HOUSE OF ASSEMBLY

Thursday 19 October 1995

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

PETROL EMISSIONS

Mr CAUDELL (Mitchell): I move:

That the Environment, Resources and Development Committee investigate the merits of the recommendations outlined in the member for Mitchell's Report on Benzene and Aromatics in Premium and Regular Unleaded Petrol Exhaust and Evaporative Emissions—Health and Environmental Risks.

I have prepared a report dealing with the health and environmental risks of benzene and aromatics in premium and regular unleaded petrol, exhaust and evaporative emissions. This report was associated with a study tour that I completed earlier this year. In this motion I recommend that the report be referred to the Environment, Resources and Development Committee to investigate the merits of the recommendations included in the report. If this motion is successful, I will arrange for a copy of the report, which is in the Parliamentary Library and which I have distributed to all members of this House, to be available to the committee.

This report is the result of extensive research into the following issues: vapour recovery associated with bulk delivery of motor fuel to service stations (stage 1 vapour recovery); vapour recovery at the point of retail sale; level of aromatics, in particular, benzene in regular unleaded petrol, premium unleaded petrol, and 91 and 95 octane; emissions from vehicles fitted with catalytic converters using unleaded petrol; emissions from vehicles using unleaded petrol and not fitted with a catalytic converter or where the catalytic converter is no longer working; and what efficient, effective and current methods are available to check if catalytic converters are working effectively and efficiently.

During my research what was obvious was the different levels of measurements used by governments throughout the world, and that made it difficult to make comparisons. In making comparisons some levels of Government and the oil industry have not provided a clear picture of the issues involved. In fact, the oil industry in Australia has gone out of its way to compare apples with oranges. I refer to a number of issues, the first being that of 91 versus 96 octane fuel. Even as late as yesterday the oil industry made the point that benzene in Australian fuel is not as high as it is in Europe; it is below the standards and it is not a concern.

I refer to the chart on page 8 of my report which shows that the benzene level in Australian fuel is 3.4 per cent of volume on 96 octane, versus the level in Singapore, the highest of all countries in the world, at 3.5 per cent. The level in the USA is 1.1 per cent; in Great Britain, 2 per cent; and in Italy, 1.9 per cent. As well as that, the figures for 91 octane fuel in Australia versus 96 octane fuel overseas will show that our 91 octane—our regular unleaded fuel—has very high levels of benzene and aromatics. In fact, our regular unleaded fuel has averaged 1.9 in percentage volume of benzene. In addition, our rates of benzene are all over the place, depending on from which refinery we draw our fuel. It has been as high as 3.4 per cent and as low as 1.2 per cent; and our aromatics have been as high as 37 per cent and as low as 21 per cent.

This is to be compared with the US, where it is running at .8 per cent for benzene and 20 per cent for aromatics. A report by the Californian Air Resources Board states that benzene does not have to be in the fuel to be emitted: it can be formed from other aromatic compounds in the fuel through the combustion process. It indicates that, despite the oil industry's contention that our levels are below 5 per cent, over 50 per cent of the benzene in the atmosphere comes from the combustion process and other aromatics in the fuel.

A number of studies have been completed in Australia on some of these issues, and these reports include the 1994 Industry Commission Report on Petroleum Products, the 1994 New South Wales Parliament Select Committee into Motor Vehicle Emissions and the Environment, Resources and Development Committee's 16th Report on Compulsory Motor Vehicle Inspections. In all instances, these reports have only scratched the surface on the level of aromatics and associated motor vehicle emissions. Extensive reports on aromatics and motor vehicle emissions were available overseas. However, they preferred to ignore this information and await the reports of the Federal Office of Road Safety and the Commonwealth EPA originally due later this year.

The United States, in particular the Californian Air Resources Board, has led the world in research into the listing of toxic and carcinogenic substances used in petrol as well as the level of motor vehicle emissions of those substances. The Californian Air Resources Board has also conducted extensive research into reformulated petrol, the level of emissions associated with reformulated petrol phase II, vapour recovery stages I and II, inspection and maintenance programs and underground storage tanks.

As far back as 1977 the Californian Air Resources Board appointed an independent panel of seven experts to review what was known about carcinogenic air pollutants in California. The board produced 'Air Toxics' update publications describing the progress made during the program. 'Air Toxics' update No. 2, which was produced and distributed in April 1986, stated:

Information is presented on the start up of the program, the substances in the evaluation process and the characteristics of the compounds identified as toxic air contaminants during 1985.

It went on to state:

At its January 1984 meeting the ARB approved the initial ranking of compounds. . . 11 substances that formally entered the risk assessment phase of the air toxics program during 1984 and 1985.Top of the list was benzene.

The report went on to state:

Benzene was chosen as the first substance to enter the toxic review process because it is known to be a human and animal carcinogen and because it has been identified as a hazardous air pollutant. . .

It also stated:

Benzene does not have to be in the fuel to be emitted; it can be formed from other aromatic compounds in the fuel through the combustion process.

The International Agency for Research on Cancer stated:

There is sufficient evidence to consider benzene as a human carcinogen and recommend that benzene be treated as a substance without a threshold below which it can be considered safe.

The Californian Air Resources Board, in reformulating its fuel, came up with refinery specific levels associated with benzene and aromatics, and they have reduced the level of benzene produced in fuel in the United States down to .8 per cent and aromatics down to 20 per cent.

In Europe, studies have been completed in Italy on health aspects of aromatics, in particular, benzene. The British Government has conducted a Select Committee into Transport as well as a Royal Commission on Environmental Pollution. The Prefecture de Police in Paris has issued a paper on the measurement of monocyclic aromatic hydrocarbons in underground car parks.

In 1991 the United Kingdom Secretary of State for the Environment established an Expert Panel on Air Quality Standards (EPAQS) to advise the United Kingdom Government on air quality standards. EPAQS in its 1994 publication stated that benzene is a genotoxic carcinogen. This means that it is impossible to determine a concentration to which people might be exposed at which there is no risk detectable by existing methods. EPAQS believes it is feasible to recommend an air quality standard for benzene which, for all practical purposes, presents a risk to the United Kingdom population which is exceedingly small and unlikely to be detectable by any practical method. EPAQS recommended a running annual average of five parts per billion, recognising that the current average concentrations of benzene to which the general public are exposed in the United Kingdom air presents an exceedingly small risk to health. South Australia has not completed such a study in relation to the level of benzene in our atmosphere, but in September 1994 a study over 30 days was completed in Adelaide.

The study concentrated on King William Street and, on a one hour average, the rating was 15 parts per billion which, according to the United Kingdom study, is three times the acceptable level of benzene exposure in the atmosphere. For a period the American Institute of Petroleum resisted attempts to reduce the levels of benzene but has since come on side with respect to legislative changes in the United States. The recommendations of the British Government on the standards of benzene in the atmosphere were attacked by the Shell Oil Company in its press release of 16 December 1993 entitled 'Benzene allegations exaggerated and misleading', by the Institute of Petroleum in its document entitled 'Health aspects of benzene and petroleum review' dated September 1992, and more recently by the British Retail Motor Industry.

The oil industry appears to have a great deal to lose through its public focus on benzene in petrol. As a result of the research there is no doubt that benzene is one of the most powerful industrial carcinogens, and other aromatics also entail oncological risk. There is a need to limit the risk to the public of exhaust and evaporative emissions of aromatic hydrocarbons.

I turn now to the recommendations, based on all these reports, that have been referred to the ERD Committee. First, refinery specific lead tolerance standards be established and any further reductions in lead levels below these standards be achieved only with products which are not likely to be harmful, directly or indirectly, to the environment or the health of the community. Secondly, a plan be established for the reduction of aromatic hydrocarbons permitted in petrol and, in particular, priority be given to reducing the levels of aromatics in benzene in premium unleaded petrol.

Thirdly, the South Australian Government be encouraged to promote the implementation of national legislation for Australian standards limiting the amount of aromatic hydrocarbons permitted in petrol. Fourthly, the South Australian Government, through the Department of Environment and Natural Resources, promote the setting up of national refinery specific tolerance standards of petrol components contained in petrol, in particular, benzene, aromatics and olefins.

Fifthly, an environmental assessment report be prepared on motor vehicle emissions of fuel using MMT (manganese), and a report be provided to the Department of Environment and Natural Resources and the Department of Health before approval is given to any reformulation of petrol involving manganese to be sold in South Australia.

Canada's claim is that the inclusion of manganese in petrol will allow refiners to reduce toxic carcinogenic compounds, such as benzene and other aromatics. Also, improved yields and refinery energy requirements are reduced creating savings in crude oil and a reduction in emissions from refinery furnaces. Manganese raises octane without raising volatility, therefore it will give refiners flexibility to lower the Reid Vapour Pressure of petrol. The sixth recommendation to the ERD Committee is that the oil industry implement Stage 1 petrol vapour recovery, which controls emissions during the storage and transportation of petrol from the refinery to service stations; and an Act to implement Stage 1 to be placed before the Parliament by December 1995. By implementing Stage 1 petrol vapour recovery, we have the opportunity of saving 48 million litres of petrol vapour being emitted into the atmosphere in South Australia each year.

Seventh, the Department of Environment and Natural Resources to undertake research into the cost effectiveness of Stage 2 vapour recovery and to monitor benzene levels around service stations, and a report to be provided to the Minister by December 1996. Eighth, the Department of Environment and Natural Resources to complete a survey on benzene and toluene levels in underground car parks, and, should these levels exceed National Health Medical Research Council guidelines, a report be provided to the Minister as to what action should be taken and that report be provided by January 1996. One has only to go to a couple of underground and fully enclosed car parks in Adelaide to realise the level of hydrocarbons present. Ninth, a decentralised inspection and maintenance program be established to ensure effective and efficient use of catalytic converters.

Benzene may well become the lead of the 1990s. The recommendations in my report will ensure air quality and quality of life for all South Australians. The United States, the United Kingdom, Canada and Europe have recognised the harmful effects of benzene and aromatics and have taken action to limit their exposure. It is our turn to do the same.

Mr MEIER secured the adjournment of the debate.

PUBLIC WORKS COMMITTEE: WIRRINA RESORT DEVELOPMENT

Mr ASHENDEN (Wright): I move:

That the fifteenth report of the committee on the Wirrina Resort Development (Development Overview) be noted.

The South Australian Tourism Commission has referred to the Public Works Committee the Wirrina Resort project as part of its ongoing reporting to the committee on a number of initiatives, pursuant to the requirements of the Parliamentary Committees Act.

While the bulk of the cost of development works at Wirrina Cove is intended to be provided by a private company (the MBfl Group), the Tourism Commission and the South Australian Government propose to expend approximately $10 million on the establishment of infrastructure.

Under the terms of the Parliamentary Committees Act, this level of public expenditure requires the project to be examined by the committee.

Due to the long-term nature of the project and the fact that the Government's proposed contribution will take place over a number of years, the committee has resolved to create an overview report for the consideration of Parliament. This report is designed to provide a basis for subsequent reports on individual Government initiatives, such as the provision of water filtration and effluent treatment infrastructure, the upgrading of access roads to the development and the development of a marina proposed to be constructed on Crown land.

The committee has monitored the Wirrina Resort Development since MBfl Resorts Pty Ltd purchased the property in June 1994. Due to the nature of Government support for this proposal, the committee determined that it would take evidence of a general nature to provide an introduction of the total development proposed at the site and the extent of Government involvement in the project. The committee intends to make separate reports on each of the Government-funded or supported components of the development. The purpose of these subsequent reports is to consider whether the Government's proposed contribution to infrastructure is appropriate.

Wirrina Cove is a coastal resort property situated approximately 80 kilometres south of Adelaide on the Fleurieu Peninsula. Normanville is about three kilometres to the north of the property and Second Valley lies to the south. The privately owned property has a land area of about 524 hectares and lies in the District Council of Yankalilla. The resort contains a variety of tourism facilities and amenities, including tourist accommodation, convention facilities, an 18-hole championship golf course, a boat ramp and numerous outdoor and recreational facilities. The property was purchased in June 1994 by the Malaysian MBf Group of Companies and is currently being developed by MBfl Resorts Pty Ltd. It is the company's stated intention to upgrade the resort to an international standard tourist destination.

In June 1994 a memorandum of understanding was signed between the State of South Australia and MBf. This agreement formalised the understandings and broad obligations between both the State Government and MBf in regard to the Wirrina Cove project. It identified that the minimum requirement for MBf was to provide additional tourist accommodation, a marina and fisherman's wharf, condominiums and apartments, golf course upgrading, a new country club, improvements to the restaurant and bar facilities and other improvements to the property.

The committee has examined evidence that the State acknowledged that it would support the proposal in principle and, subject to conditions, would assist MBf by providing an agreed level of public infrastructure requirements to the resort. These included the provision of a reticulated water supply, effluent treatment, basic civil engineering works necessary for the development of the marina and appropriate public access. The South Australian Tourism Commission was given the responsibility of coordinating the Government involvement in this project.

Since June 1994 MBfl Resorts has significantly refurbished the resort. The existing 89 accommodation units have been refurbished, the reception area has been remodelled, and the convention, restaurant and bar facilities have been significantly improved. This work has all been undertaken at the developer's cost.

In September 1994 the District Council of Yankalilla granted approval for a 111 residential allotment land division adjacent to the golf course. In addition, early in 1995 the district council granted development approval for the construction of 80 condominium units adjacent to the existing resort. The subdivision work and the construction of the condominium units are currently under way. The estimated cost of the condominiums is $20 million and MBfl Resorts has prepared a 10-year development program for the property.

Given the scope of this concept plan, the district council requested the Minister for Housing, Urban Development and Local Government Relations to undertake a Development Plan Amendment Report (PAR) for the Wirrina Cove site to review the existing tourist accommodation zone in light of the proposed development. The statutory investigations undertaken assessed a broad range of issues including Aboriginal heritage, social impacts, infrastructure requirements, native vegetation, aesthetics, zoning requirements, standards for accommodation and residential development, fire safety and several others. This process, guided by the 1993 Development Act, has involved consultation with the public, the local community, special interest groups, the district council and Government agencies. This consultation resulted in some changes being incorporated into the final plans.

The PAR for the Wirrina Cove site was authorised by the Governor on 30 March 1995. The Environment, Resources and Development Committee of the Parliament has also approved the PAR, and the Public Works Committee has examined this document and is satisfied with its contents.

MBfl Resorts is currently undertaking the planning and design work for the next phase of work at Wirrina Cove. This includes improvements to the existing golf course—which are already under way—the construction of 200 new condominium units adjacent to the existing resort units, and some residential allotments along the southern side of the golf course. A proposed marina has an existing planning approval and detailed engineering investigative work is being undertaken on this facility. This will be the subject of a further report by the Public Works Committee once the detailed investigations have been completed. The committee understands that it is proposed that the cost of constructing and establishing the marina will be shared between MBfl Resorts and the Government.

The following public infrastructure components are also proposed as part of the development of the Wirrina Cove Resort:

- A self-contained waste water (effluent) treatment plant and domestic water supply treatment plant to service the Wirrina Cove Resort as an interim measure until a reticulated water supply is connected to the property. These are proposed to be jointly funded by the public and private sectors.
- A publicly-funded reticulated water supply system to the northern boundary of the Wirrina Cove Resort property from the existing reticulated water supply which services the Normanville-Carrickalinga-Yankalilla area from the Myponga Reservoir.

The reticulated water supply will eventually be available from the Myponga Reservoir as part of the upgrading of the Normanville-Carrickalinga-Yankalilla water supply system. The rate of resort development and its staging to a large extent is dependent on commercial factors. These commercial factors will determine the rate of investment by the private

sector which in turn will determine the rate at which the infrastructure will be provided.

The Wirrina Cove Resort currently obtains water for all its needs from a private reservoir constructed on the property. This is located towards the mouth of the Congeratinga River and has an estimated useable capacity of about 420 megalitres.

When MBfl Resorts commenced design work after its purchase of the Wirrina Cove property, one of the major issues to be investigated was the adequacy of the water supply available at the site. Previous investigations had indicated the existing reservoir water supply was an important limitation to the extent of development on the site. There is sufficient water to cater for the existing needs, plus the stages of development which have already been approved including the marina facility. However, development of subsequent stages will require the water supply to be augmented from another source. This analysis was confirmed by the Public Works Committee and is addressed in the Plan Amendment Report.

The committee has also been advised that underground water is of insufficient quality and quantity to be used to supplement the water demands of further development on the Wirrina Cove property. The only viable alternative source of water available for use on the Wirrina Cove property is a reticulated supply from Myponga Reservoir. MBfl Resorts and the South Australian Tourism Commission began discussions late in 1994 with SA Water to secure a reticulated water supply from the Myponga Reservoir, with the aim of having it available to meet the development program demands of the proposed resort. This matter will be the subject of a subsequent report by the committee.

A water treatment plant is currently used at the Wirrina Cove Resort to improve the quality of the water obtained from the Wirrina Cove reservoir so that it meets the appropriate standards for potable (drinkable) water supplies. The water catchment is from rural land and is subject to contamination from fertilisers and animal waste and is susceptible to algal blooms. The capacity of the existing water treatment plant is inadequate to cater for the development being undertaken and its design does not enable it to be easily or cheaply upgraded to a suitable capacity. A new water treatment plant is required to maintain the water quality in the resort and to provide for those portions of the development already approved, until the SA Water reticulated water supply becomes available.

The estimated cost for this facility is $600 000, to be shared equally between the Government and MBfl. This matter will be the subject of a subsequent report by the committee. The Wirrina Cove resort is not connected to a public sewerage system and it is neither practical nor economical to provide such a connection at this time, even though the effluent is currently disposed of using a series of outmoded evaporation lagoons close to the existing resort complex. The developer contends it is necessary to provide a self-contained 'state-of-the-art' waste water treatment plant to cater for the effluent from the resort and those portions of the development thus far approved.

Based on the evidence presented, the committee believes this contention is correct. In accordance with the memorandum of understanding with the developer, the Government has made a commitment to assist MBfl Resorts with the provision of a waste water treatment plant as part of its provision of public infrastructure. Negotiations with MBfl Resorts have led to an agreement for the provision of the treatment plant based on each party contributing an equal share of the capital cost. This matter will also be the subject of a subsequent report by the committee. The proposed public works will not impact on any buildings or sites on the register of State heritage.

The committee has requested evidence of the use of construction industry development agency guidelines to ensure industry best practices in project initiation and management and tendering practices, and that selection of proponents be incorporated into the procurement process where Government funds are to be applied to the development. This matter will be monitored.

The PAR process involves consultation with the public, the local community, special interest groups, the Kaurna Heritage Committee and the Kaurna community, the district council, and many Government agencies. The committee has received evidence that discussions have been held with the District Council of Yankalilla about the SA Water preferred option of providing a reticulated water supply, and the council has supported the route and location of the various components such as the header tanks and pumping stations.

The South Australian Housing Trust has been engaged by the South Australian Tourism Commission to provide a 'watchdog' and review role on the documentation being prepared by the consultant for MBfl Resorts. The committee is satisfied that this arrangement will ensure that project work is undertaken in accordance with Government agency requirements.

On Tuesday 12 July 1995 the Public Works Committee conducted an inspection of the Wirrina resort and its environs. The inspection encompassed the existing buildings, construction under way on roadways and land subdivisions, the marina site, the new golf course site, and the sites of the proposed water infrastructure plants and the site of a proposed new public access. Accompanying the committee were two members of the district council. The site inspection gave the committee a useful appreciation of the scope of the project, its relationship to the natural environment, its commercial potential and, importantly, the potential value of the Government's proposed investment in infrastructure.

In the case of the Wirrina Cove development, the Government is proposing to contribute funds for the provision of public infrastructure such as a reticulated water supply and the disposal of waste water. The rationale employed by the Government to justify this expenditure is that this contribution will compliment and enhance the multi-million dollar capital investment by the private developer MBfl, and will provide a return to the people of South Australia in the form of employment, industry or technology skill enhancement, and tourism development.

To safeguard its investment, the Government proposes to negotiate financial guarantees which serve to ensure that investment by the private developer is maintained at each stage of the project. This protects the Government by ensuring that, if the private developer ceases to invest further capital, Government expenditure can be recovered through the guarantees. The committee supports this concept.

As Government expenditure on infrastructure is proposed to be staged, the committee will inquire into and report on each stage separately. It is expected the timing of infrastructure provision will be driven by market demand as the project progresses. To provide a framework for these reports, the committee resolved to present this overview to Parliament. The committee has examined the development proposal and

supports the broad concept put forward by MBfl to create a world-class development.

This support is contingent on the finalisation of financial guarantees which are commensurate with Government financial exposure at this stage. That is an important point that I emphasise strongly on behalf of the committee. The committee will closely follow the progress of this proposal and will report further to Parliament as subsequent infrastructure proposals are brought before it.

Mr KERIN (Frome): It is with pleasure that I rise to add my support to this report and, indeed, to support the initiative of the MBfl group. The Wirrina resort has had a history which is far less spectacular than that envisaged by those who were responsible for its initial establishment. Having stayed at and visited Wirrina on several occasions over the years, I find it pleasing that finally the capital has been made available to allow Wirrina the opportunity to reach its full potential. The location and landscape is absolutely ideal. Its close proximity to Adelaide, along with its sense of isolation, makes it an extremely attractive proposition. I congratulate the Tourism Commission and MBfl on the manner in which they have worked together to get the development up and running so quickly. That has been an important factor in showing the rest of Australia and Asia that the perception that development in South Australia is too difficult is not a correct one.

The committee has been reassured by its witnesses that the relationship of public and private enterprise in this project so far has been excellent. The Government's commitment to public infrastructure spending at Wirrina is based on the MBfl group maintaining its commitment, and financial guarantees commensurate with the exposure of the Government will be finalised at each stage of the project. On our site visit, we saw that MBfl has already proceeded not only with considerable development on the site of the 89 existing accommodation units and the reception and entertainment areas being refurbished but also with the subdivision work and construction of 80 condominium units being well under way. Obviously, the Public Works Committee will be looking at individual components of the Wirrina development where public funds are involved. I look forward to the opportunity to view these projects and congratulate all involved in advancing this exciting development so quickly. Wirrina will play a major part in South Australian tourism for many years to come. I support the Presiding Member's comments and the report.

