride in a man who took his union into the 1990s and gave great commitment to improving benefits to workers. No game playing by this man: he works for his members. His members come before politics, as they should.

Let us talk about the member for Mawson. He now indicates to this House that spouses are fair game. How would he react if his family were drawn into debate in this place and used as political fodder? I bet he would be on his feet bellowing like a wounded bull. I would like to discuss the issue that he raised about the signing of a document. It is a pity that he did not check the facts for himself, that he relied on the information of his mates. Well, the information was wrong. I also must correct his lacklustre attempt to attack the union movement with what were wussy and trashy arguments—and he did not even get those right. He (or whoever wrote his grievance contribution) has no knowledge of the union movement.

It is obvious that this Government continues to erode and undermine the rights of workers and their conditions. From the constant union bashing of members opposite, it is easy to gain the impression that this Government believes workers are fodder to be treated as appendages to business solely to make a profit.

Mr Brokenshire interjecting:

Mrs GERAGHTY: That is certainly what you have been indicating. The Government claims that it has created jobs—so many jobs!—but it does not talk about the jobs that have been lost. This Government claimed that not it but the unions put people out of work because the unions did what their members wanted (they actually stood up for their members and fought to protect their hard earned rights which were won over many years). This Government does not want workers to have those rights, and neither does the member for Mawson. Better to get rid of the workers! Let us force them to sign contracts and get them to work so that they suit the profit motive! If they should injure themselves through unsafe work practices there is no need to worry because the Government has put so many out of work that there will be others to take their place! Fancy having the cheek to call this 'good government'! Good for whom? Certainly not for South Australians.

Let us talk about the Torrens by-election. I just love talking about it. Obviously, so do Government members—but I am not sure why. I know that members opposite are still smarting over the fact that Labor won—and won convincingly. The Government feels a great deal of pain when it talks about Torrens, because I won it at a time when the Government was in its honeymoon period.

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

Mr ROSSI (Lee): In this debate I will address the Labor Party's contribution towards the breaking up of the family unit. I received a letter from constituents on 25 October 1994 which states:

> You cannot begin to imagine the trauma, hurt, disappointment and anger that my husband and myself are experiencing at this moment.

It goes on to state that a daughter who was attending year 9 at school had left home to sleep with her boyfriend. It goes on:

> Her father asked her to try to start finding work, to do something with her life other than sit and wait to hear or see J.

'J' is the boyfriend. She goes on:

> I was once 16, I know what she is going through. Teenagers are very selfish; they don't stop to consider the feelings of the rest of the family, only their own...

Then it goes on further:

> My husband contacted the Port Adelaide police, and the officer my husband spoke to knew J. The police officers asked J and his mother where V was—

'V' is the daughter—

> They denied all knowledge of her whereabouts. For five days we had no knowledge of her whereabouts or her safety. We were eventually told she was safe and well at a safe place.

She then goes on to describe whom she was associated with and a little bit of background about the family. The letter continues:

> As I informed Glen Jarvis [who is my assistant], J's mother B is a single parent. She has three children, J and A (who were removed from her custody by welfare)—

An honourable member: Is it Federal or State?

Mr ROSSI: It is State, because the police apparently did not inform—

Members interjecting:

The ACTING SPEAKER: Order!

Mr ROSSI: This is a law the few members on the other side of the Chamber passed when they were in Government.

Members interjecting:

The ACTING SPEAKER: Order! The member for Lee has the call.

Mr ROSSI: The letter continues:

> This boy—

this is the boyfriend—

> is 17, unemployed, on medication for paranoid schizophrenia and, according to his mother, dyslectic as well. He likes to roam the district with his mates and do graffiti (V has told me this herself).

The letter also states:

> I am disgusted with this whole situation, and that a law passed in Parliament has allowed this to happen.

Later, the letter states:

> I have been told they are taught all their rights at school; they tell each other, 'If you don't like being at home you can leave and be given money.' I want this Government and Social Security and welfare agencies to open their eyes to what is really happening. This is destroying the family life and breeding a generation of social misfits. This is our future? My daughter is not street-wise; she is not mature enough to make a decision like this, regardless of what the law says. I think this law should be changed to 18 years of age—

Of course, people under 18 can leave home and the parents have no right—

Mr Atkinson: What do you say?

The ACTING SPEAKER: Order! The member for Spence is out of order. I ask him to sit and listen.

Mr ROSSI: It continues:

> . . . especially where there is no sexual abuse or physical abuse, which is considered adult age. She can't get married or drink alcohol at 16 years of age, but she can leave home. Do you consider my daughter living two houses down from her boyfriend a safe environment?

I have complete sympathy for the mother and father of this child who, as is apparent from the rest of the letter, have done their best for the safety, welfare and education of their daughter. Yet, because of the laws that were passed by Labor to give every child a choice—

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

CORRECTIONAL SERVICES (PRIVATE MANAGEMENT AGREEMENTS) AMENDMENT BILL

Returned from the Legislative Council with the following amendments:

No. 1. Page 2, lines 18 to 34 (clause 3)—Leave out the clause.

No. 2. Page 3, lines 16 and 17 (clause 6)—Leave out 'management of a prison or for the carrying out of any other of the Department's functions' and insert 'carrying out of any of the Department's functions other than the management of a prison or the management, control or transport of prisoners'.

No. 3. Page 3 (clause 6)—After line 17 insert new subsection as follows:

(1a) Subsection (1) does not preclude the Minister from entering into a management agreement for the provision of any of the following services:

(a) catering services;
(b) laundry services;
(c) education, training or counselling services;
(d) prison industry services;
(e) maintenance services.

No. 4. Page 4, lines 13 to 17 (clause 6)—Leave out paragraph (k).

No. 5. Page 4, lines 20 and 21 (clause 6)—Leave out paragraph (a).

No. 6. Page 6, lines 4 and 5 (clause 6)—Leave out all words in these lines.

No. 7. Page 6, lines 6 to 32 (clause 6)—Leave out new sections 9E and 9F.

No. 8. Page 7, lines 16 (clause 6)—Leave out 'an authorised employee or' and insert 'a'.

No. 9. Page 7, line 20 (clause 6)—Leave out 'an authorised employee or' and insert 'a'.

No. 10. Page 7, line 22 (clause 6)—Leave out 'an authorised employee or' and insert 'a'.

No. 11. Page 7, lines 24 to 26 (clause 6)—Leave out paragraph (d).

No. 12. Page 7, line 28 (clause 6)—Leave out 'an authorised employee or' and insert 'a'.

No. 13. Page 7, line 30 (clause 6)—Leave out 'an authorised employee or' and insert 'a'.

No. 14. Page 7, line 32 (clause 6)—Leave out 'an authorised employee or' and insert 'a'.

No. 15. Page 7, line 34 (clause 6)—Leave out 'an authorised employee or' and insert 'a'.

No. 16. Page 8, lines 1 and 2 (clause 6)—Leave out 'an authorised employee or'.

No. 17. Page 9, line 1 (clause 9)—Leave out paragraph (e).

No. 18. Page 9, lines 3 and 4 (clause 9)—Leave out paragraph (g).

No. 19. Page 9, lines 5 and 6 (clause 9)—Leave out paragraph (h).

Consideration in Committee.

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

That the Legislative Council's amendments be disagreed to.

Essentially, the amendments that have been put forward by the Legislative Council can be addressed collectively. The amendments all have the same intent—to negative the original intent of the Bill. The amendments proposed by the Legislative Council have the effect of removing all clauses of the Bill that refer to private prison management and all clauses which refer to the transport of prisoners. It is important for members to be aware of what the Bill enables the Government to do. The Bill enables the signing of a single contract for the management of a prison and/or for the management of areas of correctional services business, including prisoner transport. The Government already has the ability, without the Bill, to contract the private sector to provide correctional services. However, the Government does not presently have the ability to sign just one contract for the management of a prison.

In short, therefore, if the Bill passes unamended, the Government would need to sign only one contract with one private sector company before it could manage, for example, the Mount Gambier prison. Should the Bill not pass both Houses of Parliament, the Government would have to sign numerous contracts in order to have a private company manage that prison. In other words, it would create greater administrative overheads for the Government and a slightly higher cost for the taxpayer. However, we have determined that that process will still result in savings to the taxpayer. Clearly, the Government would prefer the Bill to pass in its unamended form, so that we can administratively involve the private sector in a far more convenient manner.

The Bill also does something else which is very important: it provides Parliament with the opportunity to set the terms and conditions of contracts for managing correctional services. It enables Parliament to determine the conditions of the contracts for managing, for example, the new Mount Gambier prison which will be completed on about 23 December. It also allows Parliament to determine whether there should be a monitor in place to oversee those things.

If the Bill does not pass in its unamended form those things go, and the Government is left with the powers it has now to be able to sign contracts on the basis it believes appropriate, without Parliament setting the conditions beyond those that Parliament has set in other legislation to give us our present enabling powers. As this Bill presents Parliament with that opportunity, at the end of the day there is a high chance that it will float between both Houses and we will finish up in conference, negotiating around the table as to what members of both Houses think is a reasonable compromise to provide for the management of private prisons and still allow the Parliament to have input through this legislation.

We are aware that when it was in Government the Labor Party was intending to do just what we have done through this Bill. I have previously advised members of the existence of numerous documents from the previous Government which verify that. I have previously made members aware that the member for Giles, who during the time of the last Government was a Minister for Correctional Services, had a proposal prepared entitled 'Privatisation of Mobilong Prison and Port Augusta Gaol'. That proposal made some interesting statements and, in the context of the amendments before us, those statements need to be read into the record. The paper states in part:

> Between 1982-83 and 1989-90 $110 million was spent on capital works for corrections. Largely this has been to expand accommodation and to replace, redevelop and refurbish substandard custodial accommodation. This is reflected in the annual cost per prisoner which increased from $23 188 to $58 911 in the same period. Further significant funding is projected by 1994-95 to complete the upgrading of prisoner accommodation and to provide for increased prisoner numbers expected at that time. In addition, prisoner projections indicate that planning for a new high security prison will need to commence prior to the 1994-95 financial year.

Members should remember that this document was put together in August 1991. It also states:

> Treasury is concerned that costs in corrections will grow disproportionately to the capacity of the State's budget to meet them. Current projections indicate a 10 per cent increase in real terms in correctional expenditure by 1993-94 and Treasury has suggested that the Government should take the broad policy view that it cannot accept aggregate expenditure of that level.
>
> Privatisation appears to be the only strategy which may achieve substantial savings in the short or medium term.

As I said, those statements were made in August 1991 in a document prepared at the request of the then Minister and it is signed 'Frank Blevins MP, Minister for Correctional Services'.