Ms WHITE (Taylor): I rise briefly to support the motion. This is a sizeable investment by the MBfl group in Wirrina, and it also involves, as previous speakers have mentioned, a significant contribution by the State in terms of infrastructure support. Already, as the member for Frome has pointed out, there has been significant activity by the group at the tourist development in getting under way those 80 condominium units at a cost of about $20 million, as well as the 111 residential land development plots next to the golf course, and stage 2 planning is certainly under way. Public contribution will be for projects such as reticulated water supply, effluent treatment, civil engineering works associated with the marina and some road infrastructure.

Certainly this project, coming under the build-own-operate-transfer gamut, is one that this Parliament is duty-bound to examine very carefully, indeed. As previous speakers have indicated, whilst there is an overall welcoming of the broad concept plans for a world-class tourist development at Wirrina, these public funding commitments in terms of infrastructure support will be examined as they come before the committee subsequently.

I think it is also important to point out at this time in the light of the recent comments by the Auditor-General in relation to these sorts of projects that it is the responsibility of Parliament through its Public Works Committee and other parliamentary committees to ensure that the process involved in public/private sector schemes is followed transparently, that the process is accountable to Parliament, and that risk is managed properly throughout the project; that is to say, that appropriate risk is apportioned to the relevant public/private parties. I have confidence that the Public Works Committee will endeavour to ensure that that is the case in respect of this project.

As previously mentioned, a significant provision is placed on support of the broad concept plan, as put forward by the MBfl, and that is that that support is contingent upon the finalisation of financial guarantees which reflect the Government's financial exposure in the light of its contribution to infrastructure support for the project. So, we welcome the investment that the MBfl group has put into the project to date, and I look forward to seeing more of the plans for the development in the future and further significant investment from this private sector group.

Motion carried.

STATUTES AMENDMENT (RACIAL VILIFICATION) BILL

Adjourned debate on second reading.

(Continued from 12 October. Page 222.)

Ms GREIG (Reynell): As most people are aware, I am a strong advocate for a racial vilification Bill or, in this case, amendments to the Criminal Law Consolidation Act 1935 and the Equal Opportunity Act 1984. However, I have concerns about this Bill and the Leader of the Opposition's rush to table it when he knows very well that the Government has also prepared legislation that is due to be introduced shortly.

Areas of this Bill need attention, and we may be able to address those as the Bill progresses or it may be necessary for the Opposition Leader to look at the Government Bill and, in true bipartisan spirit, put his support behind that Bill, which has been given much thought and had much effort put into it.

I want to see legislation put before this House that appropriately addresses all aspects of racial hatred and at the same time safeguards our right to free speech. We as members of this House have a duty to the community to show leadership and to send a message to the wider community that, first, South Australia does not and will not tolerate racist behaviour and that, secondly, all South Australians, whether they be Aboriginal, English, Irish, Jewish, Chinese or French, have the right to live in peace and free from intimidation as part of this community.

Most South Australians appreciate that, by any standards, our State in general is a tolerant society. People from all over the world have made their home in this State, in fact in this country, where they have the freedom to follow their own religious beliefs, observe their own traditions, teach their children about their culture, and maintain their first language. Whilst doing this they obey our laws, fulfil their civic duties and behave in a manner that is compatible with agreed Australian values.

Unfortunately, there are those in our State who, through so-called good old-fashioned hatred, bigotry and xenophobia are determined to destroy this relatively happy consensus. Although the racists amongst us are only a small minority they, unfortunately, have the potential to do a great deal of damage. Every act of racially motivated violence, every racist taunt, every act of discrimination or harassment has an effect. It makes some Australians feel afraid or insecure and it builds reciprocal hatred. It damages the feeling that we are all Australians, no matter where we, our parents or our grandparents were born. In passing racial vilification legislation, we as a Government make it clear to both the hatemongers and to those being attacked that this sort of behaviour is unacceptable and unAustralian. The attacked minority groups will feel comforted in that they have the support of the general community, which is acting to protect them, and that there is a real mechanism at law for redress.

Four separate inquiries have been held into this issue, the most prominent being the 1991 Inquiry into Racist Violence in Australia, and all of the inquiries highlighted that anti-racism laws must be part of the strategy for dealing with racial hatred and the anti-social behaviour that follows. I have mentioned that the racists amongst us are only a small minority, but my concern is that here in our State, where we have no laws in place to deter these minorities, their numbers are increasing. Right wing extremists are making South Australia their national headquarters. Not only is the Jewish community a target, but many Asian migrants have also been the victims of cruel, offensive propaganda, anonymous threatening phone calls, racist protests and marches, property damage—the list is endless.

It was not that long ago that all Australia was horrified by the desecration of Eddie Mabo's grave and, closer to home, the desecration of Jewish graves in the West Terrace Cemetery. In January, my office was a target of National Action. It decided to teach me a lesson because I did not condone its views. This gang of louts stood at the front of my office screaming and shouting and showing themselves for what they really are—nothing but trash.

History has shown us that racist hate and propaganda distorts the image of a group or class of people, denies them their humanity and makes them objects of ridicule and humiliation. Hate propaganda relies on fear and ignorance in such a way as to seek the legitimisation of racism in both the current generations and those who will follow. It works by socialising, by establishing that racism is expected and permissible, with the results that acts of aggression against victims and their communities are perceived less seriously. Individuals within these communities feel discouraged from taking action to help themselves. Those communities, and individuals within them, are made to feel that the general community does not support them or, if it did, someone would do something to stop it. In deciding whether this form of legislation is appropriate we have to ask ourselves three basic questions: is any legislation warranted in current circumstances; is any legislation justifiable; and how broad should legislation be?

Another issue we have to address is freedom of speech. We need to justify the issue: whether the harm of hate speech outweighs the harm of limiting it. This is the freedom of expression, freedom from expression issue where traditional arguments put forward by civil libertarians will be critically examined for their ability to address inequality, discrimination and the competing rights of those targeted by hate speech. I believe that no rights and freedoms are absolute. All important values in a free and democratic society must be qualified and balanced against other important and often competing values. This process of definition, qualification and balancing is as much required with respect to the value of freedom of speech as it is with other values.

I have spoken many times on the issue of free speech and I have questioned where you draw the line as to where freedom of speech ends and where hatred and intimidation begin. In entering this debate I often remind myself of two short sentences made famous by their author, Martin Luther King, who said:

> Morality cannot be legislated but behaviour can be regulated. Judicial decrees may not change the heart but they restrain the heartless.

I would like to share with members my research on racism experienced by the Jewish community. It is important to highlight the hatred endured by the Jewish community. This hatred, whilst well documented, is also experienced by other groups within the community. Unfortunately, the other groups have not, as yet, collated such a data bank of hatred, intimidation and racial violence. Australia is one of the most successful multicultural societies in existence. It is a 'new world' society in which Jews have enjoyed legitimacy dating back to the very beginning of European colonisation. This is not to say that Australia has no racists, or that anti-Semites are always considered beyond the limits of acceptable social behaviour. In 1994 racist and neo-Nazi organisations freely published material vilifying Jews.

The handiwork of anti-Semites was also evident in vandalism of Jewish institutions, in poison pen mailings and threatening telephone calls, in anti-Jewish graffiti and in assaults and harassment. What I have just read to the House is from page 218 of the preamble to the chapter entitled 'Australia' from the project for the study of anti-Semitism which was entitled *Anti-Semitism Worldwide 1994*. It was produced by the Faculty of Humanities at Tel Aviv University.

On Friday, 7 July, in Adelaide, we as a community witnessed with horror the aftermath of the desecration of Jewish graves in the West Terrace Cemetery. Along with our Jewish community, many of us felt pain and anger, we were shocked and ashamed, and we had difficulty understanding how any person could commit an act of such abhorrent disgrace. To make it even worse, leaders in our Jewish community highlighted for us the fact that this incident was not a once-off but the latest assault on the Jewish community. Sixty graves were severely damaged, and the desecration was disturbing.

Mr Norman Schueler in his interview with Peter Hackett of the *Advertiser*, dated 12 July 1995, pointed out that this incident was the latest in a series of anti-Semitic attacks in Adelaide. For two years the Jewish community in Adelaide has lived in fear. They have documented the threats and intimidation, the bricks thrown through synagogue windows and the stalking of individuals. The article went on to say that, over the past 12 months, the racist attacks have escalated. The Jewish community still feels very vulnerable and they believe that, by gathering intelligence, they are able to protect themselves in a certain way.

Jews were among the first settler convicts deported from Britain to Australia and, by the nineteenth century, Australia had established a Jewish community. Several successive waves of Jewish immigration primarily from Britain and East Europe augmented the Jewish presence. In the late 1930s, around 7 000 Jews mainly from Germany and Austria found

refuge in this country. After the war, the country admitted several tens of thousands of holocaust survivors and today Australia has the highest percentage of holocaust survivors of any Jewish community in the world.

I had a lot more to say, but I will run out of time. Incidents have been reported against kosher shops, against students on their way to school, and people have been attacked just walking down the street. There has been telephone intimidation and poison pen mail and, after assault and vandalism, these are the most aggressive forms of intimidation and harassment, and there have been personalised telephone calls or letters with threatening overtones or even overt warnings of impending attacks on individuals and institutions.

I have made my stand very clear on racial hatred and, in doing this, I have been the target of a lot of poison pen mail from gutless wonders who not only do not sign their letters but cannot even get the spelling of their obscenities correct. The mail and the threats that I have received, which I can only describe as disgusting, are nothing compared with the persecution endured by many, not only from our Jewish community but also from the wider multicultural community, and like many others in this place I will keep working to stamp out this hatred that stagnates a small portion of our community.

I have touched on only some of the issues, and the hatred is much deeper. Fortunately, our community overall does not and will not tolerate this kind of antisocial behaviour. I concede that racial vilification legislation imposes a limit on the freedom of persons to use their rights of expression of hatred to harm others. Yet to use the freedom doctrine as an instrument to permit vulnerable groups to be seriously harmed in the long or short term by groups which seek to bully misunderstands the proper role of free speech. South Australia must address the issue of racial vilification and we as a Parliament must show leadership in this area.

By introducing a Bill, I do not believe that we are impinging on the rights of every decent South Australian. However, we are sending a strong message to those who seem to think that they have the right to deny others in the community the right to being a valued member of our society. In closing, I should like to quote from the Without Prejudice National Conference, as follows:

> It is the responsibility of all fair-minded Australians to work to ensure that anti-Semitism remains in its place—the gutter.

The ACTING SPEAKER (Mr Venning): The honourable member's time has expired.

Mr De LAINE secured the adjournment of the debate.

PUBLIC WORKS COMMITTEE: ALDINGA WASTE WATER TREATMENT PLANT

Adjourned debate on motion of Mr Ashenden:

That the fourteenth report of the committee on the Aldinga waste water treatment plant and re-use scheme be noted.

(Continued from 12 October. Page 225.)

Mrs ROSENBERG (Kaurna): When I spoke to this motion last week, I mentioned the history of the treatment works and I said that I agreed with the Public Works Committee in terms of the style of the BOO scheme. For the three minutes remaining, I should like to refer to the fact that the importance of the environmental impact of this type of scheme for the Willunga Basin cannot be underestimated.

The committee acknowledges the importance of this issue for the Willunga Basin, with irrigation being conducted in a sustainable manner and agriculture in the area being maintained through the construction of the treatment works. For so long, the community in that area has talked about the protection of the Willunga Basin and has always overlooked the fact that the Willunga Basin will only ever be protected as a rural area if it is an economic rural area. If it is not economic it will always be under threat from plans for housing development, as was witnessed when the previous Labor Government planned to put 70 000 people in that area. The Liberal Government has protected that area. The construction of the treatment works and the way in which the committee approved its construction will ensure that the area maintains its rural status: we will have an economic agricultural area for the sustainable future. That is extremely important and cannot be overlooked.

When I last spoke on this subject, I referred to the economic value of the treatment plant and stated how its construction by a private developer would need to be revenue positive. I also condemned the previous Government for its political decision which allowed people's properties in the chosen limited scheme at Aldinga to be connected free while those on properties outside the scheme would have had to pay $2 500. That is one of the problems that I see with the economic viability of this scheme, and I understand that the committee has talked about this and about the expectations of revenue from the work. I think this will become one of the major problems in terms of the economics of the scheme, because a private developer will obviously want to make a degree of profit from it.

It is important to note that the feasibility agreement recently signed between the Government and a consultancy to examine the reuse of Christie's Beach water has expanded that treatment facility. We can therefore consider whether it is feasible to take sewage from Seaford and Moana to Aldinga to make the scheme an even more viable proposition for a private developer. It is important that that scheme be considered as part of the overall economics of this site. I support the Aldinga waste water treatment plant reuse scheme and applaud the committee for its efforts.

Mr KERIN (Frome): I support what the Chairman and the member for Kaurna (the excellent member for the area) have said in respect of this motion. I would like to expand on the environmental aspect of the project. The project shapes up well in terms of service delivery and economic analysis. The current cost of $430 000 to tank waste water to Christies Beach is purely a recurrent cost with no capital result. Whilst I understand why the decision to build a waste water treatment plant in the area was delayed, I point out that it will provide immediate financial benefits. I applaud the concept within the project which sees the reuse of water. That will have a dual benefit to the State. Gulf St Vincent has suffered much environmental damage over many years through the disposal of treated sewage into the gulf, as evidenced by damage to the sea grasses, thus causing economic damage to the fishing industry. In the long term, this practice is not acceptable. I look forward to further projects which lead to alternatives to this method of disposal.

Indeed, I have witnessed considerable pollution to Spencer Gulf at Second Creek, which is just south of Port Pirie in my electorate. It is hoped that that problem and other similar problems throughout the State can be addressed over the next decade by using the technology at Aldinga.

I look forward also to the committee's consideration of the proposal for the Bolivar-Virginia pipeline, which will be a major project for reuse of treated water. The Aldinga waste water treatment plant and reuse scheme will create some local agricultural opportunities for the reuse of treated water. Whilst not on a massive scale, it will allow a limited amount of irrigated agriculture which otherwise would not have occurred. In a State where water supply is a limiting factor in respect of irrigation, this project is indicative of much larger possibilities for future economic reuse of our treated waste water. The improvements in technology which make this reuse possible and safe will not only positively impact on our coastal waters but result in increased opportunities for the growth of vines, food and fibre.

Having been able to witness this project from the early stages, I look forward in the not too distant future to returning to Aldinga to inspect the agricultural development resulting from this project. I urge South Australian Water to progress reuse of waste water at other sites and I indicate my support for both this concept and, more specifically, the Aldinga project.

Motion carried.

HEALTH INSURANCE

Mrs ROSENBERG (Kaurna): I move:

That this House condemns the Federal Government, and in particular the Minister for Human Services and Health, for lack of action to curb the massive movement away from participation in private health insurance and the consequent pressure on the public health system this is causing, and further this House urges the Federal Government to look at all steps available to it to attract people back into private health insurance.

As members will recall, I have tried this process of debate twice before. The motion is not a new thing for me, because this is a matter about which I have been worried for quite some time. I have already put two notices of motion on the Notice Paper on this issue and experienced difficulty in finding people willing to debate the issue, and so I will try again today. First, I refer to statements attributed to the Federal Minister for Health, Carmen Lawrence, in a recent *Advertiser* article by medical writer Barry Hailstone, as follows:

The drop-out rate from private health insurance is not causing the pressure on public hospitals that State Governments suggest. The Federal Health Minister, Dr Lawrence, said this yesterday in a special telephone interview with the *Advertiser*. Speaking in Perth, she claimed the States were pulling money from the public system while blaming funding problems on extra patients who had left private health insurance.

Obviously, Dr Lawrence does not read, does not agree with, or chooses to forget or ignore the findings of her own department's report, which in a joint Commonwealth-State study stated clearly that 7 685 people used the public health system last year and that these people had dropped out of private health insurance in the previous 12 months. It is absolutely incredible for the Federal Health Minister to suggest that this added burden of 7 685 people treated in the public system is not adding any pressure to the public system. Does the Minister not understand that the simple movement from private to public means that all those treatments and costs are transferred to the taxpayer through the public system and that that in turn adds to the waiting list problem? The *Advertiser* article goes on to state:

. . . Dr Lawrence said the use of private health services was increasing in volume, activity and investment, and the people dropping out of private health insurance were typically the young and healthy.

People are leaving the private health system in droves: over the past 10 years the number of people covered by private insurance has reduced from 80 to 37 per cent of the population. That represents almost a 40 per cent burden on the public system. In South Australia alone in the June quarter (the three months to June 1995), about 12 000 South Australians dropped out of private medical insurance. If that number were projected over a year, it would involve a staggering 50 000 people. How is it possible that this added 40 per cent burden on the public system can in no way be responsible for the pressure on public hospital waiting lists? The answer is simple: Carmen Lawrence is wrong. These numbers are adding pressure to the public system. They will finally cripple the public hospital system if we allow this trend to continue.

The Federal Government must wake up and act immediately. Over the term of this Government it is estimated that $54 million in added burden has been placed on the public system by people dropping out of private cover and using the public hospital system. Clearly, $54 million in two years is no small amount of added burden. Many public hospitals have survived in the past by the top-up they receive from private patients accessing services through public hospitals. Major public hospitals have had significant falls in revenue because of this very drop-off in private patients using those facilities. For example, in the past 12 months Flinders Medical Centre has lost $1.6 million in revenue caused by this problem; Queen Elizabeth Hospital has lost $1.8 million; and Royal Adelaide Hospital has lost $3.1 million.

Some public hospitals have felt the pinch so badly from this lack of private patient funds that they are financially disadvantaged to the point of facing closure. In the *Advertiser* article Dr Lawrence acknowledges that a few private hospitals such as Southern Districts Private Hospital at McLaren Vale and the Onkaparinga Hospital at Woodside are experiencing difficulties, but that these difficulties are due to the fact that they are failing in a competitive market. Dr Lawrence should be warned to take better advice before she slams hospitals' failure to be competitive, and to learn something about the history of various hospitals that she has chosen to criticise.

With regard to the Southern Districts Private Hospital, it must be pointed out that this hospital has only recently become a private hospital—and why was that? The Southern Districts War Memorial Hospital, as it was known, was the pride of the Willunga and McLaren Vale area and was a community based public hospital serving the community both efficiently and well. So, what was the real reason for the demise of that hospital? Bluntly, the reason was the Labor Government. The Labor Government reduced the funding of this hospital from $3 million to $1.9 million in one year. In one year the Labor Government reduced the Southern Districts War Memorial Hospital from a 40 bed hospital to a 25 bed hospital. That, Dr Carmen Lawrence ought to understand, is the reason for the beginning of the slide of that magnificent hospital, and was the reason the hospital had no choice but to look to becoming a private hospital, at least with the hope that the private component would subsidise the public component.

The key component of many public hospital revenues is the privately insured patient who comes in and tops up the system. With no or insufficient private patients, the public

system simply stops. For the Southern Districts Private Hospital to survive it requires 13 private patients per day, and the surgeons in that area cannot guarantee this number simply because of the massive movement of people out of the private market. Dr Carmen Lawrence, do you now understand? I doubt it.

Presently the Labor shadow spokesperson for health condemned this Government for funding the private management consultant that was brought in by the Southern Districts Hospital following the redundancy of its CEO. That is correct. Our Government was condemned for 'spending' taxpayers' money on a private hospital by the health spokesperson on the other side. This money was to provide the lifeblood so that the management structure could be revamped to allow this hospital to continue to exist. The Labor Party condemned this Government for wanting to allow this hospital to continue to exist. That was a few weeks ago, but now what has happened? There has been a major rethink, because maybe some votes are involved.

In this week's Messenger newspaper we read that a failed Labor candidate and Legislative Councillor—who, coincidentally, was a member of the very Government that cut that hospital's budget by half—will now go and meet with the management board, the local doctors and the community groups in the area, because they think the hospital is important. I hope they remember to state clearly during those meetings that one of them was a Government member who was part of the slash of the budget for that hospital twice—the Labor Government slashed that budget not once but twice—and that the current health spokesperson condemns our efforts as a Government to keep the hospital viable. I hope that this honesty will come out at those meetings, but I know that, given their characters, honesty will be about the last thing on their minds.

Dr Lawrence claims that rising insurance premiums and out of pocket gap costs for hospital bills are the main reason for people dropping out of health cover. She further claims that her new legislation, now in effect, will make direct contact arrangements with doctors and hospitals and that will drive down the price of the services and allow insurers to cover the gap. In contrast to this, the AMA states the opposite and warns that health costs will rise—not fall—under the Federal Government's reforms now in place. Fewer than 5 per cent of medical practitioners will comply with the new measures, and this will effectively drive more people out of the health system, in complete reverse of the claims that have been made that there will be a benefit.

The theory behind Dr Lawrence's legislation is that doctors and hospitals would sign contracts with health funds in exchange for a guaranteed amount of work. As a result, the patient would receive a capped fee as a single bill and know the exact amount before the hospital was entered. The AMA says that the no gap product would be more expensive, and so nothing would be saved.

Obviously, if this loss of people in the private health system is to be stopped, it will remove the necessity for increased premiums. If young people are leaving the insurance areas (and Dr Lawrence says that a key number of people are leaving the health insurance area), and they are healthy (as she says), how will her legislation lower prices? What is the point of capping prices to a group that is not even using the system? This is not the answer and it will not work. The major health funds agree with the AMA. The reforms will not give consumers a reduction in premium costs. It is obvious that someone will pay for the loss of the private insurers, and that will be the members who remain, so their prices will obviously increase.

The key to success for the private insurers is to attract back the young, healthier people and make the attraction so that they want to stay. Health Partners says, 'The legislation addressing the out-of-pocket expenses is only one part of the problem.' Some 91 per cent of South Australians believe that the Federal Government should offer tax incentives to encourage people to join private health funds. Further, three out of every five people indicated recently in a poll conducted by Roy Morgan Research that they would sign up for private cover if the Government introduced incentives such as tax rebates or a reduced Medicare levy. The Federal Government can and should consider both of these incentives.