We are well aware that the then Labor Government had concluded that the steps we are now taking were sensible. The Government understands that the Opposition needs to ingratiate itself with the union movement in this State. We accept that. However, we also believe that the Opposition, if it looks at the intent of this legislation properly, will come to the same conclusion as our legal advisers; that is, we already have existing powers to privatise prisons. However, it is appropriate that the administrative procedures be undertaken efficiently, and this Bill enables that to occur. We cannot accept the amendments put forward by the other place.

Mr FOLEY: I have only a few comments, and I begin by making two quite direct statements: no negotiation, no compromise. That has been the position of the Opposition from the day the Bill was introduced, when we determined our position on this. We are opposed to the privatisation of our State's prison system, and we will maintain that position. We have been consistent from day one. If the Minister chooses to ignore the will of the Parliament, if he chooses to go it alone and enact a regime without the appropriate

legislation, so be it. His tenure as a Minister will be judged on his ability to manage that. If he wishes to go that way, fine. However, I must say, and I must make it very clear, that the tactics undertaken by this Minister over the course of the past few months have been less than appropriate for a Minister wanting, as he would put it, to do a deal with the Opposition.

The Opposition has read consistently in the newspaper the Minister saying that he expects the Opposition to be compromising at any moment. Media people have told us that the Minister or his staff have spread the word amongst various media outlets that the Opposition was going to back down or buckle under his pressure. I make it very clear: we are not a timid Opposition. We are not intimidated by whatever tactic the Minister wishes to employ.

The Hon. W.A. Matthew interjecting:

Mr FOLEY: Would you like to explain what happened?

The Hon. W.A. Matthew interjecting:

Mr FOLEY: Good, because I get feedback from many media outlets. I know that the Minister told a number of them that we would be looking to back down. We have been singularly consistent on this issue: no negotiation; no compromise; and no private prisons. The Minister has to make up his mind whether or not he wants to proceed on that basis. This is his problem, and it is up to him to fix it. This is not of our making. We have told the Government consistently, from the day the Bill was introduced, that we would oppose private prisons. We have not given the Government any indication that we would allow that to occur. If the Minister has proceeded with the tendering process and putting the machinery in place to privatise Mount Gambier prison, that is his problem. He cannot lay it on the Opposition and say that we have complicated his life. We have a position—

An honourable member interjecting:

Mr FOLEY: You talk about a mandate. The Minister made it very clear in Mount Gambier a month or two before the last State election. I recollect him saying that the Liberal Party would not privatise the State's prisons, that it was some sort of wild rumour that had been started by the then Labor Government. I hold the Minister to the words he used on Mount Gambier radio. The discussion papers prepared in 1991 under the former Government and cited by the Minister are irrelevant. When I was the shadow Minister, I determined a policy position. We now have a new shadow Minister who chooses to continue that policy position. It is quite clear.

An honourable member interjecting:

Mr FOLEY: Yes, he does intend to continue that policy position. If you have other views on that, let us hear them. There will be no negotiation, no compromise and there will be no back down. A majority of members of Parliament in the other place have indicated that they oppose private prisons. It is our democratic right to have a position. We will not be intimidated; we will not be stood over; and we will not support the privatisation of our State's prisons.

The Hon. W.A. MATTHEW: Regrettably the honourable member makes a number of points that require a response. Of course, the honourable member is new to this Chamber and unfortunately does not understand some of the protocols of the parliamentary process and the way in which the Bill has been negotiated. However, as he has gone as far as he has, some other things need to be put very firmly on the table. We are debating this Bill today for one reason and one reason alone: a request from the Labor Party, through the new shadow Correctional Services Minister, the Hon. Terry Roberts in another place. He requested that we delay the Bill by two weeks to enable the Labor Party to consider its position. That is why we are at the stage we are at now—for no other reason. Had that not happened, the Bill would have continued to be debated when the other place sat some two weeks ago, and the matter would have been resolved at that time. As I said, regrettably, the new member does not adhere to the protocols and the normal processes of Parliament, and it would appear also that he has not been talking to his colleague in the other place.

What we are witnessing today is an extreme act of hypocrisy. The Labor Party is saying, 'We must look good to our union mates, so we will stand tough.' That is what the Labor Party is saying, despite the fact that the Goss Labor Government in Queensland at this time is considering its third private prison. Why? Because it works; because it has saved that Government a considerable amount of money in correctional services; and because it has saved that Government many of the overheads it has previously had to cover by providing it with an opportunity to deliver better rehabilitation and education within the prison system.

The honourable member said that this is not a problem of the Opposition's making. Never has a more untrue statement been made in this place. The simple fact is that, as a direct result of the policies of the former Labor Government, correctional services in South Australia cost 25 per cent more than the average of all other States at the time the Liberal Government came to power. The Labor Party cannot now turn around and say the problem is not one of its making. Of course the problem is one of its making. It maladministered the Department for Correctional Services for a decade. During that decade it spent $160 million on capital works programs, and approximately $60 million of that was wasted on facilities that were inappropriate for this State. That is Labor's mess that the Government is picking up and turning around.

Now the members of the Labor Party arrogantly stand in this House and say that it is not a mess of their making and that they will not be bludgeoned. It is not a matter of bludgeoning. It is a matter of honour, integrity and negotiating sensibly in the interests of this State. That is what Parliament is about. The Labor Party has delayed the Bill for two weeks, through an offer of good faith on its part and on mine, and now it seeks to turn its back on it. If that is the way it is, it is a disappointing Parliament that we will head toward in the future. The Government cannot accept the amendments before us.

The Committee divided on the motion:

AYES (32)

Andrew, K. A.	Armitage, M. H.
Ashenden, E. S.	Baker, D. S.
Baker, S. J.	Bass, R. P.
Becker, H.	Brindal, M. K.

AYES t.)

Brokenshire, R. L.	Brown, D. C.
Buckby, M. R.	Caudell, C. J.
Cummins, J. G.	Evans, I. F.
Gunn, G. M.	Hall, J. L.
Ingerson, G. A.	Kerin, R. G.
Kotz, D. C.	Leggett, S. R.
Lewis, I. P.	Matthew, W. A. (teller)
Meier, E. J.	Olsen, J. W.
Oswald, J. K. G.	Penfold, E. M.
Rosenberg, L. F.	Rossi, J. P.
Scalzi, G.	Such, R. B.
Wade, D. E.	Wotton, D. C.

NOES (10)

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

Majority of 22 for the Ayes.

Motion thus carried.

STATE DISASTER (MAJOR EMERGENCIES AND RECOVERY) AMENDMENT BILL

Received from the Legislative Council and read a first time.

DOG AND CAT MANAGEMENT BILL

The Hon. D.C. WOTTON (Minister for the Environment and Natural Resources) obtained leave and introduced a Bill for an Act to provide for the management of dogs and cats; to repeal the Dog Control Act 1979; to make a consequential amendment to the Local Government Act 1934; and for other purposes. Read a first time.

The Hon. D.C. WOTTON: 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.

The purpose of the *Dog and Cat Management Bill* is to implement the following changes:

A. A transfer of the full administrative responsibility for dog control from State Government to Local Government.

B. Amend existing regulatory provisions and include additional provisions relating to the management of dogs.

C. Include new provisions for the identification, control and regulation of cats.

A. Transfer of Administrative Responsibility

The amendments dealing with this issue are predominantly as contained in the Negotiated Agreement dated February 1994 between State and Local Government. Some additional provisions have, however, been incorporated to more specifically provide for the proper and efficient performance of various administrative functions.

1. The current *Dog Control Act 1979* (the "current Act") establishes a Dog Advisory Committee (the "Committee") whose principal function is to advise the Minister and Local Government in relation to administrative and policy issues relating to dog management in the State. This committee does not have body corporate status under the current Act and its powers are fairly limited.

A Dog and Cat Management Board (the "Board") will be established as a body corporate under this Bill. The Board will have greater powers than the existing Committee, including the power to perform the following functions:

- Contract and hold property in its own name
- Advise Local Government on a wide range of issues relating to dog and cat management, including the development of dog and cat management programs.
- Distribute funds collected on behalf of the Dog and Cat Management Fund for purposes associated with the administration of dog and cat management.
- Make recommendations on the setting of fees under the legislation.

The establishment of the Board as a body corporate is consistent with current practice to grant greater autonomy, power and responsibility on statutory organisations. The Board will be fully responsible for the proper exercise of that power and subject to the ultimate direction of the Minister.

The Board will submit an annual report to the Minister and to Local Government. This will be tabled in Parliament. The Board may also be required to present a budget and operational plan to the Minister.

The principal function of the Board will be, in essence, to assist and liaise with Local Government in the administration of dog and cat management and to achieve a high standard of quality and consistency in the management of dogs and cats in this State.

2. The Dog Control Statutory Fund has been renamed as the Dog and Cat Management Fund. An additional provision will be included in Regulations to require district councils to pay a percentage of dog registration fees to the Dog and Cat Management Fund. Currently, only metropolitan councils make payments to the Fund and district councils are exempted. However, the expanded function of the Board will result in country councils obtaining new and useful benefits from the Board in the form of advice and general assistance and it is considered appropriate that those councils make payments to the Fund. This was agreed in the Negotiated Agreement and the Board will determine the actual amount of the percentage of fees to be paid by councils.

3. The composition of the Board will be made up of six members of whom:

- five will be nominated by the Local Government Association; and
- one will be nominated by the Minister

It is therefore clear that the Board will have the representation to be able to successfully consider and act upon the requirements of Local Government, which is in keeping with the transfer of responsibility for the management of the new Act to Local Government. All nominations are to be appointed by the Governor.

B. Amend existing regulatory provisions.

A large number of provisions have been amended following a very detailed examination and review of the current Act, incorporating submissions made by the Local Government Association and councils over a number of years.

The amendments include the following:

1. Definition of Effective Control

The definition of effective control is expanded to provide that a dog will be deemed to be under effective control if the dog is:

- effectively held or tethered by a chain, cord or leash not exceeding two metres in length;
- contained in a vehicle or other structure, although untethered dogs will be permitted to be transported and kept in utility vehicles;
- effectively controlled by the command of a person who is in close visible proximity to the dog.

2. Powers and responsibilities of authorised persons

The following variations and additions have been made to the appointment, powers and responsibilities of authorised persons under the new Act:

- Councils arrangements in relation to the appointment of dog management officers must be satisfactory to the Board. It is also intended that the Board will oversee the suitability of appointees.
- The Board may issue guidelines and advise councils about appropriate training for dog management officers.
- Councils or dog management officers may seek assistance from dog management officers from another council area in the enforcement of the provisions.
- An additional power has been included to allow dog management officers to operate in areas outside their council area where it is necessary to investigate matters relating to the administration or enforcement of the Act in their own council area. This amendment simply acknowledges and authorises the practice of dog management officers crossing council boundaries in the administration and enforcement of the Act.