One year after Dr Lawrence's reforms have been in place, not only does no-one in the community know about the reforms but no-one is responding positively. The reforms are just not working. They should be reviewed. Two out of three people surveyed believe that the Federal Government changes would result in higher premiums; and four out of five said that they knew nothing about the reforms and did not believe it would encourage them to join private insurance. Hospitals in South Australia have achieved massive efficiencies due to the dedication of staff and managers. In 1994 South Australia's hospitals treated 4 per cent more people than in 1993 and reduced the waiting lists by 7.5 per cent. The number of people waiting for 12 months on surgery lists has been halved. However, sooner or later every hospital reaches the limit of its efficiency gains and it can be made no leaner. As this approaches, along with the increased burden of added public patients moving from private health insurance, our system will surely start to fail.

I urge this House to join with me to condemn the current lack of understanding of the real issues by the Federal Government and the Federal Minister for Health, and the lack of vision that she has in dealing with the problems facing our public health system in South Australia.

Mr De LAINE secured the adjournment of the debate.

WINE INDUSTRY

Mr ANDREW (Chaffey): I move:

That this House condemns the Federal Government for its failure to respond to the Industry Commission's inquiry into the wine industry, and for failing to use the opportunity to reject any options for an increase or change to the current taxation status of the wine industry.

The Federal Government stands condemned for not having responded to this inquiry, simply and fundamentally because any change to the current taxation status of the wine industry based on this inquiry, whether it be the majority or minority recommendations of the inquiry, would severely damage the future growth of the industry and in doing so would negatively impact upon the economy and the future growth of the State of South Australia. Indeed, I know I have the support of all Government members on this side of the House, and I call on all members of the Opposition to support this motion in what undoubtedly needs to be a bipartisan approach for the future interests of this State.

The Federal Government agreed to hold a national inquiry to investigate the effects of taxation on the wine industry following vigorous resistance to changes in the sales tax regime to its 1993 Federal budget. The inquiry was undertaken by a committee of three, chaired by Mr Bill Scales as

Chairman of the Industry Commission. I commend the member for Mawson who moved a notice of motion in March this year condemning the minority recommendations of the interim report into the wine and grape industry. That motion specifically urged the Federal Government not to adopt the recommendations. I, and a number of my colleagues, including you, Mr Acting Speaker, voted in support of that motion, and I also put a question to the Premier in this Chamber asking what action the South Australian Government was taking to oppose the recommendations.

Subsequently, the South Australian Government released its formal response in May in which it severely criticised the recommendations from this inquiry, yet the Federal Government has still not released its response to this report and the inquiry has been finished for about four months. In last week's *Advertiser*, Mr Brian Crosier, one of the three people who conducted the inquiry, said that there was absolutely no reason for the Government not to have given its response and to comment on it and to allow the industry to get on with planning its future. The terms of reference of the Commonwealth wine grape and wine industry inquiry required the committee to focus on the industry's development potential; impediments to growth; and an appropriate form and level of taxation in the context of improving the overall performance of the Australian economy.

The South Australian economy, and more specifically some regional economies, are closely linked to the economic performance of the wine industry. As was indicated in the South Australian Government's response, most of the comments and recommendations in the draft report relating to irrigation and water issues, if not already implemented, are currently under active review by the State Government. These include facilitation of infrastructure and interstate movement of water allocations, infrastructure provision and operation and minimisation of transaction costs, as well as identifying the environmental requirements of the river systems and quantifying minimum flow levels in conjunction with the relevant authorities.

Impediments to growth include any reduction in the domestic demand for Australian wine and the current tax treatment of wine stocks, which acts as a distinct disincentive to the expansion of bottled wine for export from this country. The current tax structure encourages wine producers to export wine in bulk for bottling offshore and this, of course, becomes a loss of potential for value adding in Australia. To appreciate fully the impact and effect of the taxation recommendations of the inquiry, I will briefly revisit some of its findings. The report proposes that wine be subject to a composite tax, including an *ad valorem* wholesale sales tax, plus a volumetric sales tax based on alcohol content.

The introduction of a volumetric tax based on the alcohol content is distorting, inequitable and regressive, and it is at variance with the cultural aspirations of Australian society. Such a tax requires that non-abusers contribute in a direct way to the costs imposed on the health and welfare system of those who abuse alcohol. Such a taxing mechanism does nothing to redress the underlying factors leading to alcohol abuse and is demonstrably a second-best mechanism to addressing the problem. This proposed volumetric tax would be distorting because it is a specific tax that raises the price of cask wine relative to the price of bottled wine.

At that margin consumers will substitute bottled wine for cask wine and, in this way, the taxation system will induce consumers to move out of cask wine into bottled. Other things remaining equal, this volumetric tax is regressive. In other words, its incidence falls disproportionately on the less well off Australians; that is, for any given increase in specific tax, the non-abusing, low income cask wine drinker is forced to pay a higher proportion of his or her disposable income on a tax for a glass of wine, compared with the non-abusing, high income bottled wine drinker.

Also, this volumetric tax is discriminatory, because it is a specific tax imposed, for example, on the individual with a wine drinking heritage who habitually consumes wine as an integral complement to meals. Such a consumer would now be called upon to pay a specific tax for each glass of wine consumed. By contrast, food and other staples are not taxed.

Specifically, the interim report's minority finding by the Industry Commission's Chairman, Mr Bill Scales, recommended increasing the wholesale tax from 26 per cent to 32 per cent and imposing tax by volume of $4 per litre, therefore lifting the tax by 50 per cent. The direct effect would be that the price of cask wine currently retailing at about $10 would jump to $13; an $8 cask would rise to $10; the price of a $10 bottle of wine would go up to $11; and the price of a bottle of brandy would significantly increase from $17 to $20. The combined effect of these two taxes is equivalent to doubling the current sales tax.

The wine industry is of critical importance to South Australia. It is a key export industry in this State. It is also an activity currently exhibiting strong growth in export earnings and overall employment, with value added activities extending from on-farm to the final manufactured product ready for export. It is just the sort of industry that Australia should encourage, not discourage by imposing punitive taxes when it is starting to deliver on the high expectations that it now has.

Australian exports of wine in 1993-94 of 126 000 kilolitres were valued at $370 million, with 65 per cent of exports ($238 million) sourced from South Australia. Wine accounted for about 7 per cent of the value of South Australian exports in 1993-94 and about 7.5 per cent of container traffic out of Port Adelaide. This industry is vital to South Australia not only in terms of direct employment in vineyards and wineries but also from the point of view of the service industries, such as printing, metal fabrication and machinery.

There are plans for substantial new vineyard developments in regional Australia. This planned growth, and associated benefits, will occur only if the current level of demand for grapes for the domestic market for wine continues, as the domestic demand for wine still accounts for about 70 per cent of the total demand for Australian wine.

More specifically, the impact on South Australia of these recommendations not being rejected by the Federal Government is highlighted by the following further facts that I will place on the record. South Australia produces 60 per cent of the nation's wine. The 1995 statistical report of the Winemakers Federation of Australia demonstrates strong vineyard growth of over 5 per cent for South Australia as a whole and leading the rest of Australia totally. With respect to the electorate of Chaffey, this growth is over 6 per cent. Across Australia increased plantings of over 8 000 hectares over the next four or five years is expected, with 40 per cent of that planned to occur in South Australia.

In the Riverland specifically, five new corporate vineyards are developing more than 1 500 hectares to premium grape varieties over the next five years. As I said, existing properties are redeveloping at about 6 per cent. It is important for achieving the adjustment to premium varieties, modern

trellising for modern harvesting and mechanical pruning and efficient irrigation systems that this incentive and encouragement of the industry be allowed to continue. Larger vineyards are using computerised irrigation systems for soil profile measurement of the water content to determine specific and appropriate applications of water regimes. South Australian wine producers would increase production to meet the rapidly growing demand, yet it is expected that growers will not be able to meet the wine producers' requirements.

Currently, the Australian wine industry makes up only 2.2 per cent of the world's trade in exported wine and the Australian wine industry intends to export over a billion dollars worth of product by the year 2001. We cannot afford to see this wine industry treated as the brandy industry was treated nearly two decades ago and be devastated by Federal taxation measures. The impact on employment in the industry, if retarded, is significant. Current restructuring in terms of the growth that is now occurring with respect to direct employment prospects means that, for every 25 hectares of new vineyard development, at least one new vineyard job is created, not to mention the multiplier effect on top of that throughout the whole State.

This is the climate in which investment decisions need to be made. Inaction by the Federal Government in this environment is both irresponsible and irrational. Proposals in the draft report of the Commonwealth Wine Grape Industry Inquiry would affect the domestic market for wine, as I have indicated, and the health of that domestic market is considered to be most important to the vitality and future of the whole industry. Small domestic producers of today can be exporters of tomorrow. A volumetric tax undercuts that domestic market. Wine has a very low elasticity in price, thus any increase in price at a retail level will undoubtedly reduce sales, and this has been referred to and evidenced on many occasions.

The wine industry is important to this State. To put a couple of final figures on the record, I point out that it accounts for 51 per cent of the total national wine production, 48 per cent of total employment in this industry, and South Australia is responsible for 65 per cent of wine exported from Australia. Importantly, Premier Brown has already secured an undertaking from the Federal Coalition that it will not in government increase wine taxes or alter the structure of taxes on the wine industry. He has urged the Prime Minister to rule out increases in Federal Government taxes in the wine industry. Premier Brown and this State Government understand industry concerns that billions of dollars of investment are currently being installed but are at risk of going offshore because of this continuing uncertainty. The industry in this State should receive a sympathetic hearing and have a vocal supporter in Federal Cabinet. Where is the Hon. Gordon Bilney, member for Kingston?

This region, along with the Riverland, the Barossa Valley and McLaren Vale, has a high proportion of independently owned vineyards. There are benefits to the region and direct employment opportunities in vineyards and wineries, plus jobs in the supply and tourism industries. I understand from my colleagues that Mr Bilney is not addressing the problem, he is nowhere to be seen and he is certainly not bringing the issue before the Federal Cabinet. Where is the State Leader of the Opposition? Where are the members of the Labor Party opposite in terms of their pressure, their letters, their condemnation of their Federal Government in not bringing this matter to the attention of the Prime Minister and Minister Collins? I call on the Labor members opposite to support this motion in the interests of this State. It is bad enough that the Federal budget in August 1993 increased the wholesale tax from 20 per cent to 31 per cent. There was industry outcry and pressure from this side of the House and from my Federal colleagues the members for Wakefield, Barker and Mayo, who have done all in their power to put pressure on Minister Collins.

In summary, this State is faced with a scenario that it has an industry which has become the benchmark and example for Australian export growth and development, in which Australia is a leading player but which is now under threat from the recommendations of an inquiry under a Federal Government that is keen to collect additional taxes. This State must be concerned that the Federal Government seems to be indifferent to the economic impact of its policies on smaller States and our regional economies. I call on the Federal Government and members opposite to support this motion.

Mr BROKENSHIRE (Mawson): I am delighted to support my colleague from the Riverland on this motion, because it is so important to the future prosperity of the McLaren Vale wine region, which is within my electorate. What a deplorable situation it is when you consider that the Riverland, the South-East and McLaren Vale have great opportunities before them but have been totally stifled by ineptitude. It is more than ineptitude: it is part of a plot by the Keating Federal Government further to undermine one of the growth industries in this State. In talking of undermining, one only has to consider the car industry, which is also an integral part of South Australia. What did it do in that regard? It put a tax of about $1 200 on the average car, which affects growth opportunities for jobs.

Here we have the second largest agricultural growth industry in South Australia, of which around 60 per cent is in South Australia. What does Paul Keating do? He sets up a self-directed report—the Scales report—and then sits on it. Why does he sit on it? It is clear: it is a deliberate decision by the Federal Labor Government to not hand down a decision on the Scales wine report, which could damage expansion and job creation in our region. It is not prepared to hand it down because it is interested only in playing political games. It knows that if it happens, heaven forbid, to get back in after the next Federal election, it will adopt the minority recommendation—the Scales recommendation—of increasing wine tax to 32 per cent, which will be absolutely devastating for South Australia and Australia, particularly as our State has been enjoying such great growth in this area.

I say that it has been enjoying great growth, because recently it has been brought to my attention as a local member that people who were considering expanding their production in the McLaren Vale region are starting to become nervy because they feel that the rumour is strengthening. We are working hard to bring back recycled water from Christies Beach into the Willunga Basin, which is so important for economic growth and development in our region. But how can we as a Government continue to push through that project if the Federal Government is to stifle the purchasing opportunities of that water and growth opportunities for expansion in the basin due to the fact that it will bring in another impost on this industry? It is doing well out of tax in this industry as we have seen enormous growth. Why kill the goose that laid the golden egg?

Mr Bilney, the Federal member for Kingston, should also have some interest in the wine industry, but he has been very quiet when it comes to getting in there and having a go at

helping those of us in the South Australian Government who are opposed to any increase in taxes. As my colleague said, Premier Brown has negotiated a deal with John Howard and there will not be tax increases in the wine industry under a Liberal Government. Yet here we have Gordon Bilney—a Minister in the Federal Labor Government—tending to be very quiet on this most important issue. In the Messenger Press newspaper this week, I was quoted as highlighting concern about the Federal Government's continuing to hold back on coming out with a decision on this report. I pointed out the ways in which it is stifling expansion opportunities in our region. Mr Bilney, the Federal member for Kingston, said:

> I am confident that the Government will regard as important the need to give the industry certainty so that it can proceed with confidence in its investments. As I understand it, the Scales report goes well beyond the taxation matters which appear to be the main preoccupation of local members.

Mr Bilney is having a crack at me and at the Premier because we have had the guts to come out and say that we are opposed to tax increases, that it is critical to South Australia that the Federal Labor Government no longer put forward these imposts. Irrespective of what other recommendations may be in the Scales report, Gordon Bilney knows damn well, as does anybody else with an ounce of economic knowledge, that, if you savagely increase taxes and charges on the industry—and let us face it, the Federal Labor Government has already increased taxes and charges on the wine industry (they went up again in July this year)—you will stifle growth and development.

That impost means that it does not matter what other good recommendations could be adopted from the report, you at least stagnate the industry and, at worst, you start to drive down the industry. We as a Brown Liberal Government are not prepared to accept that in South Australia, and we are determined to ensure that we stand up for our wine industry and our wine grape growers, producers and makers: we will put every bit of pressure we can on the Federal Government to once and for all leave South Australia out of its tax impost situations and give us a chance to grow with industries on which we have worked hard to ensure they enjoy growth in this State. I support the motion.

Mr De LAINE secured the adjournment of the debate.

CURRENT AFFAIRS PROGRAMS

Mr CUMMINS (Norwood): I move:

> That the House condemns the proposed changes to the production of ABC local current affairs programs, and in particular the *7.30 Report*, and calls on the ABC board to reverse any decision that limits local current affairs and calls on the board not to interfere with or reduce local production of current affairs and news programs in the future.

Members will no doubt be aware that on Wednesday 27 September 1995 the ABC put out a media release the effect of which is that the *7.30 Report*, currently shown on channel 2 in South Australia, will cease to exist, and a single daily, Australia-wide, *7.30 Report*, to be presented by Kerry O'Brien, will be introduced on 4 December. In addition, it stated that two new weekly current affairs programs will be introduced early next year. The ABC, in its press release, states that there will be strong input from all the States and Territories, and from regional Australia. I would have thought that that statement was fatuous. If one looks at the Kerry O'Brien program, one sees that it is patently obvious that he is interested in so-called national issues that are basically oriented around Canberra and the international community.

The thrust of that release and of what the board is doing is to ensure that local news coming to us through the ABC in South Australia will virtually be non-existent. I find that quite surprising, because the *7.30 Report* in South Australia has one of the highest ratings in Australia. It certainly has a higher rating than the New South Wales program, where the new national program is to be produced. Kerry O'Brien's program really has not had high ratings in this country.

One really wonders what the ABC board and the Managing Director (Brian Johns) are about. The decision of the board was unanimous. That surprises me. I am upset that John Bannon, the former Premier of this State, did not come out and support the retention of the local current affairs program. I know that the current Leader of the Opposition is concerned about the matter and that he will be supporting this motion, for which I thank him, because it is an important motion.

It may be said that the Liberal Party has not had a friendly relationship with the ABC, because a lot of our members perceive that the ABC traditionally supports the Labor Party. That may be the case, but it is important that we have a local current affairs program that deals with local political issues and issues that concern the community. The media, whether or not we like it, play a dominant role in keeping politicians, both on the Government and the opposite side, in line. If the democratic processes are to be in full force in a State or a country, it is critical that we have a vigilant media—whether it be the ABC or not, and whether or not it favours us is irrelevant.

The current move is just the thin end of the wedge. Members might recall that in August last year the board proposed not only that the *7.30 Report* but also that local news services be abolished and substituted by a national program. Members may recall that, last time, there was a hue and cry. I think that this is the first step, and that the ABC also intends to get rid of a lot of local news content and establish a national program. Once again, I find it amazing that the board is taking this step, because it may be remembered that the ABC introduced a national program in 1985.

The Hon. M.D. Rann interjecting:

Mr CUMMINS: Precisely. As the Leader of the Opposition says, it was a total disaster. The ratings were poor and it failed to gain any market share at all, and five years later the program had to be withdrawn. What is the ABC about? That is what I am asking. I suspect that because the ABC has had problems with ratings in New South Wales the board in its wisdom (as most of its members reside in the Eastern States) decided to locate the programs in New South Wales for the benefit of that branch of the ABC.

In addition—and I do not like this approach by the ABC—in 1983, the Broadcasting and Television Act was amended. Under the old Act, the ABC was required to produce programs in the interest of the community. Section 61(a)(i) of the Act was amended to take away its thrust from the interests of the community, which obviously would cover the States, and relate it to programs that contributed to the national identity. It appears that that is the ABC board's agenda. Basically, it wants to show programs that have a national and an international profile. I think that is great pity. However, section 6(1) of the Act provides that there is an obligation on the ABC to show programs with cultural diversity. Obviously, the cultural make-up of each State is

different, and I believe that that imposes an obligation on the ABC to show State programs.

Amusingly enough, the Act was amended in 1983 to incorporate section 6(4), which provides that there is no action in relation to enforcing the charter of the ABC. The effect of that is that, although the Act provides that programs should provide for cultural diversity, it appears that with the abolition of the *7.30 Report* the ABC is not honouring that charter. In law, under section 6(4), no action can be brought against the ABC to ensure that it complies with its charter. In other words, willy nilly, if it wishes, it can abolish any State program, and we as taxpaying citizens and as a State can do absolutely nothing to make the ABC comply with its charter.

The smaller States, such as South Australia, Western Australia and Tasmania, are being affected by this, while those that are benefiting are the larger States such as New South Wales and Victoria. There is nothing unusual in that, because there has been a massive centralisation of economic power in the Eastern States. As I have said before in this House, I believe that the Hilmer report is all about that: centralising economic power in the Eastern States.

In addition, we also know that there has been a movement in this country to centralise legislative power in Canberra and to enhance the position of the Commonwealth Government as against the States. To ascertain that members only need to look at the recent decisions in the High Court dealing with external affairs power and industrial power. We all know that simply by adoption of a treaty the Commonwealth Government, by passing legislation through both Houses, can then impose whatever the terms of that treaty may be on the States and, due to the inconsistency provisions of the constitution (section 109), Federal law takes precedence over State laws. In relation to the interpretation of the industrial power, members will also know that an interstate dispute can be created by serving a log of claims in relation to public servants and employees of instrumentalities and, as a result, public servants and employees of instrumentalities come under the jurisdiction of the Federal Industrial Court. The problem with that is: how does a State plan its budget when suddenly its employees come under the Federal jurisdiction, because it does not know what the approach of the Federal jurisdiction will be in relation to wages?

It seems to me that the thrust of what is happening with the *7.30 Report* is part and parcel of this whole centralisation of legislative and economic power elsewhere, the legislative power, as I said, in the Commonwealth Parliament and the economic power in the Eastern States. The effect of the abolition of the *7.30 Report* will be that the programs will have national content; they will not have State content. I do not believe that Kerry O'Brien will be interested in what is happening in South Australia and Tasmania—in fact I have absolutely no doubt about that. It seems to me, to that extent, the Managing Director of the ABC, Brian Johns, and the ABC board are totally misleading people in the smaller States when they say that Kerry O'Brien will include strong input from all States and territories and from regional Australia. I do not believe he will do that.

The previous history of the ABC board indicates that the board cannot be trusted. As we know, in August it decided to abolish its news and the *7.30 Report*, then it changed its mind. Now it is back again, and abolishing the *7.30 Report*. As I pointed out, it is a slippery slide and, eventually, we will see its news disappear as well. I am opposed totally to what the board is doing. As I said earlier, I am disappointed that John Bannon, a former Premier of this State, did not come out and support the retention of the local *7.30 Report* program. He certainly did not do so because the press release states that the decision was unanimous. I commend this motion to the House and I hope it will be supported by members.

The Hon. M.D. RANN (Leader of the Opposition): I support this motion. It is vitally important in any democracy that there is a diversity of opinions expressed through the media. Quite frankly, in South Australia attempts have been made by the Government to invest in the production of documentaries on commercial television stations in the hope that they will play ball and take a supportive line. With a Government that has a massive majority, we have seen a too cosy alliance between some sections of the media and this Government. A Government with a massive majority needs an Opposition that is vigorous—which it has—but it also needs the vigorous scrutiny of the media, and so any move towards lessening the diversity of the media is a step away from good democracy, good debate and good journalism.

I am concerned, as I am sure all people are concerned, about what can only be described as 'Sydney creep'. Gradually, inexorably the whole series of news organisations are moving their focus towards Sydney. The trouble is that, while commercial television stations can refer to the needs of their shareholders, the ABC, under its charter, has a fundamental responsibility to represent the needs of the whole of Australia in terms of information, entertainment and news: it is the national broadcaster. It is particularly concerning that the ABC seems to have adopted the view of some commercial stations that, in fact, Australia begins at the Sydney Harbor Bridge and ends at the Blue Mountains. It is very important that we in the States, particularly States such as South Australia, Western Australia and Tasmania and in the territories such as the Northern Territory, continue to maintain pressure so that all of Australia is covered journalistically.

At the moment only two current affairs programs are sourced out of Adelaide. One of them is the *7.30 Report* and the other one is *Today Tonight*. With the *7.30 Report*, the decision that was made by ABC management to do away with local programming is a body blow to the diversity of the media in this town. The *7.30 Report*, unlike news programs, gives the opportunity for more in-depth probing and debate. Over the years we have seen the gradual move to the 30 second grab on the news, then it went down to the 20 second grab, then a few years ago it was the 15 second grab, and now it is down to the nine, 10 and, at the maximum, 11 second grab from politicians. Basically, what we see in South Australia and across Australia is more of the reporter and less of the news. That is a worry for journalism and for democracy.

As someone whose training was in current affairs, working for the national broadcaster in New Zealand, which is the New Zealand Broadcasting Corporation, although its name keeps changing, I know how very important it was to have current affairs programs sourced out of Auckland where I lived, which is the commercial capital of New Zealand, and not just out of Wellington, which is the political capital. It was vitally important for issues that related to Auckland's administration to be raised, debated and aired on radio and television in Auckland. So I am very concerned that issues such as the privatisation or outsourcing of the management of water, which filled up three quarters of the *7.30 Report* program the other night, would not be covered by a Sydney edition. We are not talking about a national edition: we are

talking about a Sydney edition. When they say 'national', they mean Sydney—they mean Sydney values, Sydney emphasis and a Sydney focus.

It is very important to fight this all the way. There will be a bit of tokenism for a year because they will put up a bodgy program late in the evening—a bit like the Susan Mitchell show—and they will say that this is local production. They will not give it any resources or they will give it withering resources and eventually they will say that the program has failed and they have decided to discontinue it. It is the classic, standard ringbarking approach. Then they will tell us not to worry about doing away with a program that did not work, that obviously there is no real need for local content or local journalism otherwise people would be watching late at night on a Friday. They will also tell us that we will still have strong presence in terms of journalistic correspondence for the national program so, when there is something bizarre like the member for Lee's comments, we might get a titillating item in the national program. However, if it is something of substance such as the issues of hospital privatisation, WorkCover reform, privatisation or the outsourcing of management, we will read about it only if it occurs in either Melbourne or Sydney. It will be Canberra, Sydney, Melbourne—the golden triangle—and they will leave the small States out.

That is exactly why, for the same premise, as Minister for TAFE I fought the national takeover of the TAFE system, because we knew that local industry and local unions would not get a look in. The same process, which is happening in a whole series of layers of Australian life, is now occurring with the *7.30 Report*. We are not just fighting to save the jobs of people here, although that is important. What we are talking about is local identity, local interest, local news, local current affairs, which we know the ABC will not be covering.

When was the last time anyone heard Kerry O'Brien's *Lateline* program dealing with anything in South Australia? When was the last time anyone heard *Four Corners* dealing with anything in South Australia? It did a story about the privatisation of hospitals but the focus was on Melbourne. We have seen it with *A Current Affair* where journalists, who spend more time on their haircuts than on their research, swan in from Sydney, do not know the issue but, because they have to reach a certain quota, do a superficial piece to try to please the locals in South Australia. I join with the member for Norwood in a bipartisan way and support this motion.

On the day that the ABC's decision was announced I publicly opposed it. We need to harass them right down to the wire. If we do not fight this they will start doing the same with evening radio: it will start with a midnight session from Sydney, going to the evening session and then getting earlier and earlier. This is about networking. It is about two things: saving money and a Sydney broadcasting corporation—not the Australian Broadcasting Corporation. If we do not fight this we are on the slippery slope to being denied real current affairs, real probing, real journalism, real debate, real democracy and real diversity of media in this State.

Mr BRINDAL (Unley): It is most unusual to stand up in the House and agree with the Leader of the Opposition: it is something new. I support strongly the statements of the Leader of the Opposition and particularly the motion of the member for Norwood. I agree with the Leader: this is a loss of identity for South Australia. For a Federal Government that prides itself on the multicultural nature of Australia—choice, diversity and the richness of the fabric of this society—I wonder why it keeps forgetting that regional Australia—Australians—have their own identity. You would know, Mr Speaker, that people who live on the West Coast are not exactly the same as the people who live in Adelaide. You pride yourself on the differences between country and city, and this applies even between suburbs in Adelaide; but to reduce the whole of the nation, as the Leader of the Opposition and the member for Norwood say, to some sort of subservient service from Sydney is a step backwards.

We have to look only at the United Kingdom where regional identity developed over centuries. There is a richness in the language and in the traditions and cultures right through the UK. This occurred partly because of the isolation of the times but also because those regional identities were nurtured and allowed to grow and develop. But in Australia we apparently want to forget about region; we want to look at this overweening influence that Sydney seeks to have on the rest of this country. As I have said, I strongly support the Leader—and am pleased to do so—especially since so many of his Government's policies at a Federal level are directed towards the very decentralisation that this motion seeks to oppose. Some members in this place are younger than I and may not remember, but I am sure that you, Mr Speaker—

An honourable member: He's an old fellow.

Mr BRINDAL: I did not say that Mr Speaker was an old fellow; I would never do that, Sir.

An honourable member interjecting:

Mr BRINDAL: A 'more senior member in this House' is a nicer way to put it. We would all remember when this State produced a whole series of shows of its own, and it was not only the ABC. The ABC had good production studios which were constantly in use for a variety of programs, from children's to adult programs. But also out of the other stations in Adelaide we had our own *Meet the Press*; we had the *Ernie Sigley Show*; we had a series of variety and country and western shows—

Mr Brokenshire: *Adelaide Tonight*.

Mr BRINDAL: Yes. We had a whole series of shows coming out of Adelaide, with all the expertise, including lighting engineers, sound technicians, camera people, etc. Those shows were all regional and all reflected South Australia. Now there is very little. I am reminded by my colleagues on the backbench that we still produce *Here's Humphrey* and *Wheel of Fortune*. It would be a shame if, at the end of this, the only thing that Adelaide was remembered for in television production terms was *Here's Humphrey* and *Wheel of Fortune*.

I wonder what that says to the Eastern States about the calibre of South Australia. It is on the serious contributions which such programs as *This Day Tonight* and the *7.30 Report* make that I wish to dwell. In this Chamber we have recently had serious and protracted debates on prostitution, euthanasia, and this week the *7.30 Report* is actually dealing with the increased power of the Christian Churches as lobby groups in the political process. They are all most interesting subjects: they are all subjects which can and should be fully canvassed in our community. They are being fully canvassed because such programs exist in Adelaide.

I highlight the recent decision of the Government to outsource the management of SA Water: I noted with interest that that did not rate even a mention on *AM*, which is the nationally disseminated radio service commentary on news. It barely raised a whisper—I do not think it rated a mention in Sydney newspapers—but was reported in Melbourne newspapers only from the point of view of what they lost.

For a decision as big as the decision to outsource the management of SA Water not to be deemed worthy of reporting in the Eastern States, then what the member for Norwood and the Leader of the Opposition say is true: we will become a forgotten backwater, given only the level of cultural service that is deemed to be twee in the fashionable suburbs in which the board members live in Sydney. The whole culture of this nation will be reduced to whatever Sydney wants to put out. Matthew Abraham—

Mr Brokenshire: He's a negative man.

Mr BRINDAL: But I enjoy listening to him because I enjoy sometimes listening to controversy, as I am sure the member for Mawson does. The other day he referred to something as being 'so Adelaide'. I do not know whether or not he was putting Adelaide down but, whether or not he was, I took it as a compliment. I think there are certain reasons why we all want to live in South Australia. Some people would say that we live here because this is so Adelaide. I like to think that this city is one of the best kept secrets in Australia.

Mr Scalzi interjecting:

Mr BRINDAL: The member for Hartley says it is one of the best kept secrets in the world. It is one of the nicest places to live and, if that is what 'so Adelaide' is, let us keep it that way. But that includes having our own broadcasters, radio stations, presenters and television shows as much as we can, enhancing what we have here in terms of our lifestyle, values, choices and diversity, and not picking it up from Sydney. I do not want to be so like Sydney—otherwise I would go and live there. I am sure that members on both sides of the House, if they wanted to live in Sydney, would do so.

Mr Cummins interjecting:

Mr BRINDAL: The member for Norwood suggests that he might shift over there, and I will help him with his air fare. South Australia does not need to be dictated to by people from Sydney. We do not need this increasing centralisation: we need what we have, which is good quality services coming out of Collinswood and the other television stations which are South Australian and which reflect our values and attitudes and accurately report to people what is happening in this place. One of the most valuable services that those programs perform is to look in depth at some of the serious issues that we confront here on a daily basis. That will be denied to the people of this State and I would go so far as to say that, in denying that to the people of this State, the ABC may well be breaching the charter it has been given by the Australian people.

I believe that the retention of regional services in this State is vital. I would go further and say that those services are vital not only for Adelaide but also for country areas. Indeed, it would not be a good idea if all the country news services were centralised in Adelaide so that all Kimba or Cowell got was what was considered good for Adelaide people. They need to know about all sorts of things that are probably not of great interest to people living in Walkerville, Burnside or Unley. They probably want to know about rainfall, crops and different herbicides, and news that is of interest to them. We want to know news that is of interest to us: we do not want stuff from Sydney. They deserve regional radio: we deserve regional radio. I strongly support the member for Norwood in his motion and hope that every member of the House will do the same. The member for Norwood might be interested to know that the Northern Territory Government has the jump on him in that it has already unanimously passed a motion condemning what the ABC is going to do.

I hope that this House will do likewise, so that both South Australia and the Northern Territory speak with one voice and say to the ABC board, 'Get your act together: start to represent us as well as the people who live in Sydney and in the suburbs that you consider fashionable but in which, quite frankly, we do not want to buy a house.'

Mr LEWIS (Ridley): The best way to describe in one word what the ABC has as a mindset on this is, quite simply, hegemony. That is where domination or leadership of one society is undertaken by others for their interests, to the exclusion of the interests of the society so dominated. Quite an essential feature of the policy being pursued by the ABC at the present time is to rationalise its expenditure, but half the idiots on that board—and I do not know how many idiots there are on the board but obviously there are quite a few—do not know that Australia does not end at Katoomba in the Blue Mountains or, for that matter, where the Hume Highway connects to Melbourne. It would seem to me that many of the journalists whom they appoint to cover news and current affairs in other parts of Australia come out raw and green (in their ability) from institutions based in the Eastern States, where their knowledge of the world beyond their own experience as children and adolescents is so limited as to be abysmal.

My appeal in support of what the member for Norwood has put before us is that we should retain control here for the parochial benefits derived from it—here meaning not just Adelaide but regional Australia anywhere. Whilst most of us are forced either to visit or to live in Adelaide—not against our will but quite happily—in the course of doing our work, we may regard Adelaide as being an important part of the society of Australia, having its unique contributions to make in the future in that same way as it has in the past (and they are quite disproportionately large compared to our population), for the benefit and common welfare of Australians, it is just as important that the ABC board not get away with eliminating current affairs programs to people who live outside capital cities, who live in rural and provincial Australia.

If we allow it to get away with dumping on us here through the proposition it presently entertains, we can kiss goodnight completely the regional, parochial current affairs programs that are so vital to the dissemination of decisions that impact on people in those provincial and regional locations. I am sure that all members here, like yourself, Sir, who represent areas outside the metropolitan area will share the views that I have put in support of what the member for Norwood is saying. We are equally concerned to ensure the survival of those services in regional Australia as we all are to see the survival of the services here in Adelaide.

I commend other members for what they have already said during the debate, particularly the mover and the Leader of the Opposition and, for his colourful contribution, the member for Unley. I simply urge all members to give the measure swift passage.

Mr SCALZI (Hartley): I will not speak at length. I, too, support the member for Norwood's motion and commend the honourable member on putting the legal ramifications of the Act and what will happen to the representation of South Australia in perspective if this proposal to get rid of local television were to go ahead. This is about empowerment and the workings of democracy. We cannot be empowered unless we are aware of our identity. We cannot have that identity

unless it is broadcast and we are aware of what the State represents. If we are to concentrate on the Eastern States, as will happen, then that identity and representation will be diminished, and that will directly affect the democratic power of people in South Australia. That is not good. Too many people already take too little interest in government and representative democracy, and the concentration on the Eastern States will only add to that. I strongly support the member for Norwood's motion. I commend him on his putting the Act in perspective and I agree with the members who have spoken so far on having a strong representation and bipartisan approach to this.

The Hon. W.A. MATTHEW (Minister for Emergency Services): I rise to support this motion and commend my colleague the member for Norwood on its introduction. I support the motion as a matter of principle rather than out of any great support or liking for the *7.30 Report* in Adelaide. Many members may find it surprising to see me stand in this place to support a motion for the retention of the *7.30 Report*, particularly in the light of its reporting of recent events, including the contracting out of the management of the Mount Gambier prison and also the police pay dispute issue. It is true to say that the *7.30 Report* has placed me in a position where it has told a number of untruths on air to the effect that I have been accused of refusing to make myself available to appear on the *7.30 Report* at a time when I was in the United States on Government business, and the *7.30 Report* happened not to mention that fact to its viewers. I have been accused of refusing to make myself available to the *7.30 Report* when not requested to do so either personally or through my staff; and I have also been accused by the *7.30 Report* of making statements that I have never made at any time.

Despite those facts, I am well aware that journalists and program producers come and go, and the fact is that we do need local current affairs programs here in South Australia. I will not allow the shortcomings of the present *7.30 Report* crew member or members responsible for these untruths to get in the way of my judgment. It is absolutely vital that we retain independent current affairs programs in South Australia to report on local issues. To lose that medium will indeed be to deprive South Australians of the opportunity to hear constructive debate and to be fully informed of issues; and, as the Leader of the Opposition pointed out to this House, it will limit South Australians to the seven or nine or 10 second news grab, which is something to which we do not want to see news reporting in this State reduced. I am happy to support this motion and stand with my colleagues in this place from both political Parties in supporting its passage through the Parliament.

Motion carried.

DISTINGUISHED VISITORS

The SPEAKER: I note that we are fortunate to have a delegation from Okayama in the gallery. I wish them well in South Australia.

BUS SERVICE, OUTER SOUTH

Mrs ROSENBERG (Kaurna): I move:

That this House congratulates all TransAdelaide employees at the Lonsdale Depot for winning the recent tender for contracting of outer south bus services and notes in particular the competitive nature of the tender, and further the House recognises the substantial savings this successful tender will give to the Passenger Transport Board to be used to improve further transport in the outer south.

I take this opportunity to congratulate TransAdelaide Lonsdale Depot employees for winning this tender to run the outer south bus service. The key objectives to the competitive tendering process are to improve the efficiency of the passenger transport system and provide the best service for the best price. Also, the Government plans to save about $34 million over the next five years by outsourcing these services without lessening the service. Operators will receive incentives for service improvement while reducing costs to Government. Some savings will be used for service improvements. There is an attempt to stop the decline in patronage.

Public transport is one of the basic areas of responsibility of government. The Government is now working very hard to deliver a comprehensive, coordinated and cost effective passenger network for South Australia, and we are keen and proud to make that available to the outer south. Public transport patronage levels around the world have declined as the private car has increased in importance and been made more affordable. People choose to live in the city fringe areas for a different lifestyle choice. The Passenger Transport Board is trying to provide a viable alternative through a variety of innovative and improved passenger transport programs which will highlight the economic and environmental benefits of passenger transport.

Competitive tendering is just one way that this Government can ensure that services are competitive. By careful contracts and retaining assets like the buses and the depots, the Government retains direct control over the quality and level of service provided, and this means it can manage the risks and ensure the services continue. The area of the outer south for which the Lonsdale bus depot has just recently received the tender covers Darlington and Reynella through to Morphett Vale and Noarlunga, and as far south in my electorate as Maslin Beach. It also incorporates the inner portion of South Road from Darlington to the city.

TransAdelaide's contract will commence in January 1996 for a three year period, over which new services will be introduced. As part of the savings program of $3 million, this means that the outer southern area can look forward to a better service. TransAdelaide has shown that public sector organisations can not only be competitive against private sector companies but they can win the tender. TransAdelaide was only one of four companies which submitted bids for the outer south service.

As part of the conditions of contract, TransAdelaide has had to agree to provide financial incentives for operators in the market service and win customer loyalty. This will build up patronage across the system. It has had to guarantee that existing services will be maintained. Further, it has had to agree to maintain the fare structure which is set and subsidised by the Passenger Transport Board. This will conform to a three year public transport fare strategy which was implemented in July 1995. It has had to agree to maintain a single ticketing system which is and will be used by all operators for all buses, trains and trams, and it has had to agree to preserve State assets such as buses, depots and the O-Bahn track, which will continue to be owned by the Government, not privatised, and will be offered on lease terms only to the successful tenderer.

It has had to agree to encourage the introduction of new specialist services, for example, those of midi and mini buses. In the southern area where I live, those sorts of innovations

will be particularly important because, at the moment, with the bus service that is being used in Seaford Rise, it takes about 45 minutes via Noarlunga Centre to complete a 100 metre trip across Commercial Road. It is therefore very important that those sorts of innovations are introduced to the far southern areas of my electorate.

Over the past year we have seen massive changes made to TransAdelaide. It has moved from the environment in which it existed towards this competitive tendering process. I have spoken to a number of my constituents who work at TransAdelaide, particularly some of the union members, about the challenges they have faced and the necessary changes they have made to ensure that TransAdelaide's tender was the most competitive and, in fact, the most successful. Far from negativity and anger, most of the people have faced the challenge head on to maintain what I believe is one of the best services in Adelaide.

TransAdelaide has embraced landmark best practice reforms and has made all the tough decisions to enable it to be competitive. These best practice reforms are focused on customer needs, employee involvement and improved communication. As an example, I telephoned the Lonsdale Depot the day the successful tenderer was announced and David, who often answers the telephone at the depot and who had been a bit depressed over weeks gone by, displayed a completely different attitude that day. That is an example of the feeling throughout the entire depot and its work force. The management and employees of TransAdelaide have welcomed this new way of using their skills and knowledge to operate their business more efficiently.

This has also resulted in more autonomy for the depots and a simpler organisational structure. Following its success in the south, the management of TransAdelaide said:

> . . . [it] is a triumph in workplace reform and a huge vote of confidence in the organisation's marked and rapid changes in business culture.

I admire the fact that the bus operators, the workshop teams and the depot staff have all made sacrifices to ensure that their customers come out in front in the long term. TransAdelaide won the tender because it came up with the best service standards for the best price. TransAdelaide's Lonsdale Depot now faces the next challenge: to implement the improvements that have been ear-marked as part of its tender. Some of the benefits customers will enjoy from about the middle of next year include more frequent and streamlined services during interpeak times, as well as in the evenings and on weekends; an extended safe set-down policy in the evenings, where customers can be dropped off as close as possible to their homes and streets without the operators stopping at only designated bus stops; extended services to the rapidly growing Seaford area, which I have already mentioned, including some feeder services to the Noarlunga interchange; and offering services to the new and expanding urban development areas at the end of my electorate.

As the successful tenderer for the south, TransAdelaide is keen to develop further its links with the local community. Even with these improvements, the employees at Lonsdale have managed to save taxpayers more than $3 million a year. All of this serves to justify the wisdom of the Government's decision to open up Adelaide's metropolitan public transport system to competitive tendering. Challenging the public transport monopoly will mean more cost-effective and user-friendly services, a reduction in the Government funded operating subsidy, and better value for dollar for all South Australians. I am sure that all employees of TransAdelaide across the metropolitan area will be encouraged by the result in the south and that it will inspire other depots to tackle bus tenders.

It must be stressed that the TransAdelaide Lonsdale Depot workers won the outer south contract because all employees based at the Lonsdale Depot were prepared to accept the challenge offered by competitive tendering and to look critically at their cost structure and their work practices. Many hard decisions have been made which will now be embraced by new industrial award provisions. I refer to an interview I heard on ABC radio immediately following the Minister's announcement of the successful tender in the south. A comment was made that the decision was 'Just a bit ho hum'; that the Government sent out a tender and a Government department tendered for and won it so, 'Ho hum, what did it actually achieve?'

That type of attitude by journalists in Adelaide, in particular, is an absolute insult to the workers and the union people at the Lonsdale Depot. The journalists concerned have no understanding of the amount of sacrifice and hard work made by those workers and union representatives to achieve a successful tender. I congratulate those workers and union representatives most wholeheartedly.

Mr BROKENSHIRE (Mawson): It is with a great deal of joy that I support the member for Kaurna's initiative in putting this motion forward congratulating all TransAdelaide employees at the Lonsdale depot. Unfortunately, not all of my electorate is covered by bus services. In fact, the greater part of my rural electorate has next to no bus services. However, the built up part has a bus service which feeds into the Noarlunga interchange as well as transit links to Adelaide.

I was delighted to find that TransAdelaide had been approved as the successful tenderer for the contract. My best wish would have been that it should be awarded that contract. The tender was awarded only after a great deal of due diligence on the part of management and staff, and particularly the union delegates, at the depot. I particularly praise the union delegates, because I know that they had to discuss this whole contract with their colleagues. When people who have been arguing for years about wages and conditions then have to turn around and decide to alter the structure of wages and conditions to guarantee employment and a better transport service for people in the region, they deserve to be strongly commended.

I look forward not only to the savings of about $3 million over a period, which will help to alleviate public transport costs, but to improved bus services for my constituents. Finally, I look forward to an enjoyable working situation for all those employees. I hope that they will benefit and prosper for many years as a result of the initiatives that they have put forward.

As a local member I make one commitment, which I know my colleagues will support: if I can help with any situation, particularly with respect to lobbying regarding safety improvements or whatever, I will do so. The employees deserve that commitment. One reason why over the past few years, before we came to government, services were cut was that the previous Labor Government was not prepared to make conditions safer for those employees who should not be put at risk during their work. We have now turned the corner on that aspect with fully-fledged police officers in the Transit Police, and they have achieved positive results. Nevertheless, there will be occasions when a minority of people will cause problems, so we shall still need to support

the employees in that respect. I congratulate each and every one of them. I am delighted to support the motion.

Ms GREIG (Reynell): I also wish to congratulate the TransAdelaide Lonsdale depot on its successful contract to operate bus services within the southern suburbs. As the local member, I am well aware of the work and team effort that brought this project to fruition. I say 'team effort' because it was a team effort: it was management and staff working together, competing with the rest of the best to come out even better, and they did it.