3. Use of pounds by councils

Council arrangements for the detention of dogs under the Act must be satisfactory to the Board. The Board may set standards for the facilities used. It is envisaged that arrangements between councils and pounds may extend to the collection by the pound of expiation fees for dogs wandering at large, and detention and maintenance fees. It is also envisaged that in certain instances the pound may be engaged by the council as a registration agent for the council. This would greatly assist councils in the efficient administration of dog management and provide greater flexibility to councils and pounds in jointly managing dogs in a manner appropriate to the abilities and resources of particular councils.

4. Registration of dogs

- Provision has been made for expiation notices to be repeatedly issued at fourteen day intervals if a person fails to register a dog.
- The minimum age of registration has been lowered from six months to three months. It is expected that this will assist in decreasing the number of young, unidentified dogs impounded.

- The owner of a dog registered interstate who brings that dog to South Australia must, on request, produce evidence of registration.
- Breeding or training kennels and businesses using dogs to provide security or other services will not be required to individually register the dogs but will be required to pay the council a 'total' registration fee appropriate to the number of dogs kept or used. This will improve the efficiency and ease with which businesses and councils may implement the registration requirements under the Act.
- Boarding kennels will not be required to register unregistered dogs held for boarding, but will be required to maintain records of dogs kept at the kennel and provide the records to the council.
- Additional requirements have been included to require a dog's owner to give notice to the council in which the dog was registered if any of the following occur:
  (a) the dog is moved to different premises;
  (b) the dog is transferred to another person; or
  (c) the dog dies or is missing for 72 hours.
  This notification will greatly assist councils in maintaining records of dogs in their areas and in administering registration requirements.

5. Collars and registration discs

The requirement to have the name and address of the owner of a dog attached to the collar of the dog has been deleted. This will be optional.

The current exemption found in the regulations that dogs need not wear a collar and disc in public if held on a slip chain collar will not be retained.

6. Seizure of dogs

The current provision dealing with the seizure and detention of dogs wandering at large has been expanded and amended as follows:

- Provision has been made for the seizure of dogs by a dog management officer if the dog has attacked any person or animal or is unduly dangerous or if it is necessary to do so to ensure that a destruction order is carried out. The current Act allows a dog to be seized if it is unduly dangerous but does not regulate procedures following seizure.
- There are more stringent requirements for the collection of dogs that have been seized to allow councils or pounds to seek proof of authorisation of a person collecting a dog.
- More detailed procedures have been specified for the detention of dogs and notification to and rights of owners of dogs which have been seized. These procedures are generally consistent with the current Act.
- Provision has been made to allow dog management officers to destroy severely sick or injured dogs in urgent circumstances where a veterinary surgeon or stock inspector is not available. This amendment is necessary in remote areas where it is not possible to follow the usual procedure of obtaining a certificate from a veterinary surgeon or stock inspector authorising the destruction of the dog.

7. Protection from dog attacks

An express power has been included to allow a person to destroy or injure a dog if that is reasonable and necessary for the protection of life or property. The existing provision does not operate this widely, although similar provisions to that proposed are contained in dog legislation in most other States. Currently, a person must notify the police if he or she destroys a dog. The Bill expands this requirement to require that the council in whose area the dog was destroyed and, where possible, the owner of the dog, are notified as well.

The right to destroy any dog found on an enclosed property where livestock are present has been expanded to provide that the reference to livestock includes all farmed animals. This is necessary as the provision in the current Act permits the destruction of a dog found, for example, on a sheep property, but does not permit destruction of a dog found on certain other types of farming properties, such as an emu farm.

Provisions in the current Act dealing with destruction of dogs in National Parks and the baiting of dogs have been maintained.

8. Dogs infested with parasites

The provision in the current Act dealing with the treatment and destruction of dogs infested with parasites has been deleted in the Bill because this is more suitably and comprehensively dealt with under the provisions of the *Prevention of Cruelty to Animals Act 1985*.

9. Muzzling of greyhounds

Greyhounds are only to be permitted to be unmuzzled whilst training, exercising or racing if they do so with the consent of the owner or occupier of the land.

10. Prescribed breeds

An additional requirement has been included to prohibit persons giving away a dog of a prescribed breed. The current provision only prohibits the advertising and sale of prescribed breeds and is considered to be too limited in its scope.

11. Dangerous dogs or dogs creating a nuisance—council orders

An entire new Division of the Bill empowers councils to issue orders relating to dogs which are dangerous or create a nuisance. An order may be made if the dog has attacked or harassed a person or an owned animal or has created a nuisance through noise. The order may comprise an order for destruction, an order to confine the dog, an order to muzzle the dog in public or an order to take steps to stop the dog barking.

Owners or persons responsible for the control of the dog must be given notice of the impending order and a chance to make submissions on the matter to the council.

The owner or person responsible for the control of the dog has a right of appeal to the Administrative Appeals Court against the issue by a council of an order or a refusal to revoke an order.

To provide councils flexibility to make the orders relevant to the particular circumstances in which the dog is kept, the Bill provides councils the ability to issue directions as to how the order may be complied with. The directions are not mandatory but if a person chooses to comply with the directions no prosecution for contravention of the order may be taken.

The purpose of this new provision is to enable councils to resolve complaints and disputes concerning dog behaviour at a local level without the need to take court action in all instances. It is expected that this system will provide for a less costly and more immediate handling of the majority of complaints. However councils will still have the option to prosecute owners of dogs or issue expiation notices if that is appropriate.

12. Court orders

The circumstances in which court orders may be made has been expanded, as has the range of orders that may be made. An appropriate order may be made in any criminal proceedings under the Bill, in any civil proceedings relating to injury or loss caused by a dog or on direct application by any person.

13. Expiation of offences

The provisions in the current Act dealing with the expiation of offences have been deleted in the Bill because these are adequately dealt with by the *Expiation of Offences Act 1987*. Expiation is provided for in all appropriate cases.

C. Cat identification and control

1. Purpose

The Bill provides legal status to owned cats which are identified. This is the minimum legislation which is likely to be effective. Without this, no other controls can be put in place. It will also provide protection for Councils who wish to control unidentified cats without threat of civil liability. Legal status and admission of ownership of cats will form an important connection between legislation and any feral cat control mechanisms developed. It is hoped that it will also decrease the overflow from the owned to the feral population. The review of the *Dog Control Act* has provided the ideal opportunity to link dog and cat legislation.

Some form of biological control is seen to be the most likely feral cat management tool to become available. It has been predicted that a suitable agent will be not be developed for at least ten years. If a biological agent is developed, responsible ownership and possibly vaccination, will be essential for the protection of owned cats. To change community attitudes to this extent is likely to take considerable time and be a gradual process. The link between feral cats, pet cats and their management will need to be monitored.

2. Education

The Dog and Cat Management Board will recommend educational and other initiatives to the Minister and the Local Government Association. The emphasis should be on responsible pet ownership.

3. Cat Provisions of the Dog and Cat Management Bill

The proposed Bill outlines cat management. This would require that all owned cats be identified by tag, collar or other means as outlined in the Regulations. It is proposed that the regulations will also recognise an "M" tattooed in the ear to indicate that the cat is microchipped.

Any cat in an area covered by the *National Parks and Wildlife Act* or the *Wilderness Act* may be destroyed by a person authorised by those Acts. Cats in designated private sanctuaries can be de-

stroyed by the owners of the sanctuaries or their agents. Cats found in a place that is more than 1 kilometre from any place of residence may be destroyed.

Persons authorised under the *Veterinary Surgeon's Act*, the *Animal and Plant Pest Control Act*, the *Crown Lands Act* and the *Prevention of Cruelty to Animals Act*, will be permitted to trap or destroy unidentified cats in line with their normal functions.

If, in any circumstance, an identified cat is destroyed, the owner must be notified if possible.

In other cases, a person would need to trap a cat and check it for identification. If identified, it is to be released; if not, it must be delivered within 12 hours to a vet, council officer, RSPCA or Animal Welfare League where it may be destroyed, rehoused or released.

Cats can only be removed from any property with the consent of the land-holder. It is an offence under the Bill to hinder a person acting in accordance with the legislation; or to remove the identification from a cat.

The Dog and Cat Management Board will receive information from or comprise representatives of State Government, Local Government Association, Australian Veterinary Association, Animal Welfare League, RSPCA, independent experts on pet promotions, a Ministerial representative, persons with expertise in wildlife issues and knowledge of current developments in feral cat control; and the Dog and Cat Breeders Associations.

5. Review

The Board will review the cat legislation on an ongoing basis. If further initiatives are considered necessary, they will be recommended to the Minister.

6. By-laws

Councils will retain the ability to pass by-laws to regulate the number of cats on a property or institute other controls deemed necessary in their area.

7. Summary

The only way any plan can be effective is through the support and co-operation of the community. An open consultative approach by all levels of Government is the best way of ensuring future success. It is apparent that no strategy will satisfy all interested parties. However, a moderate approach using minimal regulation and maximising education is more likely to produce long term results. Some interest groups will consider the Strategy "wishy-washy", others will consider it to be "draconian". Identification is a major though relatively inoffensive legislative requirement. This strategy provides a framework for addressing the cat problem which is likely to receive general public acceptance.

I commend the Bill to honourable members.

Explanation of Clauses

PART 1

PRELIMINARY

Clause 1: Short title

Clause 2: Commencement

Clause 3: Interpretation

The following matters follow from definitions contained in this clause rather than other substantive provisions of the Bill:

· As in the current Act, the Outback Areas Community Development Trust is treated as a council and so has responsibilities under the Bill (see the definitions of area and council).

· The regulations may prescribe bodies that are to be treated as councils in respect of a specified area for the purposes of the Bill. This is to allow flexibility to provide for Aboriginal management of dogs and cats on Aboriginal lands if that is considered necessary or appropriate.

· As in the current Act, police officers are dog management officers for the purposes of the Act.

Cats: Definitions that relate exclusively to Part 7 are: cat, cat management officer, identified cat and unidentified cat. The definition of dispose of is also particularly relevant to Part 7.

Clause 4: Owner of dog

Clause 5: Person responsible for control of dog

The current Act refers throughout to the person responsible for the control of the dog. Section 34 sets out that generally this is the owner of the dog, the occupier of premises at which the dog is kept and any person who has possession or control of the dog.

The Bill makes it clear on its face that both the owner and any other person responsible for the control of the dog have responsibilities to ensure that the dog is properly controlled and does not cause danger or nuisance.

The person in whose name a dog is registered or has last been registered continues to be taken to be the owner of the dog, as does a person in apparent ownership. The occupier of premises where a dog is kept continues to be held responsible for the dog.

The provisions in these clauses reflect the provisions currently contained in s. 34 and s. 46(3), including various evidentiary aids.

Clause 6: Dog wandering at large

The current offence related to a dog wandering at large is retained, as is the ability of dog management officers to seize dogs wandering at large. This section defines what is meant by wandering at large and mirrors the provisions currently contained in s. 35 except that a dog placed in the open tray of a utility or like vehicle is not to be considered to be wandering at large.