The Lonsdale depot made many changes and set new directions and strategies to ensure that it would be in the running for this tender, and it did it. I think that my congratulatory fax was on the machine within two minutes of my hearing the news. It was good for the depot and it was even better for the workers, most of whom are local people.

TransAdelaide was one of four companies which submitted bids for the outer south—an area extending from Darlington and Reynella to Noarlunga, Seaford and Maslin Beach and the inner portion of South Road from Darlington to the city. The Lonsdale depot deserved to win the contract for a number of reasons, and I should like to highlight one of them. The depot has been what I would describe as a quiet achiever. Over the years we have heard all the shock-horror stories of what happens on the buses and all the negative incidents that attract publicity, but we have not heard much about how the Lonsdale depot has worked with the community to overcome some of these problems.

The depot has run a number of programs within our schools. Members from the depot have gone into the schools to talk to students about anti-social behaviour, ownership of the buses, who pays for the damage and also the consequences of vandalism.

We have had a very active community consultative group which has worked closely with the depot in establishing the needs and requirements of the community. Only four years ago I was a community representative working with the depot. Our group was established because a number of concerned parents, like me, were finding that it was not safe for younger children to travel on the buses. There were a number of aspects involved in the safety issue. Some of the children were scared of travelling with older children, some felt intimidated by the loutish behaviour, others were just frightened of travelling, and some parents were concerned about what their children were seeing as an example of older children's behaviour and considered the situation intolerable.

Under the auspices of Nick Gianetta and Jeff Sutton we looked at strategies that may assist the children overcome that feeling of fear and intimidation and, at the same time, address the source of the problem and instil a sense of ownership in these children so that damage and antisocial behaviour would be minimised. What was developed by the depot with input from the local community was a project known as Graff Stop, a project that was soon taken out of the hands of the local depot and given statewide recognition. Under the Graff Stop project, staff from the Lonsdale depot came to talk to our children at school. They talked about transport, who pays for it, how the transport system works, how to catch a bus and how to look after our buses. The project worked with one class for one week and during that week the focus of the class curriculum was passenger transport.

TransAdelaide sponsored a competition and students involved in Graff Stop did a project on our bus service which was judged by the depot staff. As a participant in the project, the school took on ownership of a bus and some members might have seen a bus driving around the southern suburbs with a Hackham West Primary School flag on its roof. That was our bus, a bus that the Hackham West students could identify with. The culmination of the Graff Stop week was an excursion anywhere in the metropolitan area that the class wanted to go.

This project established a relationship between bus drivers and students. It provided a sense of ownership of a local bus, an ownership that could be clearly identified by the school flag on the roof. Students gained a better understanding of our passenger transport services. They felt less intimidated and, hopefully, as they get older they will remember what they have learned and we will not have to endure future vandalism or antisocial behaviour. Lonsdale depot also conducted a very successful open day in which many community groups participated. My youngest son keeps asking me when we can go back to the depot and wash the buses: we must have gone for a ride through the bus wash at least 10 times before I could convince him that there were other things to see and do.

On selecting TransAdelaide as the successful tenderer, the Passenger Transport Board has allowed southern residents the opportunity to enjoy more services which are cost effective and user friendly. Passengers will receive much better value for their dollar. There will be more frequent and streamlined services during interpeak periods, on weekends and in the evenings. TransAdelaide will also be introducing a 'set down anywhere safe' policy between 7 p.m. and 7 a.m., a service which I know will be welcomed by many residents in the south. All these user friendly initiatives will be introduced by TransAdelaide within the terms of a contract which will save taxpayers an estimated $3 million each year for three years.

TransAdelaide won the contract because all employees based at the Lonsdale depot had been prepared to accept the challenge offered by competitive tendering and to look critically at their cost structure and their work practices. In concluding, I reiterate my congratulations to all at the Lonsdale depot.

Motion carried.

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

URBAN BUSHLAND

A petition signed by 20 residents of South Australia requesting that the House urge the Government to ensure that effective legislation is enacted to protect urban trees and/or bushland from destruction was presented by the Hon. G.A. Ingerson.

Petition received.

SCHOOL SERVICES OFFICERS

Petitions signed by 509 residents of South Australia requesting that the House urge the Government to restore school services officers' hours to the level that existed when the Government resumed office were presented by Mr Bass, Ms Hurley and Messrs Leggett and Wade.

Petitions received.

KAPUNDA INDUSTRIAL ESTATE

A petition signed by 130 residents of South Australia requesting that the House urge the Government to place

constraints on Kapunda Council regarding the types of industry permitted on the Kapunda Industrial Estate and that the council allow a dwelling to be built on a nature reserve adjacent to the industrial estate was presented by Mr Venning.

Petition received.

PAPERS TABLED

The following papers were laid on the table:

By the Minister for Housing, Urban Development and Local Government Relations (Hon. J.K.G. Oswald)—

Planning Strategy Implementation—Premier's Report on, 1994-95.

By the Deputy Premier (Hon. S.J. Baker)—

Ministerial Statement, Native Title Scheme

QUESTION TIME

AUSTRALIS FOXTEL GROUP

Mr CUMMINS (Norwood): Following the decision by Foxtel and Australis Media to merge, what information can the Premier give the House about the implications of jobs for South Australia?

The Hon. DEAN BROWN: First, I point out that it is quite apparent that the Opposition is not ready for today. I am delighted to take this question from the member for Norwood. This matter was raised on television last night, saying that there were rumours at the Australis customer service centre at Technology Park that the whole centre was about to close and be relocated to Sydney. I have been able to get assurance from a very senior source within the Australis Foxtel Group today, and I will quote exactly what this senior person said:

As I understand it, there are no Australis jobs in Adelaide under threat.

I am able to give the assurance to the House that the customer service centre here in Adelaide is not about to close: there is no truth in the rumour whatsoever and I stress that that assurance has come from a very senior source within the new group.

GARIBALDI SMALLGOODS

Ms STEVENS (Elizabeth): Was the Premier aware of the support by Garibaldi for the Liberal Party, outlined yesterday by the member for Lee, and did it influence the Premier to assist the company at the height of the HUS epidemic? In his evidence to the Coroner the Director of Public Health said that at the meeting on 4 February the Premier was keen that all steps possible be taken to enhance the possibility of Garibaldi trading out of trouble. At that meeting the Premier instructed the Director of Public Health to be in touch daily with Garibaldi management to advise the company, and the Government agreed to pay the company's cost of testing for HUS.

The Hon. DEAN BROWN: No, I was not aware of the fact that the member for Lee had been allowed to hang his signs on the fence at Garibaldi and, as I was not aware of that, it could not in any way have influenced any decision or action that I took.

NATIVE TITLE

Mr LEWIS (Ridley): Will the Premier report to the House on the response from the Federal Government to the South Australian proposals for dealing with native title issues?

The Hon. DEAN BROWN: Yes, there is some very good news because, as members of this House would realise, South Australia took a major lead in introducing its own State legislation on native title; in fact it was the first State Government in Australia to introduce such legislation. Yesterday, the Federal Government formally approved South Australia as being the first State to have reciprocal rights to allow native title jurisdiction to be determined by the State Government. Within the State that jurisdiction will be the Environment Resources and Development Court and the Supreme Court. South Australia's right to negotiate the process for mining activity and compulsory acquisition has been approved.

The South Australian Government took the lead amongst the other States. We are the lead State now in terms of negotiating with the Federal Government for a more workable system in terms of the whole process of determining native title and trying to get a better relationship and a better procedure established by the Federal Government. I point out to the House, and in particular members opposite, the excellent work undertaken by both the Attorney-General and our Minister for Aboriginal Affairs, because they are the two lead Ministers—

Members interjecting:

The SPEAKER: Order!

The Hon. DEAN BROWN: I invite members to wait and see what the Federal Labor Government had to say about the South Australian Government on this matter. The Attorney-General and the Minister for Aboriginal Affairs were the two key Ministers who guided this native title legislation, first, through the whole range of parties with whom they had to negotiate, and then through this Parliament. In particular, the Federal Special Minister of State, Mr Johns, had the following to say about the South Australian Government:

I was particularly impressed by the level of consultations between the South Australian Government and indigenous interests.

Those consultations were led by the Minister for Aboriginal Affairs. So, here we have a Federal Labor Government commenting very favourably indeed on the way in which we negotiated in this matter. This really is another feather in the cap for Liberal Governments in this State in terms of what they have achieved with Aboriginal people. We were the first Government in Australia to establish Aboriginal land rights for the Pitjantjatjara people, and now we are the first State Government in the whole of Australia to establish native title procedures and to have a workable system which, frankly, is a much more workable system than that put down by the Federal Government in its legislation. So, it has been an outstanding achievement and those who have worked hard, including those in the public sector—because a lot of people worked very long hours in getting that legislation through—should be commended.

HUS EPIDEMIC DOCUMENTS

The Hon. M.D. RANN (Leader of the Opposition): Does the Premier stand by the statements made by the Minister for Health to this House on 10 and 12 February and in the Minister's statement yesterday afternoon that all

documents relating to the HUS epidemic which fell within the scope of the Opposition's application under the Freedom of Information Act have been released and, if so, why has the Government failed to provide copies of the following documents: first, the minute from Garibaldi to the Health Commission dated 3 February conveying the results of 28 tests conducted by the IMVS on Garibaldi products, including the results of tests on 24 January—a very important date—which showed that both peperoni and milano salami had tested positive; secondly, the facsimile sent to local government on 31 January by the Health Commission expressing concern that more HUS cases were being reported while Garibaldi product was still available for sale; and, thirdly, the minute dated 7 February from the Health Commission to the Minister concerning the use of uncooked product on pizzas?

The Hon. DEAN BROWN: In the absence of the Minister for Health, I will certainly get an answer to that question.

Members interjecting:

The SPEAKER: Order!

WATER, OUTSOURCING

Mr WADE (Elder): Will the Minister for Infrastructure clarify some misconceptions in the community about the water outsourcing contract? Last night a public meeting was held in my electorate by the Community Water Action Committee. About 35 people attended, including the member for Hart. It was claimed at the meeting by the member for Hart that he had been given assurances by the Minister on 14 November 1994, which are recorded in *Hansard*—by the way, 14 November was a Monday—that the corporatisation Bill would not allow for privatisation. The member for Hart also told the meeting that he had been denied all sorts of information and that he had been kept totally in the dark. He claimed that he should have been told what was going on. Further claims were made by nine CWAC members who attended the meeting that jobs will go and unemployment will skyrocket; the aged will suffer; the mentally ill will suffer; and South Australians—

Mr ATKINSON: Mr Speaker, I rise on a point of order. Page 290 of the latest edition of Erskine May states that it is not in order in a question to ask for information about the activities of persons or bodies which Ministers have no power to perform or obtain. I put it to you, Sir, that the member for Elder is asking the Minister to be responsible for, and is asking about, the Community Water Action Committee, for which the Minister has no responsibility.

The SPEAKER: Order! The proceedings of this House are controlled by the Standing Orders. Erskine May is a guide and a reference. I do not uphold the point of order.

Mr WADE: Thank you, Sir, for your protection. They also stated that we are exploiting the Asians, that South Australians will lose their right to water and there will be no accountability for 15 years. Today, I received a resolution from this committee stating, in part—

Mr CLARKE: Mr Speaker, I rise on a point of order. The honourable member's question is straying into the area of comment and, in particular, argument.

Members interjecting:

The SPEAKER: Order! There are too many interjections on my right and I cannot hear the point of order of the Deputy Leader of the Opposition.

Mr CLARKE: My point of order is that the honourable member's question is straying into the area of argument more suited to a grievance debate than to an explanation to a question.

The SPEAKER: Order! The Chair is coming to the same conclusion as the Deputy Leader of the Opposition and, therefore, I ask the honourable member to complete his explanation. The Chair intends to ensure that Standing Orders apply to both sides of the House. I ask the member for Elder to round off his explanation.

Mr WADE: I will do so, Sir. The resolution said in part that it 'rejects the choice of French ownership of water management'. It is not surprising to find the member for Hart sharing his bed—

The SPEAKER: Order! Leave is withdrawn.

Mr WADE: —with these fanatics.

The SPEAKER: Order! Leave is withdrawn. I call the Minister.

The Hon. J.W. OLSEN: The member for Elder has indicated a clear pattern of activities by the Opposition to perpetuate mistruths, misunderstandings and lies in relation to this contract. The simple fact is that this contract is not going to 'a French consortium'. This contract is going to a South Australian registered company, as the member for Hart well knows.

At that meeting the member for Hart also said that it was outrageous that I had not kept him fully informed, as in two years he would have my job. The only advice I can give to the member for Hart is, 'Do not hold your breath waiting.' The member for Hart also conveniently overlooked to tell this small group that on 26 July the CEO of SA Water, Mr Ted Phipps, gave the member for Hart a full briefing in terms of the course that would be taken and was available to answer any questions the member for Hart would want to ask on this matter. It seems that that information slipped through the net in the member for Hart's thinking on this matter.

I would also pick up some of the comments made by the Federal Minister to which the member for Hart referred in this House yesterday. Senator Cook indicates that the $680 million export figure is rubbish. I point out that it is locked into a legal contract; it is binding; and damages are payable for non-delivery, after we sign it in four weeks. This is the simplicity of the thinking on the other side. We have said we have a preferred bidder with whom we will now close the contract negotiations. That is where we are going. As it relates to jobs, let me reassure the House that the jobs are not a promise: they are a legal, binding contract when signed off with United Water International. The first year plan of United Water for the calendar year 1996 provides $38 million worth of exports to be delivered. I indicated to the House yesterday that Pope, through its industrial motors, has already secured $2 million worth of export markets out of this deal.

It is interesting to note what the Federal Minister had to say about this contract yesterday. On Tuesday I wrote to the Federal Minister and sent him all the details, but in the Senate yesterday we heard the rhetoric from back in April this year; he had not updated. Coincidentally, this morning the Federal Department of Industry, Science and Technology contacted my office and asked me to send over all the details of this exciting new proposal in South Australia. We replied to the officers, 'Do you know that the Federal Minister made a statement in the Senate about this?', to which there was deathly silence on the other end of the phone. We are now offering the background information to the Federal Department of Industry, Science and Technology, which is really concerned about export markets, jobs and building up industry in South Australia. Perhaps if they pass that on to

Senator Cook we will get past the political rhetoric of yesterday and start talking about the facts of today and the opportunities for tomorrow.

The SPEAKER: The member for Hart.

Mr Venning interjecting:

The SPEAKER: I call the member for Custance to order.

Mr FOLEY (Hart): Now we'll see who's been telling a few untruths. When was the Minister for Infrastructure first made aware that the Boston Consulting Group had been commissioned by SA Water to conduct a global search of 22 countries for a suitable company to run our water supply system; and was this process conducted without his direction or knowledge? Three weeks prior to the announcement on 5 December last year, the Opposition in this House raised the spectre of the EWS being privately managed, and put to the Minister that a Boston consultancy firm was involved in making recommendations to the Minister about suitable companies. In response to my question, the Minister told this House on 15 November that no report or recommendations had been put to him or, to his knowledge, to the CEO of the EWS that we should outsource the functions of EWS—three weeks before the Minister signed the contract.

The Hon. J.W. OLSEN: I just want to refer the honourable member to my answer to a question yesterday, when I clearly indicated to the honourable member that it was in fact May last year when this House was first advised about the outsourcing proposals of this Government as a result of our response to the Audit Commission.

Members interjecting:

The SPEAKER: Order! The member for Hart.

The Hon. J.W. OLSEN: It was the Treasurer who advised this House and the public of South Australia in May as to the course of action this Government would follow in outsourcing components of SA Water.

Mr Foley interjecting:

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

The Hon. J.W. OLSEN: At no time were we considering privatising SA Water or functions of SA Water, and neither are we today. Let me remind the Opposition that there is no privatisation proposal. This is a management proposal that is being put in place in a partnership with United Water International where they do not own any of our assets—no assets whatsoever. In relation to putting that procedure into place, Boston Consulting Group was asked to undertake for SA Water provision of advice on available companies internationally that could meet the objective of ensuring that the provision of water and sewerage services to the consumers of South Australia was a priority and would continue in that same quality and delivery of service they had been accustomed to in the past. Therefore, it had to be a company that had previous experience in supplying the service to 1.2 million people.

In addition to that, it had to be a company that was able to deliver savings to South Australians, and that has now followed through in the contract. Further, it had to be able to link South Australia to the economic development of the Asia-Pacific region. Far from exploiting Asians, as was said at the meeting last night, is exploiting Asians delivering water that is inhibiting—

Members interjecting:

The Hon. J.W. OLSEN: I am glad that the member for Hart is distancing himself from that statement last night.

Members interjecting:

The Hon. J.W. OLSEN: Okay; if the member for Hart says he did not say that and is not involved with it, I accept that at face value from the member for Hart. As to those who are prepared to say that this contract is about exploiting Asians, that is an outrageous statement, because the greatest inhibiting factor to the lifestyle of Asians in the community is the lack of availability of water for industrial and commercial development. Half of them cannot turn on a tap and get water. What we are doing is trying to deliver the capacity for them to obtain water.

Members interjecting:

The SPEAKER: Order!

The Hon. J.W. OLSEN: As I previously advised this House, Boston—

Members interjecting:

The SPEAKER: Order! The Minister will resume his seat. I would suggest to all members that, if they want to visit the Governor, they cease interjecting. The honourable Minister.

The Hon. J.W. OLSEN: As I have previously advised and in statements I have issued on a number of occasions, the Boston Consulting Group in a fine time line was given the responsibility to provide advice to the Government in relation to who internationally would meet that criteria. That advice was given to the CEO upon which, in the month of December last year, the selection was made as to who would be invited during 1995 to undertake the due diligence process. I have made numerous statements publicly in a whole range of public comment in relation to this matter that are well and truly on the record.

Mrs KOTZ (Newland): Will the Minister for Infrastructure advise the House on how some of Australia's leading industry groups have been involved in the evaluation of the competitive bids for SA Water outsourcing and what international interest has been shown in the contract process?

The Hon. J.W. OLSEN: I note that the Federal Minister indicated in a radio interview yesterday that we ought to have consulted the Environment Management Industry Association of Australia about this process, because it was somewhat critical. Wrong! The fact is that we put together a reference panel, which included a representative of the Environment Management Industry Association of Australia and a representative of the Metal Trades Industry Association of Australia as well as a member of the Water Industry Export Group, called AUSTEMEX, and I have named previously the two South Australian representatives on that panel in Mike Terlet and Graham Longbottom. It also included a former employee with longstanding experience in the Snowy Mountains Scheme.

Why did we put that expert reference panel together? It was because, during this whole process, we wanted to ensure that the economic development component of this deal was achievable, realistic and deliverable for South Australians. Bob Hogarth, who was the consultant in relation to this, and the officers from those various associations to which I have referred, have signed off that the proposal which we have before us and which we are now going to move into contract is a realistic, achievable and deliverable package in terms of jobs and exports. The report of the panel states:

> In terms of industry development we confirm our view that United Water International has a well structured approach to economic development which involves strategic linkages with local companies.

It goes on to state:

United Water is interested in building new businesses in South Australia which will have a role not necessarily dependent upon ongoing ties with United Water. This will mean sustainable economic development in water related industries and beyond.

Finally it states:

We reiterate our belief that the forecasts of net exports by United Water are achievable and are backed by a very detailed and creative South Australian industry development process.

Members interjecting:

The Hon. J.W. OLSEN: So members opposite do not like this news. They keep interjecting, because this is a good deal with good prospects for South Australia. Instead of knocking everything that comes by, why not lift your heights to the horizon for once and see where we can go in South Australia, rather than trying to pull South Australia back and down?

Members interjecting:

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

The Hon. J.W. OLSEN: In addition, during an overseas trip by an officer from SA Water and a consultant on economic development who wanted to have discussions with the World Bank to ensure that what we were proposing met with World Bank and Asia Development Bank criteria—and I might add that we got a bit of a tick from the World Bank, that it was well timed, well planned and the right structure and the model to be put in place by the World Bank Infrastructure Reference Group in other countries—they also had a meeting with the current Ambassador in Washington, who is well known to Labor Party circles. So important is he and his advice that he has now been recalled by the Prime Minister to head up the office of the Prime Minister leading into the election campaign.

What did Don Russell, the Ambassador, have to say about our proposal? He said that he was very positive about the approach being taken in South Australia to achieve the two objectives of economic development and operational cost savings. He went on to say that he was impressed with the strategic thinking and the creativity that had gone into the development of the South Australian approach. In addition, he said he was always looking for stories for his speeches that demonstrated that Australian intellect and innovation were up with the best in the world and that this provided the perfect demonstration.

Members interjecting:

The Hon. J.W. OLSEN: And he asked to be kept informed of progress. He is no greater authority—

The Hon. Dean Brown: This is the Prime Minister's special election adviser.

The Hon. J.W. OLSEN: So important is the advice of this person that he is being called back from Washington to try to salvage the fortunes of the Prime Minister in Australia. That is what Don Russell had to say about our proposal. Clearly, with endorsements from a range of national associations, with endorsements from Don Russell, what better advice could we have supporting our proposal?

Mr FOLEY (Hart): My question is directed to the Minister for Infrastructure. Given the claim of the Minister in the House yesterday that the Opposition was fully aware of the Government's intention to outsource our water supply to an international company in May last year, why did the Minister tell the House in response to an Opposition question in November last year—six months later—and I quote, 'No report or recommendation has been put to me that we should outsource the functions of the EWS. This is arrant and absolute nonsense.' On 15 November last year the Minister told this House that the Opposition was dragging 'a red herring' across the corporatisation proposal of the EWS then before Parliament. He told Parliament on that day:

The simple fact is that we will not be putting the whole functions of the EWS, privatised or managed, or outsourced to a particular international company. That is not the objective of the Government and we have consistently said so.

Three weeks later he announced his deal to do just that.

The Hon. J.W. OLSEN: I stand by the statement that we are not outsourcing or privatising the whole function of South Australian Water.

Members interjecting:

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

PETROLEUM EXPLORATION, RIVERLAND

Mr ANDREW (Chaffey): Will the Minister for Mines and Energy explain how petroleum exploration over a large part of the Riverland, including areas that have been reserved under the National Parks and Wildlife Act, will be undertaken without any impact to the wetlands in the areas adjacent to the Murray River?

The Hon. D.S. BAKER: It is correct that a very large exploration licence has been granted over 12 500 square kilometres—

The Hon. Frank Blevins interjecting:

The Hon. D.S. BAKER: Well that's a large one, Frank, isn't it? The area extends from Renmark to Blanchetown. The exploration licence has been granted to Corporate Developments Pty. Limited, a South Australian-based company, and covers areas of some sensibility. In respect of all those areas there is what is called a joint proclamation, and before any exploration can take place there must be adequate consultation, not only with the Department of Mines and Energy but with the Department of Aboriginal Affairs and the Department of Environment and Natural Resources. Before it starts, this company will not be granted a licence unless it is subject to the declaration of environment factors, plus a code of practice. I can assure the honourable member that it is good news for his electorate and that the exploration will be carried out with proper consultation and in a sensitive manner.

WATER, OUTSOURCING

Mr FOLEY (Hart): In view of the Premier's announcement that 300 jobs are to go as a result of the contract with United Water, will he tell the House precisely which functions and areas have been targeted for work force reductions?

Mr Clarke interjecting:

The SPEAKER: The Deputy Leader has been warned twice. I do not know if he would like to be named. One more interjection and he will be named on the spot. The Minister for Infrastructure.

The Hon. J.W. OLSEN: As I informed the House yesterday, there are some 680 positions in scope. They relate to the operation and management of those four areas to which I referred yesterday and to which the Treasurer referred in his statement to this House in May 1994. The company has indicated that it is prepared to offer 400 positions. In relation to the other 280 positions, as I have previously advised—almost *ad nauseam*—targeted separation packages and redeployment will be made available. No individual will be

retrenched as a result of the implementation of this policy direction of Government.

What the Opposition conveniently forgets is that this proposal brings about a restructuring in SA Water but creates a minimum of 1 100 new, permanent jobs for South Australians. Those jobs are not promises: they will be locked into contractual commitments from United Water, backed, as I have previously indicated to this House, by separate, whole of life, unconditional guarantees from the two parent companies.

ENVIRONMENT PROTECTION ORDERS

Mrs HALL (Coles): My question is directed to the—

Members interjecting:

The SPEAKER: Order! The Minister.

The Hon. Frank Blevins interjecting:

The SPEAKER: The member for Giles knows better. The member for Coles has the call.

Mrs HALL: Will the Minister for the Environment and Natural Resources provide details as to how many environment protection orders have been served by the Environment Protection Authority? The Environment Protection Act came into force on 1 May, providing the EPA with powers such as orders to improve environmental performance.

The Hon. D.C. WOTTON: The Environment Protection Act has certainly created significant interest in this State. New licensing conditions as part of the Act have meant that many industries are now having to be licensed for the first time, meaning that they have to meet strict environment criteria or agree to a period of environmental upgrading. To date 734 licences have been issued, another 369 are being processed and a further 455 have been invoiced but are awaiting payment before the issue of the licence. The EPA has been working in a cooperative approach with industry, with which I am very pleased, and many major environmental improvements, particularly in the area of discharge, are under way.

Environment protection orders have been issued on a number of companies, including a mechanical repair firm to prevent the discharge and seepage of oil and degreasing liquid into a creek in the Adelaide Hills. Another order was served on a mushroom business to cease discharge of effluent into the Little Para River. A third order was served on a winery in the Barossa involving winery effluent discharge into the North Para River.

However, it seems that noise is the greatest concern. Two orders have been served by the EPA over noise levels of domestic air-conditioners, and an unspecified number of environment protection orders issued for noise have been served by police in this State. At this stage the EPA has no access to these police records. However, our legal adviser is currently putting in place a system for this information to be accessible. I inform the member for Coles and other members that I am very pleased with the way the EPA is operating and with the cooperative approach it has taken in dealing with industry in this State.

AUSTRALIS FOXTEL GROUP

Mr FOLEY (Hart): In order to save the State's multi-million dollar investment in the Australis Centre at Technology Park, will the Premier appeal to the Federal Leader of the Opposition (Mr John Howard) and the Federal shadow communications Minister (Richard Alston) to cease their opposition to the Foxtel-Australis merger and their urging of the Trade Practices Commission to intervene?

The Hon. DEAN BROWN: It appears that the member for Hart does not bother to listen to earlier answers. It is about the third time in three days that I have had to refer him to answers I have given previously to this House. If the Trade Practices Commission (and that is the body that makes the decision) stopped the so-called merger or amalgamation of Foxtel and Australis going ahead, the customer service centre would stay in Adelaide. If, however, the merger or amalgamation goes ahead, as I have indicated to the House today, the Australis customer service centre stays in Adelaide at any rate. Either way, Adelaide wins.

ALDINGA BEACH EMERGENCY SERVICES

Mrs ROSENBERG (Kaurna): Will the Minister for Emergency Services advise the House on the current progress of building work on the combined Country Fire Service and St John's complex at Aldinga Beach and say when work is expected to be completed? Negotiations have been ongoing for some time between the Aldinga CFS and the Aldinga St John's volunteers to collocate at a new complex at Aldinga Beach.

The Hon. W.A. MATTHEW: The member for Kaurna has been instrumental in assisting this project to come to fruition and I have appreciated the effort she has made on behalf of both the Country Fire Service volunteers and St John ambulance volunteers in talking to them about the benefits that this project can bring their joint services by working together to develop a joint complex. Through that work this has now come about.

On 16 August work commenced and is now well advanced on the combined Aldinga Beach emergency services complex, which is being built at a cost of $278 000. The District Council of Willunga has provided the land and a further $25 000 for site works and land subdivision. The State Government, through the Country Fire Service Board, has provided $190 046, and $63 349 has been provided by St John.

The CFS had outgrown its old fire station in Storey Street, and St John, even though it had an ambulance brigade at Aldinga, did not have a home for that brigade. I was appalled to find that under the previous Administration St John had not been given the opportunity to have a home base in Aldinga and that much of its emergency equipment had been stored at the homes of personnel involved in the service. This new complex will provide garaging for four emergency vehicles, three being fire appliances and the fourth a first-aid unit belonging to St John. Both services will share common areas such as operations, communications room, kitchen, toilet and storeroom and, as a result, the emergency services dollar is being utilised in a far more cost-effective manner.

Further, the complex is sited at Aldinga Beach Road to give both services best access to achieve a quicker response than that which they are presently able to achieve. Efficiency in emergency services can be achieved only through the State Government and organisations such as St John working sensibly and with local government playing its part. I take this opportunity to pay tribute to the local government body in question for working as it has in ensuring that this new complex becomes a reality.

POLITICAL DONATIONS

The Hon. M.D. RANN (Leader of the Opposition): Does the Premier stand by his statement of Tuesday 14 March that he did not think it appropriate that overseas corporations be allowed to make donations to local political campaigns and, if so, will he now advise the President of the Liberal Party to accept no overseas sourced or laundered campaign donations from Thames Water, CGE, its subsidiary and its partners after the tender process? Today I have written to the Chairman of United Water seeking an undertaking that no campaign donation will be made by CGE, by Thames or their subsidiaries, given the controversy surrounding overseas sourced donations such as Catch Tim and Moriki.

The Hon. DEAN BROWN: The Leader of the Opposition seems to be a specialist in sewers, from what we have seen today. I point out to him that he has deliberately misquoted what I said. I said that no overseas company should donate to a political Party without going through a local office. He deliberately decided to leave that out of the question.

Members interjecting:

The SPEAKER: Order!

The Hon. DEAN BROWN: In the Leader of the Opposition we have the ultimate puppet of trade union power. Here, in the Leader of the Opposition, is the ultimate puppet of a political Party that receives hundreds of thousands of dollars every year from its masters—the trade union movement.

Members interjecting:

The SPEAKER: Order!

The Hon. M.D. RANN: On a point of order, Sir, the question was: will he take a sling, or won't he, from an overseas corporation?

The SPEAKER: Order! The Leader of the Opposition knows full well that he is out of order.

The Hon. M.D. Rann interjecting:

The SPEAKER: Order! The Leader of the Opposition is warned. If he and his Deputy think that they can continue to defy the Standing Orders and carry on as though they are not answerable to the Chair, I suggest they have another think, because the Chair's tolerance is at an end. The Deputy Leader of the Opposition interjected again in complete defiance of the Chair. One more word and he will be named.

Mr Atkinson interjecting:

The SPEAKER: Order! That includes the member for Spence, who seems to think this is hilarious.

The Hon. DEAN BROWN: The Labor Party in South Australia is opposed to any contracting out, when the Federal Labor Party is saying that we should have this competition. That is because their union masters, who give hundreds of thousands of dollars every year direct to the Labor Party, are telling them, 'We want you to fight this water contract'; in the same way as the same trade unions told them, 'We want you to fight the amendments to the WorkCover legislation'; in the same way as they said, 'We want you to fight the industrial relations legislation when it is brought into the House.'

Whenever the occasion arises, the Leader of the Opposition, like a puppet on a string to the unions, has played to every tune they want to play. The Leader of the Opposition is the ultimate puppet of those—the trade union movement—who make the biggest financial contribution direct to any political Party in this State, the Labor Party.

We all know that a direct annual fee goes straight from the union movement across to the Labor Party every year. It is the whole underwriting of the finances of the Labor Party and, furthermore, we know who directs them. During the debate on this legislation the unions have sat in the gallery and told Labor Party members what to do—not once, not twice, but three times. They are absolutely captive to those who each year control their finances. How can the Leader of the Opposition, therefore, stand in this House and criticise any company for making a political donation which has to be fully revealed through public disclosure? It shows the absolute hypocrisy of the Leader of the Opposition on this issue, because if anyone has been bought off by donations to their political Party it is the Leader of the Opposition and the Labor Party in this State.

The Hon. M.D. RANN: I rise on a point of order, Mr Speaker. I ask the Premier to withdraw the words 'bought off', considering the laundered donations from Catch Tim and Moriki—

The SPEAKER: Order! The Chair well recalls a few moments ago the Leader of the Opposition indicating to the Premier that he had taken a 'sling'. In my view, both comments are inappropriate and unwise. It is up to all members to set a better standard.

SECURITY GUARDS AND CROWD CONTROLLERS

Mr BECKER (Peake): Will the Minister for Employment, Training and Further Education explain how TAFE is helping to improve the industry in respect of security guards and crowd controllers?

The Hon. R.B. SUCH: Before responding to the specifics of the question, I pay tribute to the member for Peake for his longstanding support of TAFE. The honourable member has had an association with the Marleston campus for many years and is a great supporter of TAFE, and it is to his credit not only as a local member but as a citizen of the community and I acknowledge that publicly. This is a very important issue. These people are commonly referred to as bouncers, but if members want to use the more sophisticated terminology they are security guards and crowd controllers. Currently, we do not have a course for faction controllers, but given the way the Labor Party is fragmenting we might need to introduce such a course.

The SPEAKER: The Chair asks the Minister to concentrate on answering the question.

The Hon. R.B. SUCH: Thank you, Mr Speaker, for your guidance. Currently, we offer through TAFE certificates in security operations, private inquiry and commercial agency operations. These programs have been welcomed by the police and they are the first in Australia for security workers at the operational level; in other words, they involve not only theory but also hands on experience. We currently have 80 people undertaking these programs, and next year we expect to have between 300 and 400 people undertaking these programs. It is an important industry. Obviously, it interacts with the public. Contentious comments have been made concerning the actions of a small minority of people in this industry, and by offering this program TAFE can assist to ensure that the people working in the industry act professionally, have the necessary skills and bring credit to their organisations.

We have received strong support from industry and we have received a number of inquiries from security firms seeking to employ the graduates from these programs. I am sure, once again, as in many other programs, we lead

Australia and other States will want to copy the lead that we have established in this State.

WATER, OUTSOURCING

Mr FOLEY (Hart): In light of claims of a $10 million per year saving arising from the contracting out of Adelaide's water management, will the Minister for Infrastructure advise the House whether the contract requires United Water to contribute to the cost of targeted separation packages for the 300 SA Water employees, or is this to be a cost to the Government?

The Hon. J.W. OLSEN: As with all targeted separation packages, it is a whole of Government expense.

PORT POWER

Mr FOLEY (Hart): Will the Premier join with the State Opposition and make direct representation to the AFL Commission, and in particular to Mr Ross Oakley, calling for Port Power's admission to the AFL in 1996?

Members interjecting:

The SPEAKER: Order!

The Hon. DEAN BROWN: Unfortunately, once again the member for Hart has missed the boat because I have already sent a letter to Mr Ross Oakley urging that Port Power be part of the 1996 AFL competition. I have also appointed the Minister for Primary Industries as my special personal adviser on this matter. The inclusion of Port Power next year in the AFL would be an enormous boost for South Australia, and the Government of South Australia fully backs Port Power's inclusion in the AFL next season. Therefore, I have written—and the letter has already been sent—to Mr Oakley stressing the point that the South Australian Government urges the AFL immediately to include Port Power, to ensure that the impasse that currently exists interstate is resolved as quickly as possible and that the vacancy is created so that we can have two teams in the AFL next year. That will ensure that, with two South Australian AFL teams, we have twice the level of support for the AFL, and we have all those additional matches here in South Australia with additional Victorians, Western Australians, Queenslanders and New South Welshmen having to travel to this State to support their teams.

POTATOES

Mr KERIN (Frome): Will the Minister for Primary Industries provide the background to a new potato exporting initiative developed in the South-East which could lead to a doubling of production in the region and explain what support has been given to the project by the South Australian Government?

The Hon. D.S. BAKER: I was approached earlier this year by a group of potato growers from the South-East who were interested in enlarging the acreage grown to potatoes in the South-East with the view to looking at export markets in South-East Asia. As I had just had a meeting with Rabo Bank executives from Sydney—and I indicate that that is the Dutch Cooperative Bank, one of the biggest cooperatives in the world, which has bought the Primary Industry Bank in Australia—I asked them whether they would be interested in helping to finance export development ventures in South Australia. I also told them that the South Australian Government would be happy to talk to them about it. I rang representatives of the Rabo Bank and spoke to them about becoming involved with the group from the South-East and, as a result, not only did they fly over and meet with the group but the bank provided personnel to help put the venture together.

Also IAMA and Vecon Marketing have grouped together to form a company called Green Triangle Growers Pty Ltd, which has submitted an application to the Agribusiness Section of the Department of Primary Industries in Canberra. It has just been announced that a grant of $70 000 has been provided to get this venture off the ground. It is significant that we have the private sector, State and Federal Governments and a large bank involved in getting this new venture started. We believe this will bring $10 million to $15 million worth of export income into the South-East of South Australia if it gets going. There will be eight potato growing cells by the year 2000 in southern Australia which will export half a million tonnes of potatoes to the South-East Asian region. So, it is a very good initiative and I congratulate everyone involved. It just shows what can happen if Governments get behind the private sector and shepherd it through these early stages.

ADDRESS IN REPLY

The SPEAKER: Order! I have to inform the House that Her Excellency the Governor will be prepared to receive the House for the purpose of presenting the Address in Reply at 3 p.m. today. I ask the mover and the seconder of the Address, and such other members who care to accompany me, to proceed to Government House for the purpose of presenting the Address.

[Sitting suspended from 2.55 to 3.32 p.m.]

The SPEAKER: I have to inform the House that, accompanied by the mover and seconder of the Address in Reply to the Governor's opening speech and by other members, I proceeded to Government House and there presented to Her Excellency the Address adopted by the House on 11 October to which Her Excellency was pleased to make the following reply:

To the honourable Speaker and members of the House of Assembly, thank you for the Address in Reply to the speech with which I opened the third session of the Forty-Eighth Parliament. I am confident that you will give your best consideration to all matters placed before you. I pray for God's blessing upon your deliberations.

NATIVE TITLE

The Hon. S.J. BAKER (Deputy Premier): I lay on the table a ministerial statement made by the Attorney-General today entitled 'South Australia First to Have Alternative Native Title Scheme'.

JOINT COMMITTEE ON RETAIL SHOP TENANCIES

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

That Mrs Rosenberg be appointed to the Joint Committee on Retail Shop Tenancies in place of Ms Greig.

Motion carried.

GRIEVANCE DEBATE

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

The Hon. M.D. RANN (Leader of the Opposition): Today I have written to Mr Malcolm Kinnaird, Chairman of United Water, and I should like to read the letter as follows:

> Dear Malcolm, The other night, whilst waiting to be interviewed by the *7.30 Report*, I spoke briefly to your assistant, Mr Anderson—

for the benefit of the House, I advise that that is Mr Geoff Anderson—

> who asked whether I was interested in meeting with you. I want you to know that, despite Labor's firm opposition to the outsourcing of the management of our water supply, we are more than happy to meet with you. After all, with no legislation or contract details before Parliament, there are many questions we will need to ask. Late in August I visited CGE's headquarters in Paris, and I met with senior executives, including Mr Diefenbacher. During that meeting I raised the issue of persistent allegations of corruption against French water companies. I asked for a written report from CGE on the allegations which had been given international publicity. I was given an undertaking that such a report would be forthcoming, but so far have not heard from CGE. I would appreciate it if you could assist in securing such a report from CGE.
>
> In Paris I also raised the issue of the Chirac Government's resumption of nuclear testing in the Pacific. South Australians had been given the clear impression by the Brown Government that both French companies were opposed to nuclear testing in our region. However, when I raised this issue with CGE and Lyonnaise Des Eaux I was disappointed that both companies said that they were 'neutral' and 'didn't have an opinion on this political matter'. I hope you can clarify, in writing, both your position and that of CGE on the nuclear testing issue.
>
> In Parliament yesterday I asked the Premier if he was prepared to seek an undertaking and guarantee from the President of the Liberal Party that the Party would not accept any political donations from United Water, Thames Water, CGE or any of its subsidiaries. The Premier replied that he had already indicated that it was totally inappropriate for the Liberal Party to take any donations from any company during the tendering processes where those companies were involved in that tendering process.
>
> Later in Question Time I asked whether the Premier could now give a similar undertaking that no donation from United Water, Thames Water or CGE will be accepted by the Liberal Party for the next State election campaign. My question was ruled out of order because the Speaker said it was his view that 'as the Premier does not have the responsibility in relation to the collection of donations from any political Party, the question is out of order'. Given the controversy surrounding overseas sourced donations such as the Catch Tim and Moriki donations to the Liberal Party, I am seeking an undertaking from you, on behalf of United Water, that no donation will be made by CGE, Thames or their subsidiaries to the Liberal Party or any other Party or candidate for the next State election.

In my letter to Mr Kinnaird, I close by saying that I look forward to meeting him again, and that I would appreciate his assistance in these matters.

Today I again raised the question of overseas-sourced political donations. We are not talking about the past—we are not talking about Catch Tim and Moriki. We are talking about the future. I have introduced legislation, and the Premier has made a firm statement in this House. Yesterday the Premier called out that he believed that I should be ruled out of order, and I know that the Speaker did not take any notice of that interjection. However, it is very interesting to note that today the Premier chose to say that that did not refer to getting a donation from a registered South Australian company.

Given that this is the biggest contract in the history of the State, I want to know whether the Premier will rule out accepting any donation from United Water, CGE or Thames Water, or any of the subsidiaries, so there can be no more nonsense, so that he can come in here and, hopefully, support my legislation, which will mean that no political Party, Liberal, Labor or Democrat, from this time forth will ever again receive political donations, laundered or otherwise.

Ms GREIG (Reynell): Prior to the conclusion of the last session, I gave notice that I would move a motion congratulating the South Australian women's lacrosse team on its outstanding performance in winning the national championship for an unprecedented eleventh consecutive year. However, as I did not get the opportunity to speak to the motion, and as now we have had further successes in women's lacrosse, I feel that this is the opportune time to congratulate not only South Australia's senior women's lacrosse team but also our under 16 and under 21 national titleholders, and the South Australian members of the under 19 Australian team, who have become the world titleholders.

Last Friday the Minister for the Status of Women hosted a lunch for the South Australian members of the under 19 Australian team. This lunch gave the opportunity for the female members of our Parliament to show our appreciation and congratulate these young women ambassadors of sport. All team members, although very young, were fine representatives of women's sport, of South Australia and of Australia. Tina Adams is 17 years of age, Jenni Adams 16, Sarah Aston 17, Jodie Huppatz 18, Mel Williams 15, Jill Pearson 16, Leah Barnden 19 and Emma Rennie only 17. The Australian girls played against the USA, England, Wales, Canada, Scotland and Japan. After losing to the United States in the round robin series 6-5, the Australians set about reaching the final with comfortable victories over the remaining countries. Then, on defeating the highly ranked Canadians, they went onto the final against the No.1 ranked USA. Cathy Flett, the coach and the team were very confident and won the world title 5-4, with Sarah Aston scoring two of the goals.

Jenni Adams and Mel Williams both played for South Australia in the under 16 team. The defeat of Victoria 14-7 gave our South Australian team the seventh consecutive Australian under 16 title. The under 21 women's team can also revel in glory: after being considered the underdogs they defeated Western Australia to take out the under 21 titles 7-5. Of course, I have not forgotten the outstanding performance of the senior women's team in winning the national championship for an unprecedented eleventh consecutive year. South Australia's senior women defeated Victoria 2-0 in the final after losing to them 6-10 in the minor round. I think all South Australians should be proud of the fact that this is the eleventh executive year that South Australia has won the national title.

The team was coached and captained by former national player and current national coach, Jenny Williams, who has been a member of 10 of the successful teams. I would also like to point out that one particular player has represented South Australia in all 11 winning teams. In six of the past seven years, the South Australian team has lost to Victoria during the minor round, only to beat them in the final. Again, as in the overall picture of women's sport, the South Australia's women's lacrosse team's magnificent performance adds to this State's growing reputation as a dominant force in women's sport.

Before I finish, I would like to acknowledge one other person, namely, Mrs Diedre Owens. Mrs Owens lives in my electorate and was the South Australian umpire selected to travel with the Australian under 19 team to the USA. Diedre Owens started umpiring in 1986, and she worked extremely

hard to gain an international ranking to umpire lacrosse. To achieve this accreditation, Diedre had to sit and pass an Australian test for senior ranking and then, on holding this rank for 12 months, she sat a test for State ranking. While holding this rank, and after 12 months, another test and two field assessments, Diedre achieved a national ranking. Finally, after a further 12 months, an international test was undertaken. As members can see, this was a huge commitment, with very positive results at the end. In finishing, I again reiterate my congratulations to our women's lacrosse teams. They have all worked extremely hard, with magnificent achievements. I reiterate that these achievements highlight the level of excellence South Australian women have gained on the sporting field.