Clause 7: Effective control of dog

The equivalent provision in the current Act is s. 5(2). The new definition differs in the following respects:

· if control is by means of a leash or command, the person is required to actually exercise effective control (implicit in this is that the person must be capable of exercising control);

· any leash used for control must not exceed 2 metres;

· the dog may be under effective control if it is confined to a cage, vehicle or other structure;

· if a dog is not leashed but is responsive to command, the dog must be able to be seen by the person issuing the commands.

The expression is used in relation to—

· dogs wandering at large;

· defining the application of the offence for a dog not wearing a collar;

· defining offences relating to prescribed breeds and greyhounds;

· defining the terms of orders issued by councils under the Act (such orders are a new concept introduced in the Bill).

Clause 8: Application of Act to dogs owned by Crown

Dogs owned by or on behalf of the State or Commonwealth Crown and used for security, emergency or law enforcement purposes are not required to be registered and cannot be made the subject of a council or court order under the Bill. This provision is necessary as section 20 of the *Acts Interpretation Act 1915* now provides that generally the Crown is bound by legislation.

PART 2

DOG AND CAT MANAGEMENT BOARD AND FUND

DIVISION 1—ESTABLISHMENT OF BOARD

Clause 9: Establishment of Board

The *Dog and Cat Management Board* is a body corporate that is an instrumentality of the Crown. The Board takes the place of the *Dog Advisory Committee*. The body is differently constituted, its functions expanded and it is given control of the Fund associated with the Bill.

Clause 10: Ministerial control

Any directions given by the Minister to the Board must be in writing, must only be given after consultation with the LGA and must be included in the annual report of the Board.

DIVISION 2—MEMBERSHIP OF BOARD AND PROCEDURES

Clause 11: Composition of Board

There are to be 5 LGA nominees and 1 Minister's nominee. The LGA must consult the following bodies when making a nomination for 2 members to represent the interests of the community:

· Animal Welfare League

· RSPCA

· South Australian Canine Assoc Inc

· Australian Veterinary Assoc.

Clause 12: Deputies of members

Deputies may be appointed on the same basis as members.

Clause 13: Conditions of membership

The term of appointment is up to 3 years, though members may be reappointed.

The Minister may recommend to the Governor that a member be dismissed at his or her discretion although the Minister must consult the LGA before doing so.

Clause 14: Vacancies or defects in appointment of members

Vacancies and defects are not to invalidate acts of the Board.

Clause 15: Remuneration

The Governor is to determine remuneration of members. Payment will be from the Fund established under Division 4.

Clause 16: Proceedings

Four members constitute a quorum. The presiding member has a casting vote. In general terms the Board may determine its own procedures.

Clause 17: Disclosure of interest

A member is required to disclose potential conflicts which must be recorded in the minutes, notified to the Minister, and recorded in the annual report. The Minister may (after consulting with the LGA) direct a member to divest himself or herself of an interest or office

or to resign from the Board.

Clause 18: Common seal and execution of documents

Clause 19: Immunity of members

DIVISION 3—OPERATIONS OF BOARD

Clause 20: Functions of Board

The Board has the following functions:

· to plan for, promote, and provide advice about, the effective management of dogs and cats throughout South Australia;

· to oversee the administration and enforcement of the provisions of the Act relating to dogs, including—

· monitoring the administration and enforcement of the Act by councils; and

· issuing guidelines or providing advice to councils about—

· planning for the effective management of dogs;

· training for dog management officers;

· the appropriate level of administration and enforcement in the circumstances prevailing in the area;

· the issuing of orders or related directions under the Act;

· the standard of facilities used for the detention of dogs under the Act;

· the keeping of registers under the Act and the issuing of certificates of registration and registration discs;

· any other matter related to the administration or enforcement of the provisions of the Act relating to dogs; and

· otherwise providing support and assistance to councils;

· to advise the Minister or the LGA, either on its own initiative or at the request of the Minister or the LGA, on the operation of the Act or issues directly relating to dog or cat management in South Australia;

· to undertake or facilitate research relating to dog or cat management;

· to undertake or facilitate educational programs relating to dog or cat management;

· to keep the Act under review and make recommendations to the Minister with respect to the Act and regulations made under the Act;

· to carry out any other function assigned to the Board by the Minister or by or under the Act.

Clause 21: Powers of Board

The powers include the power to establish advisory committees and the power to require councils to provide certain information.

Clause 22: Operational plans, budgets and information

The Minister may require the Board to present plans and budgets or other information. The Board is not to expend money outside the budget without the approval of the Minister. The Minister must consult the LGA before approving a budget or expenditure outside the budget.

Clause 23: Annual report

The annual report must be forwarded to the Minister, the LGA and each council. The Minister is required to table the report.

DIVISION 4—DOG AND CAT MANAGEMENT FUND

Clause 24: Dog and Cat Management Fund

The *Dog and Cat Management Fund* takes over from the *Dog Control Statutory Fund*. The prescribed percentage of dog registration fees received by councils will be paid into the Fund. (Currently under the regulations only metropolitan councils are required to contribute. It is intended that all councils will contribute under the Bill.) The Fund is to be the responsibility of the Board. The Fund may be used—

· towards the cost of establishing or maintaining facilities used for the detention of dogs under the Act; and

· towards the cost of research or educational programs relating to dog or cat management; and

· for the administrative expenses associated with the operations of the Board; and

· for any other purpose in furtherance of the objects of the Act.

The Auditor-General is required to audit the Fund.

Currently the money in the *Dog Control Statutory Fund* is kept at the Treasury and may be paid to the RSPCA, Animal Welfare League or a council or other organisation for maintaining a pound; for the administrative expenses of the Committee or for any other purpose approved by the Minister as being in furtherance of the objects of this Act.

PART 3

ADMINISTRATION OF PROVISIONS RELATING TO DOGS

Clause 25: Council responsibility for management of dogs

This clause sets out the responsibilities of councils in relation to the administration and enforcement of the provisions of the Bill relating to dogs and allows the Board to consider the arrangements made by councils for fulfilling their obligations. It requires payment into the Fund of a prescribed percentage of dog registration fees (as referred to above).

The clause draws together various provisions in the current Act: s. 6 placing responsibility on councils for the management of dogs; s. 7(2) and (3) about the appointment of authorised persons; s. 10 about the appointment of a Registrar; s. 11 about the maintenance of pounds or arrangements for the availability of pounds; s. 12 about accounting matters and payments into the Fund; s. 30 about registers and s. 31 about replacement of lost registration discs.

Clause 26: Appointment of dog management officers

Councils are empowered to appoint dog management officers and to impose conditions on appointments.

The current Act refers to authorised persons (see esp. s. 7(1) and (4)). The terminology has been altered in light of the need to distinguish between persons authorised in connection with the provisions of the Bill dealing with dogs and those authorised in connection with the provisions dealing with cats.

The ability to impose conditions on appointment is new and is inserted in view of the significant powers that may be exercised by officers under the Bill and to encourage councils to continue to take a responsible attitude to the appointment and exercise of powers by officers.

As in the current Act, police officers are also dog management officers for the purposes of the Bill.

Clause 27: Identification of dog management officers

Council officers are required to be issued identity cards and to produce the card on request by a person in relation to whom powers may be exercised. This is equivalent to current s. 7(5) and (6).

Clause 28: Area limitation on council dog management officers

As in current s. 8 officers are required to work within their own council area.

This clause goes further than s. 8 by—

· allowing officers to work outside the council area for the purposes of investigating an offence within the area;

· allowing officers to work in another council area pursuant to an arrangement between the councils or at the request of a dog management officer of the other council. (This will allow suitable arrangements to be made when, for example, officers are on leave.)

Clause 29: General powers of dog management officers

Officers may—

· enter and inspect premises (and break in if necessary) but only with the consent of the owner or occupier, pursuant to a warrant or to seize a dog wandering at large or in urgent circumstances;

· require a person to produce a dog in his or her possession;

· require production of certificates or documents;

· require a suspected offender to state his or her name or produce evidence of identity.

The clause draws together the powers of officers set out currently in s. 37 in relation to powers of entry; s. 38 in relation to requiring a suspected offender to state his or her name; s. 50A in relation to seizing and detaining dangerous dogs; and s. 55(2) in relation to production of dogs and certificates and documents.

The ability of an officer to require a suspected offender to state his or her name is extended to the ability to require the suspected offender to produce evidence of identity.

Clause 30: Offence to hinder, etc., dog management officers

The equivalent current provision is s. 55. The offences are expanded to those generally considered appropriate in current legislation relating to authorised persons.

Clause 31: Offences by dog management officers

This provision reflects that usually now included in legislation relating to authorised persons. It requires officers to behave appropriately when exercising their functions and powers.

Clause 32: Immunity from personal liability

As in the current s. 9 officers are provided personal immunity for honest acts. The clause places liability in respect of council officers on the council.

PART 4

REGISTRATION OF DOGS

Clause 33: Dogs must be registered

The requirements for registration have been altered from those set out in s. 26 as follows:

· dogs over 3 months, rather than 6 months, must be registered;

· dogs travelling with a person are only excused from registration if they are registered interstate or are usually kept outside Australia (evidence of this must be presented on request to a dog

management officer);

· the operator of an approved boarding kennel need not ensure that dogs boarded at the kennel are registered but must keep records of dogs boarded and provide the information to the relevant council as required by the Board (see the last clause in this Part);

· the Guide Dog Association and police officers have been added to the list of persons not required to ensure that a dog in their custody is registered.

Currently the offence of having an unregistered dog is expiable under the regulations. To ensure that expiation works effectively in relation to this continuing offence the clause provides that a further offence occurs for each 14 days that a dog remains unregistered.

Clause 34: Registration procedure for individual dogs

A dog is to be registered in the area in which it is usually kept in the name of a person 18 years or over. The certificate of registration and registration disc must conform with the requirements of the Board. The person in whose name a dog is registered must be altered on application.

Equivalent provisions are currently contained in s. 27 (1), (2)*(b)* and (3) and s. 32(1). The form of the certificate and disc is currently set out in the regulations.

Clause 35: Registration procedure for businesses involving dogs

This is a new concept introduced to take account of the practical difficulties faced in complying with and in enforcing the registration requirements in relation to kennels housing a considerable number of dogs and in relation to businesses involving dogs that are often moved between areas, such as guard dog businesses.

The clause allows for registration of the business rather than individual registration of the dogs. Dogs kept at the kennel or used in the business will be considered to be registered.

Registration discs will not be issued in respect of the dogs but the dogs will be required to wear collars identifying the business.

Clause 36: Duration and renewal of registration

As in the current Act (s. 29) registration is annual and expires if the dog is removed from the area in which it is registered with the intention that it be usually kept in another area. In those circumstances the dog is to be re-registered in the new area.

Clause 37: Notifications to ensure accuracy of registers

Information is required to be given to the Registrars about any change of ownership of a dog, or of the place at which a dog is usually kept or if a dog dies or goes missing, or in the case of a registered business, if the business ceases or is transferred or in other circumstances set out in the regulations.

Currently the regulations require notification of a change of the place at which a dog is usually kept. The new clause expands the notification requirements with a view to improving the accuracy of the registers.

Clause 38: Transfer of ownership of dog

The seller is required to give the purchaser the dog's certificate of registration and registration disc. This is a new requirement.

Clause 39: Rectification of register

This provision is equivalent to current s. 32(2) and enables a person to apply to the council for rectification of a register.

Clause 40: Collars and registration discs or other identification

Dogs are required to wear collars bearing the registration disc or identification of a registered business.

This provision is similar to current s. 34 except for the following:

· the name and address of the owner of a dog is no longer required to be marked on the collar (in practice, the existing requirement is often ignored; it could also place certain people at risk);

· the regulations may specify further requirements for collars (this provides a desirable level of flexibility);

· adjustments have been made to reflect the new provisions for generic registration of dogs through registration of a business;

· a new exception is included: where the dog is effectively confined to its owner's premises it is not required to wear a collar (this is similar to an exemption currently contained in the regulations and will be particularly helpful in relation to dogs with long hair, where a collar may cause matting);

· the defence has been rationalised: instead of a vet having to issue a 3 month certificate for a dog that is injured and cannot wear a collar, the defence requires proof that the dog was injured or sick such that wearing a collar would have been injurious to its health.

It is intended that the current exemption contained in regulation 15 for a dog with a slip chain collar attached to a leash held by a person will not be retained.

Clause 41: Applications and fees

The Board is to regulate the form of applications. The regulations, made on the recommendation of the Board, will specify the registration fee.

Currently the regulations must set out the form of the registration application (s. 27).

Guide dogs continue to be registered without charge.

The Registrar's power to require an applicant to provide evidence to enable the appropriate registration fee to be determined is elevated from the regulations to the Bill and expanded to generally encompass evidence supporting the application.

Clause 42: Records to be kept by approved boarding kennels

Where the council approves a boarding kennel for the purposes of ensuring that there is no offence if unregistered dogs are boarded at the kennel, the operator of the kennel must keep the records required by the Board and provide copies to the council as required by the Board. This is a new provision.

PART 5

MANAGEMENT OF DOGS

DIVISION 1—GENERAL OFFENCES

Clause 43: Duties of owners and others responsible for control of dog

All of the current offences directed at owners or others responsible for control of a dog are drawn together in this provision as follows:

· Dogs wandering at large: s. 35

· Dogs attacking or harassing a person or owned animal: s. 44 and s. 49(2)*(a)*

· Dogs attacking a person entering premises lawfully: s. 45

· Dog of prescribed breed not muzzled or on a leash: s. 48A (the requirement for the person holding the leash to be 18 or over is deleted as the requirement for effective control now encompasses the actual exercise of control; the leash is required to be no more than 2 metres consistent with the changes to the concept of effective control)

· Dog of prescribed breed not desexed: s. 48A

· Dog in school or pre-school centre: s. 39*(b)* (child care centres are expressly included and instead of referring to the principal the provision refers to the person in charge of the place)

· Dog in shop: s. 39*(a)* (the exceptions are expanded to include a grooming parlour)

· Dog rushing at vehicle: s. 41 (the new provision states that the offence does not apply in relation to the dog owner's property)

· Dog in place where food prepared: s. 40

· Greyhound not muzzled: s. 48 (the provision is brought into line with that applying to prescribed breeds, ie, as well as being muzzled a greyhound is required to be on a leash; the exception is rationalised)

· Dog causing nuisance by creating noise: s. 49(2)*(b)*

· Failure to remove faeces from public place: s. 43.

The defences in the current Act are retained.

The expiation fees set out in the regulations are included and added to where appropriate.

No equivalent to s. 47 relating to dogs infested with parasites is included. This matter is adequately dealt with under health legislation.

Clause 44: Dog attack not to be encouraged

It is an offence for a person to urge a dog to attack or harass a person or owned animal. This offence is equivalent to that contained currently in s. 44(2).

Clause 45: Prescribed breed not to be sold or given away

The current offence (s. 48A(5)) of selling or advertising for sale a dog of a prescribed breed is retained and expanded to encompass giving the dog away.

Clause 46: Interference with dog in lawful custody

It is an offence to release or interfere with a dog in a pound. This is equivalent to current s. 55(3).

Clause 47: Court's power to make orders in criminal proceedings

A court finding a person guilty of an offence is given a broad power to make appropriate orders in relation to the defendant or, if the defendant still owns or possesses the dog, in relation to the dog. The orders can range from destruction or disposal of the dog, to an order to take specified action to abate nuisance and may include an order for compensation.

Currently compensation may be ordered in relation to a dog attack or harassment (s. 44(5) and 45(2)); action to abate nuisance may be ordered in relation to a dog that has created a nuisance (s. 49(3)); destruction or other more general matters may be ordered in relation to a dog shown to be unduly mischievous or dangerous (s. 50); disposal of a dog or non-acquisition of further dogs may be

ordered if a person is convicted of two prescribed offences on separate occasions within 2 years (s. 59).

DIVISION 2—ACTION TO PROTECT PERSON OR PROPERTY AGAINST DOGS

Clause 48: Power to protect persons or property from dogs

The current Act allows a person who owns or is in charge of an animal to kill a dog that is attacking the animal if there is no other way to protect it (s. 46(1)). It also allows dogs found in an enclosed paddock with certain farmed animals to be destroyed (s. 46(2)). Wardens are entitled to destroy dogs attacking a protected animal in a reserve (s. 46(1a)).

This clause puts these provisions on a more consistent basis, applies them to attacks on persons or animals, and authorises injury or destruction of a dog whenever that is reasonable and necessary for the protection of life or property (this is the wording used in a defence under the *Criminal Law Consolidation Act* offence of injuring an animal belonging to another.) The requirement to inform the owner of a dog and the council of the area, as well as the police, is new. The provision for destruction of a dog in an enclosed paddock is expanded to cover all farmed animals.

Clause 49: Laying of poison in baits for dogs

This provision enables a farmer to protect stock by laying poison for dogs in certain circumstances and is equivalent to the current s. 46(4) and (5) except that the prohibition on laying baits within 20 metres of a road is not retained as it does not reflect complementary provisions in the *Animal and Plant Control (Agricultural and Other Purposes) Act 1986*.

DIVISION 3—DESTRUCTION AND CONTROL ORDERS

This Division introduces a new concept. Councils are empowered to make appropriate orders in relation to dangerous or nuisance dogs and to give directions about how the orders may be complied with. The decision to make an order or to refuse to revoke an order is subject to an appeal.

Clause 50: Classes of orders

A council may make a *Destruction Order*, a *Control (Dangerous Dog) Order*, a *Control (Nuisance Dog) Order* or a *Control (Barking Dog) Order*.

The effect of the orders is set out in this clause.

Clause 51: Grounds on which orders may be made

Basically—

· a destruction order may be made in relation to an unduly dangerous dog that has attacked or harassed a person or owned animal;

· a control (dangerous or nuisance) order may be made in relation to a dangerous or nuisance dog that has attacked or harassed a person or owned animal;

· a control (barking dog) order may be made in relation to a dog that has caused a nuisance by creating noise.

Clause 52: Procedure for making and revoking orders

The owner of the dog and other persons responsible for the control of the dog must be given an opportunity to be heard. The Board is to determine the form of orders.

Clause 53: Directions about how to comply with order

The terms of orders are set out in the Bill. However, to enable councils flexibility they are empowered to issue directions as to how orders should be complied with in their areas. This would encompass such things as a requirement to erect a gate or a higher fence to keep a dog confined to particular premises. A person may choose to ignore directions and comply with the order by some other means but if the person does comply with directions then he or she is protected against prosecution for contravention of the order (this is similar to the expiation of offences scheme).

Clause 54: Application of orders and directions

Orders are to continue to apply despite changes in ownership or control of the dog. If the dog is removed to another council area, the order becomes in effect the order of the council of the new area. Consequently the order may be revoked by that council.

Clause 55: Contravention of order

Contravention is an offence and in addition a dog management officer may take action to give effect to the order.

Orders are to apply in relation to a dog and so apply no matter who is the owner or who is responsible for control of the dog. However, it is a defence to contravention of an order to prove that the defendant was unaware of the order.

Clause 56: Notification to council

If an order is in force the council must be kept aware of any attack by the dog or if the dog is missing or dies or if ownership of the dog changes of if the place at which the dog is kept changes.

Clause 57: Notification of order to proposed new owner of dog

A prospective purchaser of a dog subject to an order must be informed about the order.

Clause 58: Appeal

An appeal to the Administrative Appeals Division of the District Court (which may be constituted of a Magistrate) is provided against a decision of a council to make an order or to refuse to revoke an order. The appeal must be made within 14 days (or within 14 days of receiving written reasons for the decision requested within 14 days of the decision).

The appeal court may make an order that the council could have made plus any order that a court could have made if the proceedings were criminal proceedings.

Clause 59: Power of court to order destruction or control of dog on application

An application may be made to the Magistrates Court for an order in relation to an unduly dangerous dog. The court may make any order that it could have made in criminal proceedings.

This is similar to current section 50 about unduly mischievous or dangerous dogs, but the orders that can be made are broader in nature, and the reference to mischievous is not continued.

DIVISION 4—SEIZURE AND DETENTION OF DOGS

Clause 60: Power to seize and detain dogs

Dogs may be seized if found wandering at large, if necessary to stop or prevent an attack or harassment, if the dog is unduly dangerous or if necessary to ensure that a destruction order is carried out.

Currently under s. 36 a dog may be seized if it is found wandering at large or under s. 50A if it is unduly mischievous or dangerous.

These powers are drawn together and expanded to provide a more rational basis for seizure.

The provision in the current Act for destruction of a dog found wandering at large if seizure is impracticable because of the dogs savagery, repeated evasion of attempts at seizure or other sufficient cause (s. 36(9)) is expanded to cover seizure on any ground but is limited to reasons of savagery or other sufficient cause. The new provision requires attempts to be made to contact the owner of a dog injured or destroyed in those circumstances.

The clause allows inspectors under the *Prevention of Cruelty to Animals Act 1985* to seize a dog found wandering at large. The current provision allows all officers and employees of the RSPCA and Animal and Plant Control officers to seize dogs found wandering at large. (s. 36(11)). The current provision is thought to be too wide and inappropriate.

Clause 61: Procedure following seizure of dog

A dog that has been seized must be taken to a pound if it is not returned to its owner. If it is detained a notice about the detention must be displayed at the council office for 72 hours and given to the owner, if known.