Ms STEVENS (Elizabeth): I would like to spend a few minutes reflecting on the events relating to the Garibaldi HUS epidemic. When we think back between now and the events that happened in late January and February, it is quite clear that the Government certainly lost its focus in dealing with the situation. It lost its focus at the critical time when the epidemic was at its height and considerations other than the health and welfare of our community took precedence. Why do I say these things? There are a number of reasons: they have all been documented before and spoken about at different times, but I want to put them all together. First, there was never any mandatory recall of products. The Minister for Health—

Mr Lewis interjecting:

Ms STEVENS: Many times. The Minister for Health has powers under the Food Act: they were never used. This was criticised in the Coroner's report and it was criticised many times while those events were occurring and obviously at various times since the Coroner's report was released. It is interesting to note that, in answer to a question asked in this House yesterday in relation to this matter, the Premier talked about the events on 23 January—right back at the beginning—when the Acting Minister for Health came to him with the information at hand in relation to the epidemic. The Premier said yesterday in this House that he had said that the Health Commission was to have unlimited powers. We all know that those unlimited powers were never used. Why?

Mr Lewis: Ask them.

Ms STEVENS: We are asking, and we will continue to ask, but it is a very important question: why were they not used? Again, on 4 February there was the Premier's infamous meeting with the Minister for Health and staff, the Minister for Primary Industries and staff and representatives from Garibaldi. They discussed matters in relation to the smallgoods industry while there was still contaminated food on the shelves. When you are at the height of an epidemic, your first responsibility is the health and safety of the community, and that is where this Government fell down in managing the crisis. There were strong criticisms on this aspect from the Coroner.

My second point in relation to a loss of focus is that there has been a reluctance to prosecute on the part of the Government. We know that there were to be no prosecutions until last week, when the Minister for Health did a complete back flip in this House from his position one day, when there were to be no prosecutions, to his position the next day, when prosecutions were pending from a number of areas. The only reasons this happened were that we raised this matter in the House and that the furore, concern and outrage expressed in the community forced the Government to retract and say that it would do something about it. Thirdly, the Government has agreed to pay the costs of testing for Garibaldi. That was something that we raised this week. Why did this occur? Again, the answers that we received here in this House are unsatisfactory.

Finally, after all that, we now have a cover-up. Documents continue to be withheld; very vital documents were requested and have been withheld. We have to ask why. So, here we are, near the end of October. We still do not have all the information. We have had the Premier today denying that this had anything to do with Liberal support for Garibaldi, but the fact remains: the Government lost its focus. Why?

Mr Lewis: Boring.

Ms STEVENS: Not boring. Many questions are still to be answered. The public of South Australia deserves those answers and we will continue to fight for them.

Mrs PENFOLD (Flinders): Mr Acting Speaker, I wish to bring to your attention and that of the House an exciting new incentive program for youth that was recently launched by the Minister for Employment, Training and Further Education, Dr Bob Such. In recent years the farming population has been ageing, with the average age of farmers now being over 50 years. As you would be aware, this is due to large numbers of young people leaving rural areas and looking for work elsewhere. If this situation is not arrested soon, the average age of farmers could well be above 60 before the decade is out. Without young people, regions such as Eyre Peninsula will not fulfil their future potential. That is why I applaud the rationale behind this new program.

The initiative is called the Australian Vocational Training System Skilled Farm Worker Traineeship, which will provide employment for young people wishing to pursue a career in the agriculture-horticulture industries. It is a pilot program that is being managed by the Agriculture and Horticulture Training Council of South Australia. The program means that for the first time people will be formally trained to work on farms without the need to have prior farming experience or to possess current standard education qualifications. People with an interest in rural matters who do not aspire to tertiary education but who wish to gain useful credentials in this area will find this program ideal for their needs.

The traineeship provides people with the skills and knowledge of farm operations. This includes basic activities such as farm maintenance, chainsaw operation, concreting, vehicle and tractor operation and welding. They will also learn about irrigation systems, pest control, soils, fertilisers, livestock handling, breeding and a range of other related skills. They are thus equipped with the necessary foundation to perform a multitude of farm related tasks. This would make them eminently employable to any farmer and to many other occupations as well. In this way young people can feel confident in themselves, secure in the knowledge that they now possess.

Farmers can also benefit from the knowledge that these trainees will bring to the land. New and up to date techniques that the trainees have learnt will not only serve to improve the quality and consistency of the final product from the land but ultimately lead to a more profitable farm sector. I am delighted that it has been seen fit to provide funds for a worthwhile cause such as this. The formal studies consist of 10 weeks of formal training at TAFE campuses. Two blocks have just been completed at the Kadina campus. For the remaining time, the students are on the farm putting into practice what they have studied at TAFE. At the end of the

year the students should be quite capable of handling almost any farming situation.

I am pleased to say that my electorate of Flinders already has two representatives, both from Wudinna—Craig Barns, who is employed by his father, and Darren Scholz, who is working for his uncle. I wish them both well in their studies and I hope they will remain on Eyre Peninsula once they have completed their year of study to utilise their knowledge in helping this region to prosper. The selection criteria is quite simple. The person must be between the ages of 15 and 64, and the only requirement is that they must have an employment contract with a farmer. The employer may be a parent or relative of the applicant. This is quite important, as many farms are handed down from father to son.

One of the initiatives of this Government in waiving stamp duty on the transfer of the farm between generations has been appreciated. This training program will add further encouragement to keep our young people interested in a career on the land. The employer benefits from this arrangement in receiving a Commonwealth Government grant of up to $3 000 to help off-set the costs of the trainee. The trainees themselves are paid according to the national training wage award. The program currently has 10 trainees from all over the State and it is hoped that an equal number will participate in the next in-take. Already confirmed are a group of Aboriginal students from Port Augusta. It has been suggested that the students, on completion of their course, face very good employment prospects, and this can only be a benefit to all concerned. It can only but help to reverse the people drain in rural communities, particularly in an area affected as much as is the Eyre Peninsula. Many of our young people are lost to the cities for good and are not tempted to come back.

Mr CLARKE (Deputy Leader of the Opposition): I refer to the statement made by the Premier in Question Time on the native title scheme in South Australia, which has been approved by the Federal Government, and also to the ministerial statement issued by the Attorney-General in another place this afternoon. It is appropriate that South Australia should be recognised by the Commonwealth Government as the first State Government to put up an alternative native title scheme and be given due recognition for it.

However, I think that both the Premier and the Attorney-General have been somewhat churlish in that, both in the Premier's statement and in the Attorney-General's ministerial statement today, from what I read of the Attorney-General's statement, there is no comment whatsoever on the excellent work that was put in by the Opposition in making that legislation possible. As members may well recall, the fact is that the quality of the legislation that emerged from this Parliament was markedly different from the quality of the legislation when it was first introduced.

Members may well recall the many long, protracted and complex legal arguments heard both in this House and in another place where the Opposition and, in another place, the Australian Democrats put very strong views that our State legislation should properly complement Federal legislation and nothing less. The initial legislation that was introduced into this Parliament by the Government fell well short of the standards that the Federal Government would have required before it would have given it any approval. It was only through the very consistent efforts of the Opposition and the Australian Democrats in another place that this Government was forced very reluctantly to accept our amendments, enabling this legislation to be put into place and approved by the Federal Government.

Members will recall that the people involved in it, apart from me as the shadow spokesperson for Aboriginal Affairs, included a number of workers who worked tirelessly on this legislation, such as the Aboriginal Legal Rights Movement and, in particular, certain lawyers acting on behalf of ALRM who, regrettably, were attacked in this House by the member for Eyre, quite unfairly, when he spoke on that issue as being effectively gold diggers and only interested in stirring up trouble between the European community and Aboriginal community to line their own pockets in so far as their legal fees were concerned, and that they did not have the interests of the Aboriginal community firmly at the forefront of their deliberations. That has been proved false.

The accusations by the member for Eyre in this place at that time, and I said it at that time, were plainly false, and he should have been sufficiently man enough—or person enough I suppose one has to say these days—to stand up in this Parliament and publicly apologise to those solicitors working for the ALRM at that time, because they provided much of the information and research work which we as an under-resourced Opposition needed to be able to carry the arguments forward in this House and in another place. If anybody should be congratulated for the quality of this legislation, which has been given approval by the Federal Government—South Australia being ranked first of all States in the Commonwealth to get Commonwealth Government approval—those people and the Opposition deserve equal recognition at the very least.

I do pay tribute to the Attorney-General in that, in the conference stage, when we had to negotiate with the Government over the legislation, he proved to be a tough, hard but fair negotiator. The Deputy Premier was there also, but he was not so helpful: it was best when he was not in the negotiating room. As far as the Minister for Aboriginal Affairs was concerned, he did not participate in the debate or the negotiations. Why the Premier wants to back the Minister for Aboriginal Affairs on this issue is beyond me. I do not know what he did in the Cabinet room but, on the floor of this House and in the negotiations between both Houses of Parliament to resolve this issue, he was nowhere to be seen or heard.

Mr WADE (Elder): Earlier today I mentioned that the Community Water Action Committee advertised and held a public meeting at Parkholme at 7.30 p.m. in my electorate. About 35 people showed up, nine of whom were members of the Community Water Action Committee—

Mr Andrew: I bet they were all members of the Labor Party.

The ACTING SPEAKER: Order!

Mr WADE: It may well be. The member for Hart was there—

An honourable member: Were you there?

Mr WADE: —a water engineer, a person from SACOSS, and somebody else who said they were a consumer. I could not attend this meeting due to a prior community commitment so my electoral assistant attended in my stead. It was a public meeting in my electorate.

Mr Andrew: Who would want to go to a meeting of lies?

The ACTING SPEAKER (Mr Bass): Order! The member for Chaffey is out of order.

Mr WADE: My electoral assistant was requested to attend and, in accordance with her defined job duties, she did so.

Mr Clarke interjecting:

The ACTING SPEAKER: Order! The Deputy Leader of the Opposition is also out of order.

Mr WADE: My assistant was approached by a female member of the Community Water Action Committee at the door who said, 'Who are you?', and she announced herself before the meeting. This person said, 'Then leave. You are not welcome here at this public meeting. Leave.' My assistant politely refused to leave, saying that she had a right to be there. This woman walked off and came back with three men, and the four then stood there and said, 'Leave; you are not welcome here.'

Members interjecting:

The ACTING SPEAKER: Order!

Mr WADE: My assistant stood her ground

Mr Foley: Why didn't you go?

Mr WADE: The member for Hart again indicates his lack of hearing: as I have said, I had three prior engagements that evening. This was the fourth and the last for the evening. Even the chairman of the meeting agreed that my assistant had a right to attend the public meeting. That was very big of him, except that he told her that she was not to say one word at this public meeting, because she was Liberal. Not one word! If she did say anything she would be thrown out. This group needs to understand the rules of holding a public meeting. It means that people of any persuasion are invited to attend and participate. It is disgusting that an electoral assistant should be intimidated and threatened by this motley crew of miscreants. Not only was her democratic right to free speech denied but the faithful attending this meeting were muzzled as well.

I have been told that if anyone outside the group of nine opened their mouth they were told quite literally to shut up. One man tried to speak; a woman from the group of nine interrupted him and he told her to shut up. A great meeting!

Members interjecting:

The ACTING SPEAKER: Order!

Mr WADE: This group, which is violating the rights of free speech and which is violating the rights of public assembly, are claiming that their water rights are being violated. They should look to their own glasshouses before they throw stones.

Members interjecting:

The ACTING SPEAKER: Order! The grievance debate so far has been heard in relative silence and this one will finish in relative silence.

Mr WADE: I understand also that two councillors who were there both said they were from Marion council. One councillor introduced them as Marion councillors. One went on to criticise the French people for what the French Government was doing. If one was not politically aware, if one did not know that both are card-carrying Labor Party members, that one is a close relative of the Federal candidate for Hindmarsh and that one either is or was a secretary of the local Labor branch, then those in the audience would assume that they were there at the meeting to represent the council. I will be taking up that matter with the Marion council. I am disgusted that a member of this House, who knows that electoral assistants are sometimes needed to attend meetings on behalf of the local member, should allow this intimidation to occur—

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

MEMBER'S REMARKS

Mr FOLEY (Hart): I seek leave to make a personal explanation.

Leave granted.

Mr FOLEY: Inference was just made by the member for Elder that I was aware of and sanctioned some intimidation against his electoral assistant last night. I was neither aware of it and nor did I sanction it. Had I been aware of it I would have insisted on her right to be there and I would have protected her from any intimidation. I do not support that. I was not aware of it. Had I been aware of it, I would have acted to defend her right to be there.

Members interjecting:

The ACTING SPEAKER: Order! The member for Lee.

GARIBALDI SMALLGOODS

Mr ROSSI (Lee): I seek leave to make a personal explanation.

Leave granted.

Mr ROSSI: Yesterday I apologised to the House for my earlier remarks on the Garibaldi affair. I repeat the apology and withdraw the comments unreservedly. I apologise to the patients, the relatives of those affected, the employees, and management of Garibaldi. At the time I was angry about the tactics adopted by the Labor Party on this unfortunate Garibaldi affair but that is no excuse and I sincerely apologise.

Mr LEWIS: Mr Acting Speaker, I seek clarification on a point of order relating to Standing Orders as they affect conferences between the Houses. During the course of the grievance debate—

The ACTING SPEAKER: Order! If the honourable member has a point of order would he make it; if he wishes a clarification of Standing Orders would he approach the chair privately.

Mr LEWIS: I have a point of order, Sir, and that is that the Deputy Leader referred to the discussions which took place in the conference between the Chambers, stating the positions which he said individual members at that conference took. As I understand the conventions of this Chamber, I think that is a breach of convention and a serious one.

The ACTING SPEAKER: I do not uphold the point of order.

TELECOMMUNICATIONS (INTERCEPTION) (MISCELLANEOUS) AMENDMENT BILL

Second reading.

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

That this Bill be now read a second time.

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

Leave granted.

This Bill seeks to make amendments to the *Telecommunications (Interception) Act 1988* (the State Act) as a consequence of

amendments made to the Commonwealth *Telecommunications (Interception) Act 1979* (the Federal Act).

The State Act was enacted to enable the South Australian Police to apply for the issue of warrants authorising the interception of telecommunications pursuant to the Federal Act. The Federal Act provides that the power to obtain interception warrants is available only to State agencies which have been 'declared' by the Federal Minister on the basis that the Federal Minister is satisfied that the State concerned has legislation making satisfactory provisions regarding matters set out in section 35 of the Federal Act. These matters essentially consist of reporting procedures, whereby the police are required to keep records and to report to the Attorney-General on the numbers of warrants applied for and the use to which information obtained is put as a result of the interception.

The consequential amendments to the State Act include the following:

- amendments to the definitions;
- additional reporting responsibilities which will require the Commissioner of Police to provide the Attorney-General with details of the number of occasions on which communications have been intercepted pursuant to two newly created grounds for obtaining an interception warrant;
- additional reporting responsibilities which will require the Commissioner of Police to provide the Attorney-General with details of the total expenditure incurred by the police force in connection with the execution of warrants during the year to which the report relates;

power for the Police Complaints Authority to give information to the Commonwealth Ombudsman if the PCA is satisfied that the information is relevant to the performance of the Commonwealth Ombudsman's functions under the Federal Act.

I commend this Bill to Honourable Members.

Explanation of Clauses

Clause 1: Short title

This clause is formal.

Clause 2: Amendment of s. 3—Interpretation

This clause amends section 3 of the principal Act to—

- alter the definition of 'class 2 offence' to include trafficking in prescribed substances rather than just narcotic drugs;
- include a definition of 'prescribed substance';

Note: *I.e.*, a substance that is a narcotic drug or psychotropic substance for the purposes of the Cth. *Crimes (Traffic in Narcotic Drugs and Psychotropic Substances) Act 1990*.

- alter the definition of 'prescribed offence' to bring it into line with that in the Commonwealth Act;
- redefine 'restricted record' so that it no longer includes a record obtained pursuant to section 11 or 11A of the Commonwealth Act or Part IV of that Act.

Note: *I.e.*, so that it does not include records of interceptions of telegrams and other telecommunications by ASIO pursuant to warrant (ss. 11 & 11A) and interceptions of telegrams by the Aust. Federal Police pursuant to warrant (Part IV).

Clause 3: Amendment of s. 4—Commissioner to keep certain records

This clause amends section 4 of the principal Act—

- to require the Commissioner of Police to retain a copy of an approval given under section 55(3) of the Commonwealth Act by him or her or an approving officer;

Note: S. 55(3) of the Cth. Act empowers the Commissioner or an approving officer (a member of the police force appointed by the Commissioner under section 55(4)) to approve in writing other members of the police force, or classes of members of the police force, to exercise the authority conferred by warrants or classes of warrants.

- to require the Commissioner of Police retain the originals, rather than true copies, of warrants issued to the police force, instruments revoking such warrants and authorisations given by the Commissioner under section 66(2) of the Commonwealth Act.

Note: *I.e.*, authorisations to members of the police force to receive information obtained by interceptions under warrants issued to the police force.

Clause 4: Amendment of s. 6—Commissioner to report, etc., to Attorney-General

This clause amends section 6 of the principal Act to require the Commissioner to include in his or her annual report to the Attorney-General—

- the number of occasions on which members of the police force intercepted communications in reliance on section 7(4) or (5) of the Commonwealth Act;

Note: These provisions allow police to intercept a communication without a warrant in urgent cases where there are reasonable grounds for suspecting that a party to the communication has done an act that has resulted, or may result, in loss of life or serious personal injury, or has threatened to kill himself or herself or another person or seriously endanger himself or herself or another person, or seriously damage property.

- the total expenditure (including that of a capital nature) incurred by the police force in connection with the execution of warrants during the year to which the report relates.

Clause 5: Insertion of s. 9A

Exchange of information between Police Complaints Authority and Commonwealth Ombudsman

This proposed section authorises the Police Complaints Authority to give information obtained under section 9 of the Act to the Commonwealth Ombudsman if the Authority is satisfied that the giving of the information is relevant to the performance of the Commonwealth Ombudsman's functions under the Commonwealth Act.

Mr CLARKE secured the adjournment of the debate.

CONSTITUTION (SALARY OF THE GOVERNOR AND ELECTORAL REDISTRIBUTION) AMENDMENT BILL

Second reading.

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

That this Bill be now read a second time.

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

Leave granted.

This Bill makes a number of amendments to the *Constitution Act 1934*.

Firstly, the Bill amends section 73 of the *Constitution Act 1934* to provide that the salary payable to future Governors is to be determined in accordance with any percentage increases in salary payable to a Judge of the Supreme Court.

Section 73(1) currently bases the salary of the Governor on a rate of $30 000 per annum commencing 1 July 1981 and adjusted each financial year by applying the Consumer Price Index for the March quarter.

A review of the remuneration payable to the Governor and the senior staff at Government House was completed in June 1995. One of the recommendations was that the salary payable to future Governors be tied to the percentage increase payable to a Supreme Court Judge.

Her Excellency the Governor indicated that she did not wish this increase to apply to herself. Accordingly, section 73(1) continues to be applicable in determining the salary payable to Her Excellency the Governor. New subsection 73(1b) provides for the salary payable to future Governors.

Section 73(1b) provides that the salary payable to a future Governor upon the cessation of the term of office of Her Excellency Dame Roma Mitchell will be the same as the final salary paid to his or her predecessor in office and will be increased during his or her term in office, at the same time, and by the same proportion as the salary of a Supreme Court Judge is increased during that period. The Remuneration Tribunal is required to review the salaries payable to the Judiciary annually.

Section 77 of the Act is also amended. This section requires the Electoral Districts Boundaries Commission to draw the electoral boundaries in accordance with an electoral quota determined at the 'relevant date'. The 'relevant date' was stated to be a date falling not earlier than two months before the date of the order. The order being the making an electoral redistribution.

Practical difficulties have been encountered by the Commission in meeting the two month time frame provided in section 77 of the Act because of the need to adjust provisional figures, provide accompanying reasons after the quota has been determined, make the

necessary alteration and have the report and order printed and published.

These difficulties have been compounded by the 1994 amendment to the Act which requires the Commission to issue a draft order, and then, after considering any public response, publish its final order.

This Bill amends section 77 to extend the 'relevant date' to a 'date falling not early than six months before the date of the order'.

Extending the time to six months allows the Commission to specify a date prior to the issue of its draft order and obviates the need to change the date, and therefore the quota, when the final order is made. It also has the advantage of providing more accurate electoral roll figures as the closer the relevant date is to the preceding election the more accurate the figures upon which the quota is based. This is consistent with the principle that whenever an electoral redistribution is made the number of electors comprised in each electoral district must not vary from the electoral quota by more than the permissible tolerance of ten per cent.

In relation to the final amendment, it has been the practice since 1955 or thereabouts for additional remuneration to be paid to members of the Electoral Districts Boundaries Commission as the responsibilities of the Commissioners are onerous and work involved falls outside of their normal duties. These payments have been made on an ad hoc basis with approaches being made to the Executive on the occasion of each distribution. For some time there has been concern that this method places the integrity and independence of the Commission in jeopardy.

The amendment to section 78 avoids the need for such approaches and authorises the Remuneration Tribunal to determine the remuneration payable to members of the Commission.

The Chairman of the Commission is excluded from this provision because the Chairman of the Commission is a Supreme Court Judge who continues to receive the salary of a Judge during the time he or she performs the functions of Chairman. It has not been the practice for the Judge to receive any additional salary.

I commend this Bill to the House.

Explanation of Clauses

The provisions of the Bill are as follows:

Clause 1: Short title

Clause 1 is formal.

Clause 2: Amendment of s. 73—Salary of the Governor

Clause 2 sets out the new basis for the remuneration of Governors who hold office after Her Excellency Dame Roma Mitchell.

Clause 3: Amendment of s. 77—Basis of redistribution

This clause amends the definition of 'the relevant date' in section 77(2) of the principal Act so that the relevant date will be a date falling not earlier than six months before the date of an order for an electoral redistribution (instead of the current two months).