If the reason for seizure is that the dog has attacked or harassed a person or owned animal or is unduly dangerous, the council must proceed to consider making an order in relation to the dog or applying to a court for an order. If steps are not taken within 7 days, the dog must be returned to a person entitled to claim it.

These provisions reflect that currently contained in s. 36 in relation to dogs found wandering at large. The current Act does not contain any set procedures in relation to dogs seized because they are unduly mischievous or dangerous beyond the requirement to apply to a court for an order. This gap is filled by this clause.

In addition this clause gives a person aggrieved by the continued detention of a dog a right to have the matter heard by a Magistrate.

Clause 62: Limits on entitlement to return of dog

In order to claim a dog a person must be prepared to produce evidence that he or she is entitled to the dog and to pay outstanding charges in relation to the dog. If the dog is unregistered the person detaining the dog may require it to be registered before its release.

The current Act (s. 36) requires the dog to be registered before release. However, that does not take account of the fact that dogs may be detained and claimed at a time when it is not possible for the person detaining the dog to check whether the dog is in fact registered.

Clause 63: Destruction or disposal of seized dog

This clause sets out the circumstances in which the dog may be destroyed or otherwise disposed of. This is 72 hours after the dog is seized if it was found wandering at large (as in current s. 36) or if the registered owner declines to resume possession, or fails to pay charges due in relation to the dog within 7 days of being requested to do so. The dog may also be destroyed if it is too ill to be maintained. The current s. 36(8) requires this to be only on the certificate

of a vet or stock inspector. The clause requires that to be the usual case, but if a vet or inspector is not available and the circumstances are urgent the dog may be destroyed in any event. This is to take account of difficulties faced particularly in country areas. The clause also requires attempts to be made to notify the owner if the dog is destroyed for illness.

Clause 64: Recovery of costs of seizure and detention

This clause ensures that costs may be recovered whether or not the dog is returned.

PART 6
CIVIL ACTIONS RELATING TO DOGS

Section 52 of the current Act is not included in the Bill. The clause stated that a person responsible for the control of a dog is liable in damages for any injury or loss resulting from the actions of the dog. The Select Committee of the House of Assembly on Self Defence recommended that the section be amended so that it clearly not apply to a dog being used in self defence. Pat 1A of the *Wrongs Act* already covers the matter adequately in relation to animals generally and so the matter is appropriately left to those provisions.

Clause 65: Owner and person responsible for control of dogs in civil actions

This clause provides that the definitions under the Bill relating to owners and persons responsible for control of dogs apply in civil actions. This is equivalent to current s. 34.

Clause 66: Defences in civil actions

This clause sets out that in civil actions the general defences of a dog being removed from a person's possession without his or her consent and a dog being used in self defence apply. The first defence is equivalent to current s. 34(5). The second defence is included in light of the select committee report on self defence referred to above.

Clause 67: Court's power to make orders relating to dogs in civil actions

The court is given powers to make orders in civil proceedings that equate to the powers of a court to make orders in criminal proceedings. This is in recognition of current s. 50(2).

PART 7
MANAGEMENT OF CATS

The aim of this Part is to protect persons from civil or criminal liability for the seizure, detention, destruction or disposal of unidentified cats, and of all cats in certain remote or fragile areas, in certain circumstances.

DIVISION 1—CAT MANAGEMENT OFFICERS

Clause 68: Cat management officers appointed by Board or council

This clause empowers the Board or the council to appoint officers whose responsibilities include the seizure, destruction or disposal of unidentified cats in the area in relation to which they are appointed.

DIVISION 2—CATS IN REMOTE OR FRAGILE AREAS

Clause 69: Reserves and wilderness

Wardens are given power to destroy any cat found in a constituted reserve or wilderness area.

Clause 70: Sanctuaries and other designated areas

Owners of land in a sanctuary declared under the *National Parks and Wildlife Act* may destroy any cat found in the sanctuary.

Other areas in which all cats may be destroyed by the owner of land in the area may be declared by proclamation made on the recommendation of the Board.

Clause 71: Remote areas

Any person may destroy a cat if it is found in a place that is more than 1 kilometre from any residence.

Clause 72: Notification to owner of identified cat

If an identified cat is dealt with under this Division, reasonable steps must be taken to notify the owner of the cat.

DIVISION 3—UNIDENTIFIED CATS IN OTHER AREAS

Clause 73: Other areas

Unidentified cats may be seized, detained, destroyed or otherwise disposed of in the circumstances listed in this clause.

The following officers may deal with unidentified cats found in an area for which they are responsible:

· council or Board officers;

· crown lands rangers or district council rangers;

· officers under the *Animal and Plant Control (Agricultural Protection and Other Purposes) Act 1986*.

An inspector under the *Prevention of Cruelty to Animals Act 1985* may deal with an unidentified cat in the ordinary course of his or her duties.

Any person may seize an unidentified cat and deliver it within 12 hours to a vet, a council or Board officer or a pound. The clause does not sanction any other action in relation to the cat by the person.

A vet may deal with an unidentified cat in the ordinary course of his or her practice.

The operator of a pound may deal with an unidentified cat delivered to the pound.

DIVISION 4—MISCELLANEOUS

Clause 74: Unlawful entry on land

A person must not, in order to seize a cat, enter land without the consent of the owner or occupier.

Clause 75: Offence to hinder

It is an offence to hinder a person acting lawfully under the Part.

Clause 76: Offence to interfere with cat identification

It is an offence to remove or interfere with a cat's identification collar, tag or mark without reasonable excuse.

Clause 77: No liability for lawful action against cat

This is the clause that removes criminal and civil liability for actions authorised by the Part.

PART 8
MISCELLANEOUS

Clause 78: Guide dogs

This clause recognises the right of persons to be accompanied by guide dogs in public places and in public passenger vehicles and is equivalent to current s. 54.

Clause 79: False or misleading statements

It is an offence to make a false or misleading statement in an application or in a record kept under the Bill. This provision is similar to current s. 56 although the penalty is updated to current standards.

Clause 80: No liability for lawful action against dog

This clause affords protection to a person who takes action against a dog in accordance with the Bill and is similar in effect to current s. 53.

Clause 81: Continuing offences

A few of the offences against the Act may be continuing, such as failure to have a dog of a prescribed breed desexed or failure to comply with certain orders. This provision is equivalent to current s. 65.

Clause 82: General defences

It is a defence if the act was not committed intentionally and could not have been avoided with the exercise of reasonable care. This is a modern version of current s. 60.

It is also a defence if the dog involved was taken from the person without his or her consent. This is equivalent to current s. 34(5).

Clause 83: Service of notices and documents

This clause provides for the method of service. A similar provision is currently contained in the regulations.

Clause 84: Evidence

This clause provides evidentiary aids and is similar to current s. 61.

Clause 85: Appropriation of penalties

Penalties recovered on complaint of a council are to be paid to the council. This is equivalent to s. 63.

Clause 86: By-laws

This clause provides a general power to councils to make by-laws relating to the management of cats and dogs, and in particular, to make by-laws limiting the number of cats and dogs kept on premises subject to the issue of exemptions for kennels and the like.

The powers for such by-laws are currently found in s. 57, 65A and in the *Local Government Act 1934*. The power to make by-laws requiring registered dogs to be tattooed in s. 28 is not retained. This power has not been used and is now considered inappropriate.

The current Act expressly provides for licences for kennels where dogs are kept in excess of the limit imposed by by-laws. This is left to an exemption under the Bill. Kennels are in any event subject to planning authorisations under the *Development Act 1993*.

Clause 87: Regulations

A general regulation making power is provided. Regulations may only be made on the recommendation of the Board. This is a significant function for the Board and is given in recognition of the responsibilities for effective dog and cat management held by the Board.

SCHEDULE 1
Repeal and Transitional Provisions

The *Dog Control Act* is repealed.

Transitional provisions are included about registration, dog management officers, the Fund and current by-laws.

SCHEDULE 2
Amendment of Local Government Act 1934

The by-law making power relating to cats is deleted as the matter is addressed by clause 86.

Mr CLARKE secured the adjournment of the debate.

STATUTES AMENDMENT (OIL REFINERIES) BILL

Adjourned debate on second reading.
(Continued from 3 November. Page 982.)

Mr ATKINSON (Spence): The Opposition supports the Bill, which amends the oil refinery indenture 1958 that established Port Stanvac. Being the year of my nativity, 1958 is a special year for me, so it seems that I am as old as Port Stanvac.

The DEPUTY SPEAKER: Order! There is too much background noise. The member for Spence has the floor.

Mr ATKINSON: Before this, petroleum products would come into Adelaide via Port Adelaide, and wharfage was levied on those products by the State Government. When Port Stanvac was established, the indenture of 1958 arranged for wharfage to continue to be levied, even though Port Stanvac had been built by Mobil Oil, thus Mobil Oil was being levied for importing crude and refined product over its own wharves. This has continued for the past 36 years, and now the Government has negotiated with Mobil to revise the indenture.

Mobil argued that the indenture needed to be revised because it was part of an international corporation and, within that international corporation, Mobil Australia was competing for capital. Mobil Australia felt that it was at a disadvantage under the indenture in competing for funds for new investment at Port Stanvac. So, wharfage is to be taken off crude feed stock coming into Port Stanvac, but I note that it will be abolished only if Mobil Oil pays out $1 million. I am curious to know from the Minister in his reply what percentage of the annual import of crude feed stock at Port Stanvac is $1 million—what portion Mobil Oil is having to pay out. I note that when the Minister was giving us yet another win-win story, in his second reading explanation of this Bill he did not mention the cashing out of the wharfage, although it may be that that $1 million is a very small sum in this context.

A couple of weeks ago the Minister, in a Bill he introduced in this House, replaced the historic term 'harbormaster' with the technocratic term 'port manager'. He was gutting the beauty of our language then and he is at it again today with the Statutes Amendment (Oil Refineries) Bill. He replaces the historic and customary term 'wharfage' with 'cargo servicing charge'. Why use one word when you can use three?

This Bill also partly abolishes wharfage (a term I will continue to use) on imports of refined product. Mobil Australia can now bring in 100 000 kilolitres of refined product through Port Stanvac without being charged wharfage on refined product, but above that figure the Government may levy wharfage.

The incentive the Government is trying to establish is for Mobil Oil to bring in crude feed stock and to refine in Adelaide, rather than bringing in refined product. But Mobil Oil may bring in lots of refined product through Port Stanvac in special circumstances—such as petrol rationing, I suppose. Another feature of this deal is that the South Australian Government is no longer bound to give preference to Mobil in buying petroleum products. That is now contrary to the Government's procurement agreement, to which I understand all the States in Australia are now signatories. That agreement flows through this Bill. All in all, the Opposition supports the Bill, but I should like the Minister to explain the couple of queries I raised.

Mr BROKENSHIRE (Mawson): I also support this Bill. It is high time that there was a Bill to amend the Act under which the indenture was put in place in 1958. The southern area is the location of the Port Stanvac oil refinery, and I know how important that refinery is to that area not only in direct job creation but also in sponsorship and other benefits that the refinery offers our area. I had the opportunity of visiting the refinery recently—before the strike, I might add—when there was quite a lot of activity down there. I was very impressed to see just how dedicated not only the workers but the staff and the offshore executive of that refinery are to achieve enhancement for the whole State.

I thought just what a wonderful job, once again, Sir Thomas Playford had done when he was Liberal Premier of South Australia, having the vision to realise that it was important that we have our own oil refinery in South Australia. The vision that he had we as a Government will continue to have, ensuring that more of these sorts of structures are in place in the south. Back in 1958 Sir Thomas Playford had the vision to realise that the south also had a part to play in the development of this State. Recently we saw a strike down there, and that made me think just how vulnerable this State would be if we did not have an oil refinery, given that the only hope we would have had would be to bring in fuel by road or by ship.

When you recognise that a ship can be delayed for three or four days and put the whole State at risk, it was wonderful for South Australia to have the oil refinery down there. Anything that can be done to further enhance and support the future direction of that oil refinery and to allow it to be competitive, given that it already exports something like $130 million of refined product from South Australia overseas and, from memory, creates about $110 million worth of product for South Australia alone, is something that I personally support. I believe that any impost costs that can be removed from any business can only augur well for South Australia, and this Bill goes a long way towards carrying out the commitment this Government has to improving the viability of businesses such as the oil refinery and, consequently, that most important area of job creation. If this is to help the south, I fully support this Bill.

Ms GREIG (Reynell): I have much pleasure in supporting this Bill, which ratifies certain changes to the South Australian Government's indenture agreements with Mobil Oil Australia Limited. As members would be aware, the Mobil Adelaide refinery at Port Stanvac encompasses a huge portion of the north-eastern sector of my electorate. Not only is Mobil a major employer of local people but it is the economic lifeline for many small contractors based in the Lonsdale area. Therefore, Mobil Adelaide refinery is a key player in the southern region's economic stability. The Mobil Adelaide refinery was first conceived in 1955, but it was not until 1957 that a 260-hectare site was chosen at Noarlunga, where deep water was available for the large tankers needed to import crude oil.

The refinery was initially owned by a joint venture company, Petroleum Refineries (Australia) Ltd (PRA), with 65 per cent of the company being owned by Mobil and 35 per cent owned by Esso Australia. By the early 1970s the Adelaide refinery had been modernised to produce petrol with a capacity quickly rising to 11.5 million litres a day by the

end of 1975. At the same time, the $43 million construction of a lubricant refinery on a 20-hectare site adjacent to the existing fuel refinery was completed, followed by an expansion in 1981 costing a further $22 million.

In 1986 fuel production from Adelaide had doubled and the Mobil Adelaide refinery was by then supplying virtually the entire South Australian market's daily demand for fuel products. To increase the refinery's diesel production, a $13 million de-bottlenecking project was undertaken in 1991, followed by the installation of a $20 million single buoy mooring system in deep water offshore from the refinery. This allowed tankers up to 150 000 tonnes dead weight to berth fully loaded. In 1991 Mobil Oil Australia acquired Esso Australia's interest in the refinery, bringing total assets in South Australia to more than $400 million.

The agreement to amend the indenture Bill will improve the investment climate at the Adelaide refinery and is an important step in enhancing South Australia's reputation as a good place to do business. I recall visiting the Port Stanvac refinery as a Liberal candidate for the seat of Reynell early last year. It was not my first visit: as a local councillor I had a particular interest in the Adelaide refinery, but on this particular visit I wanted to learn more about the State's relationship with the Mobil Adelaide refinery.

During my visit I recall questioning the General Manager, Mr Damian Young, on wharfage tax and I guess I was trying to clarify in my own mind why or how a Government could charge wharfage for a wharf that did not belong to it, a wharf that the Government did not maintain or repair: in fact, a wharf with which we had nothing to do. Wharfage was therefore a tax on production at the refinery for which no services were offered in return. My conclusion to this anomaly was that the levying of such a tax was inconsistent with the South Australian Government's stated intention of encouraging a strong industry base in South Australia.

I think it is also important to point out that the Adelaide refinery for some time has been at a considerable disadvantage in comparison with places like Geelong and, even more so, Singapore. In Geelong the rate of wharfage is 68 cents per kilolitre and the services of maintenance of the wharf, equipment and overheads are provided in return by the harbour authority at Geelong. The Adelaide wharfage charge is 78 cents per kilolitre and nothing is given in return. By contrast, at Port Stanvac, Mobil Refining Marine Department operating costs need to be added to wharfage charges to gain a true picture of total ship handling costs. On this comparison Adelaide is substantially behind.

An even larger disadvantage exists between Port Stanvac and Singapore. Mobil's Jurong refinery in Singapore is potentially Adelaide's major competitor for investment. Port costs contribute substantially to the severe disadvantage facing Adelaide. For those who are not aware, wharfage in Singapore is nil. Under the present indenture, wharfage is payable on the volume of refinery feed stock unshipped at Port Stanvac, equal to the volume of production distributed for the South Australian market.

Wharfage paid on refinery feed stock in 1992 was $1.292 million (78 cents per kilolitre), in accordance with the upper limit. However, total wharfage paid was $1.56 million dollars, because as well as paying wharfage on refinery feed stock, wharfage is payable on imports of refined products at $2 per kilolitre. With this scenario being presented, and taking into account that the Adelaide refinery wharf was constructed by Mobil and is owned and maintained by the Mobil Adelaide refinery, it is imperative that this major anomaly be addressed as soon as practical, and I am pleased that the Minister has taken the initiative to amend this situation and develop a fair and sensible approach to working with the Adelaide refinery.

Earlier I mentioned the real cost of wharfage to the Adelaide refinery, so if we take into account that wharfage on refinery feed stock is payable to the South Australian Government, despite no services being offered in return, Mobil then pays additional charges, for example, for navigational services. In real terms the total State Government charge is 87 cents per kilolitre. The user-pays system adopted by the South Australian Department of Marine and Harbors as general practice means that wharfage at the refinery is simply a tax on production and opens up the possibility of cross-subsidisation between Port Stanvac and other South Australian ports.

I mentioned earlier the key role Mobil Adelaide refinery has in the southern region, particularly in my electorate. It employs 300 local people directly and generates an estimated 1 240 jobs annually as a result of its purchase of goods and services from other firms for capital works programs and operational expenditure. The impact upon the value of output in the State is estimated to be $111 million annually. This is spread across all sectors of the economy, with the major beneficiaries being the trade, construction and finance sectors.

The recent events at Port Stanvac make us realise the importance of the Mobil refinery to this State. In fact, 95 per cent of the State's fuel requirements are supplied by the Mobil Adelaide refinery, thereby keeping South Australians supplied with fuel at minimal transport costs. The importation of fuel, if the Adelaide refinery was not in this State, would add to the cost of fuel for the State's consumers. The Adelaide refinery has a unique position in the economy of South Australia. The reliable supply of fuel and petroleum products to business and private consumers is an important service to the State. In addition, the employment, value-added and additional income generated by the refinery in its general operations gives a very positive benefit to the standard of living of the people of South Australia.

In conclusion, I commend the Bill to the House. I look forward to seeing the outcome of this decision—the proposed investment program by Mobil—which will enhance the international competitiveness of the refinery and investment in new processing equipment and infrastructure (including a new wharf), all of which will improve the export capability of the refinery. The agreement and the investments that will flow from it are vital for the refinery's future and are significant to the South Australian economy, given the strategic role the Adelaide Mobil refinery plays within our State. The new policy on wharfage will reduce the refinery's cost structure, and it represents a positive sign to the Mobil Corporation about a Government prepared to encourage investment and maintain the viability of the Adelaide refinery.

Mrs ROSENBERG (Kaurna): I commend the member for Reynell for the great summary she has given on the situation concerning the oil refinery, which is an important industry for her electorate. It bounds the electorate of Kaurna and it would be appropriate that I should make a couple of comments because of its location, and particularly because of its importance for the southern area in terms of employment. From the viewpoint of my electorate, which has few industries, industries such as those involving the refinery and

Mitsubishi act as very important job creation centres for the south, if a person is to find an industrial job within the southern area, not wanting to travel to the north of the city.

The basic premise of this Bill is simply to address the payment by Mobil Australia for the wharfage at Port Stanvac wharf, which was originally agreed in the indenture in 1958. That indenture I believe has seen its day and needs to be updated. When it was set in place there were reasons for it and it existed to compensate the State for the forgone income. That is no longer the case. As the member for Reynell indicated, the refinery is responsible for a large amount of the export earnings of this State and supplies more than 90 per cent of fuel for South Australia. It certainly is a job creation project for the south, and anything we can do to promote the refinery's operations in South Australia should be done. I congratulate the Minister on taking the step he has taken in this process.

Our Government, through the EPA, has implemented requirements for pollution controls on all industry, and Mobil Australia in particular has made very clear to the people in the south that it is happy to take part in that pollution control. That is an indication of its commitment to South Australia and to doing the things that this Government is expecting of it.

I understand that one of the things Mobil intends to do is upgrade the fuel line. This intention was reported to the Lonsdale Liaison Group at Noarlunga, of which I am a member and to which Mobil sends a representative. Mobil has always acted responsibly to that group which, while representing industries in the Lonsdale area, also comprises community members who, because they live at O'Sullivan Beach, passionately raise issues of pollution to Mobil representatives at each meeting. They are always treated with respect by the Mobil representatives, who are happy to take up any of their concerns and work on them positively.

In conclusion, the refinery is very important to my electorate, as it is to the electorates of the three southern members. There are few industries in my electorate—I mention Hills Hoist and Walker Australia as probably the only two—and as the refinery is close by it is an important industry for us, and we need to be seen to be giving it support. The increased expenditure by Mobil is a positive spin-off from the communication that has occurred between the Government and the industry. I support the Bill.

The Hon. J.W. OLSEN (Minister for Industry, Manufacturing, Small Business and Regional Development): I thank members who have contributed to the second reading debate, particularly the members for Reynell and Kaurna for their support, close interest and involvement over an extended period in this industry in the southern suburbs of Adelaide. Both members have put on the record quite eloquently their concern for the future of the industry, and clearly it is important as an employment generator within the southern region. I would also like to thank the Opposition for supporting the passage of this measure through the House.

The Opposition spokesperson raised two specific points which he asked me to clarify during my reply. The first relates to the $1 million fee to be paid upon conclusion of the contractual arrangements being negotiated between the Government and Mobil. Under a complex formula, the wharfage fee was determined at about $4 million a year, adjusted annually in accordance with the CPI. The formula used for the calculation is complex but it was capped at $1.3 million. So, whilst $4 million was paid, there was a return which I understand meant a net annual capped figure of $1.3 million.

Because of the implications to the revenue side of the budget, the Government indicated to Mobil that it simply could not afford to rule off the line, that it needed a period of time to make adjustments for the loss of revenue. So, the $1 million was agreed between the Government and Mobil so that it did not have an immediate impact on the revenue side of the budget and would give us (particularly the Department of Marine and Harbors) time to make internal adjustments for the loss of revenue.

The other point raised by the honourable member related to the wharfage fee being substituted by a cargo service charge. I am advised that for the past three or four years that has been the 'international language' used to describe the wharfage fee. Therefore we are being consistent with the language that is being used elsewhere in common documents.

This measure clearly indicates the Government's wish to position industry in South Australia on a competitive base. An industry such as Mobil at Port Stanvac is important to the economic base of South Australia and must remain competitive. If we are to attract significant economic development by Mobil or other industry groups in South Australia, charging a company such as Mobil to put products over a wharf that it has built, owned and maintained is a matter that seemed, in the Government's view, to need redressing, and redress this matter it has. We will pursue further with Mobil major investment and economic development. I thank the House for its support of this measure. Mr Speaker, I draw your attention to the state of the House.

A quorum having been formed:

Bill read a second time.

The DEPUTY SPEAKER: I inform the House that this Bill is a hybrid Bill within the meaning of Joint Standing Order No. 2—Private Bills.

The Hon. J.W. OLSEN (Minister for Industry, Manufacturing, Small Business and Regional Development): I move:

That Standing Orders and Joint Standing Orders—Private Bills be so far suspended as to enable the Bill to pass through its remaining stages without delay and without the necessity for reference to a select committee.

Motion carried.

Bill read a third time and passed.

MOTOR VEHICLES (CONDITIONAL REGISTRATION) AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 2 November. Page 922.)

Mr ATKINSON (Spence): The Opposition supports the extension of registration to more vehicles on our roads and therefore supports the Bill which extends registration to left-hand drive vehicles that were built before 1974. These vehicles are nearly all classic cars owned by classic car club members. I understand that when they use the roads to get to club meets they bear special plates for which the driver pays an annual licence fee and which includes a third party insurance premium.

These cars are treated differently by the transport authorities in every State of Australia. By proposing conditional registration to replace special plates, the Government is following the lead of the Austroads report commissioned

by Australia's Transport Ministers. This report recommends that all vehicles on the roads be registered, and that also means vehicles such as forklifts and cranes which occasionally use the roads. We hope that this scheme results in nearly every vehicle being recorded on an electronic database so that at short notice police can call up information such as the performance specification of a vehicle and the limitations on its use on the roads as imposed by its type of registration.

The Opposition has been informed that traffic police welcome this improvement through the information that will be available to patrols and look forward to the distinctive new plates and informative registration labels. The Bill also exempts conditionally registered vehicles from stamp duty on transfer and insurance. The Opposition supports the Bill.

The Hon. J.W. OLSEN (Minister for Industry, Manufacturing, Small Business and Regional Development): I thank the Opposition for its support of the Bill.

Bill read a second time.

In Committee.

Clauses 1 to 6 passed.

Clause 7—'Amendment of Stamp Duties Act 1923.'

The Hon. J.W. OLSEN: I move:

To insert clause 7.

Clause inserted.

Title passed.

Bill read a third time and passed.

[Sitting suspended from 4.51 to 5.11 p.m.]

CORRECTIONAL SERVICES (PRIVATE MANAGEMENT AGREEMENTS) AMENDMENT BILL

The Legislative Council intimated that it insisted on its amendments to which the House of Assembly had disagreed.

Consideration in Committee.

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

That the House of Assembly insist on its disagreement to the Legislative Council's amendments.

Motion carried.

A message was sent to the Legislative Council requesting a conference at which the House of Assembly would be represented by Messrs Bass and Foley, Ms Geraghty and Messrs Leggett and Matthew.

Later:

A message was received from the Legislative Council agreeing to a conference to be held in the second floor conference room of the Legislative Council at 5.30 p.m. this day.

ADJOURNMENT

At 5.30 p.m. the House adjourned until Tuesday 22 November at 2 p.m.

HOUSE OF ASSEMBLY

Tuesday 15 November 1994

QUESTIONS ON NOTICE

WATER MAINS

114. **Mrs HALL:**

1. How many water main bursts have occurred, and when, in the Athelstone/Paradise area of Gorge Road over the past five years, what has been the cost of pipe and road works repair and compensation paid for damage to property?

2. What plans are there for the upgrading and replacement for this water pipe?

The Hon. J.W. OLSEN:

1. There are three different water mains in Gorge Road. They are 150 mm diameter asbestos cement (AC) externally coated, 250 mm diameter cast iron concrete lined (CICL) and 525 mm diameter mild steel concrete lined (MSCL). The details of main bursts over the last five years are:

The 150 mm main has burst on	20 October 1993
	22 October 1993
The 250 mm main has burst on	26 May 1991
(Laid in 1961)	9 October 1991
	15 May 1992
(These are the only bursts recorded)	5 June 1994
	6 June 1994
	23 July 1994
The 525 mm mains burst on	25 November
(Laid in 1961)	1992
	(De Corso burst)

Of the six bursts on the 250 mm mains 1.3 km length, three occurred during June and July 1994 because of excessive ground movement due to the dry weather.

The cost of repairing individual burst mains is not usually recorded, however, the cost of repairs for the De Corso burst was approximately $17 200, of which bitumen re-instatement by the Department of Transport, amounted to $12 350.

No compensation has been paid for damage to property as a result of burst mains in Gorge Road. Any damage caused as a result of bursts has generally been minor. Water from the bursts has generally been accommodated by the stormwater drainage system.

Because of the extraordinary nature of the De Corso burst. The Government is prepared to make an 'ex-gratia' compensation payment to cover reasonable costs incurred by the De Corso family, above the sums insured. Negotiations are continuing with the De Corso family and until agreement can be reached no payment will be made.

2. There are no plans to replace any of the water mains in Gorge Road at this time.

As a matter of general information, the cost of relaying the two larger mains are:

- Approximately $360 000 for the 1.3 km section of 250 mm diameter cast iron concrete lined main, and
- In the order of $1 million for the 1.6 km section of 525 mm diameter mild steel concrete lined main.

POLICE AIR WING

116. **Mr ATKINSON:** What is the future of the Police Air Wing?

The Hon. W.A. MATTHEW: The GARG committee review undertaken by the previous Labor Government recommended the outsourcing of Police Air Services and the disposal of the Air Wing and aircraft.

This Government is presently preparing final costings on a number of options, ranging from the disposal of the Air Wing as intended by the previous Government, through to partial disposal of the Air Wing and contracting out of some airline services.

When a final decision is made it will be announced accordingly.

ELECTRICITY TRUST

117. **The Hon. M.D. RANN:**

1. Have staff cuts in ETSA caused a 'blowout' this year in the waiting period from two weeks to four months for service staff to adapt domestic meter boxes to accommodate electrical safety switches by removing unused J tariff meters and, if not, what has caused the increase in waiting time?

2. Why are consumers still being told such work will be done within 'one or two weeks' when in reality the waiting time is proving to be four months?

The Hon. J.W. OLSEN:

1. ETSA normally respond to requests to change metering equipment to create space for 'safety switches' within two weeks. However, requests to remove surplus meters for other reasons do not receive the same priority.

2. ETSA officers are not aware that consumers are being told work will be done within one or two weeks.

PRISONER WORK REQUIREMENTS

122. **Mr ATKINSON:** What are the weekly work requirements for prisoners and have these changed in the past 10 years?

The Hon. W.A. MATTHEW: The requirement for sentenced prisoners to work is embodied in the Correctional Services Act, 1982. These requirements were developed at the time that the Act was established and have not changed since that time.

In essence the requirements are as follows:

- A prisoner (other than a remand prisoner) is required to perform work at the manager's direction;
- A remand prisoner may, at his or her own request, and subject to any directions of the manager, perform any work that has been arranged by the manager;
- Prison work must, as far as reasonably practicable, provide prisoners with experience in a recognised profession, trade or other field of employment;
- Consideration must be given to the age and physical health of the prisoners and any skills or work experience of the prisoner.

In order to satisfy the above requirements of the Act, and to ensure that prisoners have access to as broad a range of vocational opportunities as practicable while in prison, the Department for Correctional Services provides employment and training in a variety of primary, secondary, and service industries. Prisoners engaged in such work are supervised by trade specific custodial specialists and every effort is made to ensure that prison work and work practice parallels as closely as possible to that found in private enterprise.

There is also a requirement for all prisoners, regardless of status, to perform necessary personal 'tasks or duties' to ensure and maintain the cleanliness and tidiness of cell/accommodation and common areas, and other duties of a domestic nature as may be required by circumstances.

YATALA LABOUR PRISON

123. **Mr ATKINSON:** When did the gardens at Yatala Labour Prison cease to be cultivated and why?

The Hon. W.A. MATTHEW: Garden activities, and in particular vegetable production for prison consumption, was undertaken at Yatala Labour Prison for many years by prisoners classified as low security. These prisoners were traditionally accommodated in either 'A' Division or 'C' Division and, because of their security rating, were able to undertake work external to the secure perimeter of the institution.

With the loss of 'A' Division resultant from prisoner unrest in April 1983, followed by the forced closure of 'C' Division in February 1984 for the same reason, all low security prisoners who were accommodated in these areas were of necessity relocated to other metropolitan or country institutions.

With no low security remaining at Yatala Labour Prison, the previous Labour Government ceased vegetable production on the land adjacent to Grand Junction Road. However several glasshouses continue to provide limited produce using low security prisoners from the Northfield Prison Complex.

Functional responsibility for all outside areas, including the garden operation formerly run by Yatala Labour Prison, was assumed by Northfield Prison complex in 1985. Vegetable garden activities in this area remain limited to several glasshouses producing such crops as tomatoes and capsicums.

An assessment of all prison properties and industry is presently underway with a view to better utilising existing properties. Use of the Yatala site is included as part of this review.

GOVERNMENT VEHICLES

129. **Mr BROKENSHIRE:** What Government business was the driver of the vehicle registered VQO-715 doing at 9.25 pm on 15 October 1994 parked in the Christies Beach Hotel car park?

The Hon. W.A. MATTHEW: South Australian Police Department vehicle registered number VQO-715 was allocated to a member of the executive services branch in accordance with Government Management Board Circular 90/30.

The commissioner of Police has advised me that the vehicle was not in use at 9.25 p.m. on 15 October 1994, but was securely parked, off street, at the officer's home address.