Clause 4: Variation of s. 78—The Commission

This clause amends section 78 of the principal Act by inserting a new subclause (7) providing that members of the Commission (other than the Chairman) are entitled to remuneration determined by the Remuneration Tribunal.

Mr CLARKE secured the adjournment of the debate.

MOTOR VEHICLES (HEAVY VEHICLES REGISTRATION CHARGES) AMENDMENT BILL

Second reading.

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

That this Bill be now read a second time.

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

Leave granted.

This Bill deals with matters related to the registration of heavy vehicles, and in particular, will give effect to the National Road Transport Commission's determination of registration charges. A heavy vehicle is defined as a bus, truck, prime mover or trailer, that has a gross vehicle mass or gross combination mass greater than 4.5 tonnes.

The Bill seeks to introduce certain heavy vehicle reforms, which aim to achieve efficiencies in national transport, by establishing a nationally agreed set of business rules and charging regime.

These initiatives arose from the October 1990 Special Premier's Conference, at which all Heads of Government agreed in principle to establish a National Heavy Vehicle Registration Scheme, together with uniform national transport regulations and nationally consistent charges.

The National Road Transport Commission (NRTC), which is an independent statutory authority, was established as a result of the Heads of Government Agreement of July 1991 and set up under Commonwealth legislation passed in December of that year. The Commission's purpose is to investigate and make recommendations on the establishment of a national registration scheme and uniform road charges for heavy vehicles, and nationally consistent operating regulations for all vehicles, that promote road safety and transport efficiency, and reduce the cost of transport administration.

The National Heavy Vehicle Registration Charges have been developed by the NRTC and have been determined using the principle that those who cause the greatest damage pay the highest price for access to the road network. Put simply, the greater the on-road mass, the higher the registration charge.

The charges are determined on a vehicle's gross vehicle mass or gross combination mass, which is the maximum permissible fully laden mass at which the vehicle may be operated. By using this method, rather than the present method of calculating the charge according to the tare or unladen mass, the charge payable bears a greater relationship to the damage caused to the road.

The Ministerial Council of Australian Transport Ministers has agreed to introduce the National Heavy Vehicle Registration Charges as specified in the *Road Transport Charges (Australian Capital Territory) Act 1993*. This Act has been enacted in Federal Parliament and enables the introduction of the National Heavy Vehicle Registration Charges in each State and Territory, when respective state legislation is enacted.

The proposed date for implementation in South Australia is 1 January 1996. This will ensure that South Australia is aligned with other interstate jurisdictions in respect to achieving nationally consistent charges for heavy vehicles. However, implementation will be conditional upon New South Wales clarifying its position on consistent charges.

The same charges have already been introduced in Queensland and the Australian Capital Territory. It is anticipated that the Northern Territory and most other States will have legislation in place in the near future.

The methodology used by the NRTC in arriving at the charges assumed that there would be no concessions granted. The matter of concessions has been left to individual jurisdictions to determine.

As the charges have been determined on the principle 'the greater the on-road mass, the greater the charge', the charges for vehicles that carry heavier loads are generally higher than at present. Conversely, the charges for some vehicles at the lower end of the scale, will be reduced.

In order to retain the relativity of the National Heavy Vehicle Registration Charges, and to preserve the existing revenue base, it is proposed to withdraw the concessions currently available on heavy vehicles.

However, recognising the unique difficulties faced by our farming community and vehicle owners who reside in outer areas including Kangaroo Island, it is proposed to grant a 40% reduction in the charge for those vehicles and trailers in the higher gross vehicle and gross combination mass categories. However, no concession will apply to rigid vehicles owned by primary producers or to such vehicles registered in the outer areas.

Although a concession will not be available on vehicles at the lower end of the scale, the charges for these vehicles are, in many cases, lower than the charge presently paid, even when the vehicle is registered at a concession. For example, a primary producer with a 2 axle rigid truck, with an unladed mass of 6-7 tonnes and a gross vehicle mass of 15 tonnes, will pay an annual registration charge of $500, compared to the present concession charge of $689. However, in some two axle vehicles, the primary producer will be required to pay a higher charge. Two axle vehicles with a gross vehicle mass less than 12 tonnes, will now attract a charge of $300. Some of these vehicles currently pay $171 or $289, depending on the unladen mass.

The net effect of these changes is that the total of the charges paid by primary producers and outer area residents, as a group, will essentially remain at the present level.

The effect of the National Heavy Vehicle Registration Charges on owners of other heavy vehicles will be that some will pay more, some about the same, and some less. As with primary producers and outer area residents, there will be increases in the charges for vehicles with a higher gross vehicle mass or gross combination mass, but vehicles in the lower end of the scale will pay less. Using the same example as I have given for primary producers, the charge for a 2 axle rigid truck, with a mass of 6-7 tonnes and gross vehicle mass of 15 tonnes, the annual charge will be reduced from $1378 to $500.

The most significant increase in charges will occur in those cases where a rigid truck is used in combination with a trailer. At the present time, the charge for registration of a rigid truck is based on the unladen mass of the truck, and takes no account of whether the truck is used in combination with a trailer. This means that a truck used in combination with a trailer pays a significantly lower charge than a prime mover towing a semi trailer, even though both combinations may be capable of being operated at the same on-road gross combination mass.

For example, the present combined charge for a typical 3 axle truck and 2 axle trailer combination is in the vicinity of $2232, whereas the charge for a prime mover and semi trailer combination of the same configuration, and capable of moving the same payload, is in the vicinity of $4180. This is clearly an unsatisfactory arrangement.

On the basis that these combinations are carrying the same on-road mass, and therefore causing similar damage to the road, the National Heavy Vehicle Registration Charges propose that the charge for the combination of a rigid truck and trailer should be raised to the same level as a prime mover and semi trailer combination. In registering a rigid truck, owners will be required to nominate whether or not a trailer will be towed. The registration charge payable will then depend on whether the truck is used singly or in combination with a trailer.

However, the Bill recognises that the owner of a rigid truck may only wish to tow a trailer for part of the year, and not for the whole year. Therefore, the Bill provides for the owner of a rigid truck to pay the charge for the registration of the truck, and to obtain a 'temporary configuration certificate', during the period the truck will be used in combination with a trailer. The charge for a 'temporary configuration certificate' will depend on the period and the difference between the two charges.

Provision has been made for vehicles currently registered under the Federal Interstate Registration Scheme, to be progressively registered under local registration, without the payment of stamp duty.

Quarterly registration periods and other matters related to the registration of heavy vehicles are included in this Bill. Conditional registration for certain farm vehicles such as those used between adjacent farm blocks will replace existing permit arrangements. Registration as 'special purpose vehicles' for self-propelled agricultural equipment, self-propelled earth moving equipment and emergency response vehicles such as ambulances, fire fighting and state emergency service vehicles is also included. The provisions are directed primarily at ensuring all vehicles accessing the road network even on a limited basis, are identified and appropriately covered by third party insurance.

The Bill proposes that the Registrar of Motor Vehicles be empowered to conditionally register certain heavy vehicles that only require limited access to the road network. These include large farm tractors and self propelled farm implements, which are either currently exempt from registration or are operated on restricted long term permits.

Also included will be 'special purpose vehicles' which do not carry goods or passengers, and are only required to travel short distances. For example, forklifts that are only used between warehouses to load and unload trucks, and vehicles such as street sweepers, which have a limited application and are only driven at low speeds.

Vehicles that are conditionally registered will be issued with number plates and covered by compulsory third party insurance. As access to the road network will be limited, no registration charge or stamp duty will be payable. Owners of conditionally registered vehicles will be able to register for periods of up to three years. The Bill provides for the payment of an administration fee (to be set by regulation at $20) to cover the costs associated with the issue of the registration. The same administration fee will apply irrespective of whether the owner registers the vehicle for one, two or three years. However, in some rare cases where the over-dimensional design of the vehicle results in the mass over one or more axles exceeding the maximum permissible axle limit, a charge is to be payable. This charge will be set at $250 for one or two axles, plus $250 for each additional axle. These charges are in accordance with the recommendations of the NRTC and are necessary to recover the cost of damage to roads.

The introduction of quarterly registration will provide heavy vehicle owners with the option of registering their vehicles for either 3, 6, 9 or 12 months. This will no doubt benefit those owners who only operate their vehicles on a seasonal basis, and those owners who may have difficulty in paying the charge for the minimum six month period currently prescribed in the Motor Vehicles Act.

The introduction of quarterly registrations for heavy vehicles, which will ultimately be extended to all vehicles, is in keeping with the Liberal Party policy election platform on Transport. This will provide greater opportunity for primary producers to minimise registration charges by registering for shorter periods that align with seasonal use.

Explanation of Clauses

Clause 1: Short title

This clause sets out the short title of the measure.

Clause 2: Commencement

This clause provides for commencement of the measure by proclamation.

Clause 3: Amendment of s. 5—Interpretation

This clause amends section 5 of the principal Act to insert definitions of terms used in the principal Act as amended by this measure.

Clause 4: Amendment of s. 12—Exemption of farmer's tractors and implements

Section 12 of the principal Act allows tractors and certain farming implements to be driven without registration on roads within 40 kilometres of a farm occupied by the owner of the tractor or implement for specified purposes. This clause amends that section to require tractors and implements that are heavy vehicles to be registered.

Clause 5: Amendment of s. 20—Application for registration

This clause amends section 20 of the principal Act to require an application for registration of a heavy vehicle to specify the configuration of the vehicle for the period of registration.

Clause 6: Amendment of s. 24—Duty to grant registration

Section 24 of the principal Act gives an applicant for registration the option to register a vehicle for 6 or 12 months, or for a period fixed by the Registrar as a common expiry date for a number of vehicles owned by the applicant. This clause amends that section to allow an applicant for registration of a heavy vehicle to register the vehicle for 3, 6, 9 or 12 months. It also provides for a renewal of registration of a heavy vehicle to be made up to 90 days after the expiry of registration.

Clause 7: Amendment of s. 25—Conditional registration of certain classes of vehicles

This clause amends section 25 of the principal Act so that the Registrar has power to register a heavy vehicle of a prescribed class subject to conditions on payment of the prescribed administration fee, and if the regulations require, the prescribed registration fee. Currently the section requires payment only of the prescribed administration fee but a vehicle can be registered under the section only if the applicant for registration satisfies the Registrar that the vehicle is to be driven on roads in circumstances in which it is, in the opinion of the Registrar, unreasonable or inexpedient to require the vehicle to be registered at the prescribed registration fee.

Clause 8: Amendment of s. 31—Registration without fee

This clause amends section 31 of the principal Act so that registration fees are payable on the registration of heavy vehicles of the classes specified in that section (other than consular vehicles).

Clause 9: Amendment of s. 32—Vehicles owned by the Crown

Section 32 of the principal Act provides that any question as to the amount of the fee payable on registration of a vehicle owned by the Crown or whether such a vehicle should be registered without payment of a fee is to be decided by the Treasurer, whose decision is final. This clause amends that provision so that it does not apply in relation to heavy vehicles owned by the Crown.

Clause 10: Amendment of s. 34—Registration fees for primary producers' commercial vehicles

This clause amends section 34 of the principal Act to reduce the registration fee concession for primary producers' commercial heavy vehicles of a prescribed class from 50% to 40%. There is to be no concession for primary producers' commercial heavy vehicles that are not of a prescribed class. The clause also provides for the percentage of the concession to be altered by regulation.

Clause 11: Insertion of s. 34a

34a. Application of ss. 35-36 and 38-38b

Sections 35 to 36 and 38 to 38b (inclusive) provide for reduced registration fees for the registration of primary producers' tractors, prospectors' vehicles, vehicles wholly or mainly used for the transport of certain incapacitated persons and concession card holders and trailers wholly or mainly employed in the personal use of concession card holders. Proposed section 34a provides that the reduced registration fees do not apply in relation to a heavy vehicle.

Clause 12: Amendment of s. 37—Registration fees for vehicles in outer areas

This clause amends section 37 of the principal Act to reduce the registration fee concession for heavy vehicles of a prescribed class kept and used in outer areas from 50% to 40%. There is to be no concession for outer areas heavy vehicles that are not of a prescribed class. The clause also provides for the percentage of the concession to be altered by regulation.

Clause 13: Insertion of s. 43a

43a. Temporary configuration certificate for heavy vehicle

Subsection (1) prohibits a person from driving a heavy vehicle on a road in an unregistered configuration unless a temporary configuration certificate is in force in respect of the vehicle for that configuration.

Note: An unregistered configuration is one other than that nominated in the application for registration and for which a higher registration fee would be payable.

Subsection (2) provides that if a person drives a vehicle on a road in contravention of this section, the vehicle will be taken to be unregistered for the purposes of the Act. Subsection (3) provides that if a person is guilty of an offence of driving an unregistered vehicle by virtue of subsection (2), a person who caused or permitted the vehicle to be so driven is also guilty of an offence (maximum fine $500).

Subsection (4) specifies the fees payable for a temporary configuration certificate and empowers the Registrar to grant such a certificate. Subsection (5) provides for a certificate to be in force for a period at the option of the applicant (not exceeding the unexpired portion of the vehicle's registration). Subsection (6) provides for a certificate to be in a form determined by the Minister. Subsection (7) requires a certificate to be carried in the vehicle (maximum fine $100 for failure to do so). Subsection (8) empowers the Registrar to issue duplicate certificates. Subsection (9) empowers the Registrar to cancel a certificate on application by the holder.

Subsection (10) provides that if the registration of a heavy vehicle in respect of which a certificate is in force is cancelled or transferred, the certificate is cancelled. Subsection (11) provides that a registration fee paid for a certificate is not refundable on cancellation of the certificate but subsection (12) empowers the Registrar to give a refund if satisfied that reasonable cause exists for doing so.

Subsection (13) requires a court that convicts the owner of a heavy vehicle of an offence of driving the vehicle while it is unregistered by virtue of subsection (2) or of an offence against subsection (3) to order the owner to pay to the Registrar the difference between—

- the prescribed registration fee that would have been payable for registration of the vehicle for the period for which the vehicle's registration was effected if the current configuration of the vehicle at the time of the offence had been nominated in the application for the registration of the vehicle; and
- the prescribed registration fee that was paid for registration of the vehicle.

Subsection (14) requires a court that makes such an order to notify the Registrar. Subsection (15) provides for registration fees paid pursuant to such an order to be non-refundable. Subsection (16) defines expressions used in the section.

Clause 14: Amendment of s. 44—Duty to notify alterations or additions to vehicles

This clause amends section 44 of the principal Act to enable regulations to be made for cases of a specified kind providing a method for calculating an additional amount payable under the section from the method prescribed by the section.

Clause 15: Amendment of s. 55—Amount of prescribed refund

This clause amends section 55 of the principal Act to enable regulations to be made for cases of a specified kind providing a method for calculating the prescribed refund different from the method prescribed by the section.

Clause 16: Amendment of s. 145—Regulations

This clause amends section 145 of the principal Act so that regulations made under the Act can prescribe a matter by reference to the Commonwealth *Road Transport Charges (Australian Capital Territory) Act 1993*.

Clause 17: Amendment of Stamp Duties Act 1923

This clause makes consequential amendments to the Stamp Duties Act to provide for stamp duty to be payable on quarterly registrations and on conditional registration of heavy vehicles of a prescribed class (other than special purpose vehicles) where the prescribed registration fee is required to be paid.

Mr CLARKE secured the adjournment of the debate.

OPAL MINING BILL

Adjourned debate on second reading.

(Continued from 12 October. Page 247.)

Mr QUIRKE (Playford): The legislation before us today is the culmination of some years of negotiation. The Opposition will be seeking to make some amendments to the Bill and those amendments will be to achieve a certain objective, to which I will refer in just a moment. We support the broad thrust of the Bill. The problem for some years now has been that the amount of opal that South Australia exports has been declining.

In all the opal fields in South Australia we now see less opal being exported than was the case some seven or eight years ago. Mintabie is a place I have discussed in this House before, and a place that I am grateful that the Minister and I visited some time ago to consult the miners on this legislation and on other matters. In Mintabie the amount of opal product has been dramatically reduced in the past five or six years. One does not need to go back too far to see a population of Mintabie of the order of 1 500 people, compared to between 300 and 500 now, I understand. One of the problems with that is that the style of opal mining at Mintabie requires larger claim sites. The landscape is something we will need to consider, as well as some other problems surrounding the Mintabie precious stones field, when that reverts to its traditional Aboriginal owners in the year 2002.

The Aboriginal community has been, and is being, consulted, and the Department of Mines and Energy is in constant contact with it; there is a working committee to try to resolve a number of issues. But let us return to this Bill. The legislation seeks primarily to solve a number of the problems associated with opal mining in South Australia. The centrepiece of this legislation is to increase the claim size from 50 by 50 metres or 50 by 100 metres, which is currently the maximum claim size in South Australia (and which adds up to some 5 000 square metres), to a claim size very much larger (which would add up to some 40 000 square metres), the maximum size being 200 metres by 200 metres, and at the same time to provide that a person can have two registered claims. That means that under this legislation it is possible for a person to have mining rights over 80 000 square metres, albeit, because of other provisions in the Bill, not next door to each other, but still a very much greater area than was the case before.

The Opposition understands the necessity for taking legislative action to increase the amount of opal mining and exploration here in South Australia. As shadow Minister for Mines and Energy I sincerely hope that in a few years from now I will be in a position to see the benefits of this legislation; that we will see more opal mining in South Australia. I suppose I should say at this point that I am confident that that will be the case, but actually I am not. I think this is an

interesting legislative move and a move in the right direction. Whether or not it will pay the sorts of dividends anticipated, I honestly do not know. I hope that it does. South Australia has been greatly served by the opal mining fraternity over many years, and one would hope that these measures will bear some fruit.

I will be moving some amendments, which are on file. I note that the Minister has one or two amendments, and I wish to indicate support for those. I would like to take a little time here to explain the purposes of the amendments that the Opposition will be moving. Since I have been shadow Minister for Mines and Energy, this legislation has been discussed in a number of forums. There are some reservations about increasing the size of opal claims in South Australia and those reservations will not go away. Those reservations relate primarily to the town of Coober Pedy. I am satisfied that Coober Pedy is a divided town on this legislation but, largely, most people are saying, 'We want to see an exemption for Coober Pedy from the basic tenets of this legislation.'

People are saying that for a number of reasons, the first of which is that Coober Pedy is the town of the small miner; that it has always been the town of the small miner; and that it has, indeed, become a town that has a heritage that revolves around the small miner and the small claim. Coober Pedy, and many of the occupants of that town, opposed the last change in claim sizes which, as I understand it, went through this House in 1978. People in Coober Pedy are now saying that they want time to breathe on this; that they do not wish to see changes to this Act that will include the existing working areas of Coober Pedy. In fact, some people up there have taken the position that, in terms of the defined precious stones field, which is quite a large tract of land, the legislation should not apply.

That is a position that I believe cannot be countenanced, and in discussions I have had with the department, with the Minister and with miners on both sides (from both the Coober Pedy Miners Association and SAOMI), I have made it clear that in my view what should happen is that the existing working area of the precious stones field (which I understand is about 7.5 per cent of that field) and a 500 metre buffer around it should remain under the old Act. The effect of the amendments that I will be moving this afternoon is to achieve that, and will mean that the new Act will apply to everywhere else in South Australia. It will apply to the other opal mining areas and will apply to 92 per cent of the precious stones field in Coober Pedy.

However, it will ensure that the township of Coober Pedy and the existing working areas will be covered under the provisions of the old Act, which basically says that the claim sizes are as they are now, which is 50 by 50 or 50 by 100 metres. I want to make it clear this afternoon that the Opposition does not believe that everything should remain static; that we believe that this legislation, which I sincerely hope will greatly increase the amount of opal product that comes out of South Australia, and the exemption that I hope will be successful here this afternoon for the township of Coober Pedy and for the existing working area, ought to be reviewed at a future date. I believe that within three years this House ought to set up a select committee to see how the new legislation is working, to look at all the provisions there and to report as to whether or not further legislative changes will be necessary.

I do not have the figures before me, and it is possible that other members may have more information about the total amount of opal product that comes out of South Australia. There is a certain degree of sensitivity around that question in a number of areas. The last person I would be asking as to how much opal comes out of South Australia would be anyone associated with the Taxation Office, because they would be the first people to tell me that there has never been any opal found in quite a large number of areas of South Australia.

Mr Clarke interjecting:

Mr QUIRKE: I make no comment on the Deputy Leader's assertions about people not paying income tax. In reality, in small scale mining of this type, the tax man is not considered as well as he might be by some of the larger companies around town, although I have some doubt about that from time to time. At the end of the day it is very difficult to put a figure on it. I have been told that virtually no opal comes out of South Australia, but having walked down Nathan Road in Hong Kong I can lay that to rest: a fair amount of opal does manage to get there, but I believe not as much as used to be the case. I hope that this legislation will ensure that that changes.

There are to be other speakers on this Bill, although not from our side, so I will not take up the time of the House. The Opposition supports the legislation and the Minister's amendment. We will be moving our own amendment to quarantine existing workings in Coober Pedy and a small buffer around it. That is the commitment we have made to Coober Pedy. The further commitment is that the Opposition, within a three-year time frame, would like a select committee to look at the whole question of opal mining legislation in South Australia to see where we are going and to see whether any other changes are necessary in future.

Mr LEWIS (Ridley): I do not have as big an interest in opal now as I did at one time, although I have an interest.

The Hon. D.S. Baker interjecting:

Mr LEWIS: I reassure the Minister to the contrary. I do not have any claims either personally or held in conjunction with anyone else, although I have a longstanding interest in opal that goes back to late 1963, when I first began collecting it in its myriad forms as a fascinating gemstone that occurs in profusion to the greatest array possible in South Australia in terms of ground colour as well as fire colour—terms used in the trade. We do not have unstable opal from volcanic sources in any great quantity anywhere in Australia—that is found elsewhere in the world.

In this instance, because our opal is sought after world-wide, it is important that we enable the community at large, or those members of it who wish to participate in the industry, to do so. Previously, because of the difficulty of identifying the location of seams of precious opal by any understood scientific formula and any rigour, commercial interests were not inclined to take up opal mining as a means of paying dividends on shareholders funds. However, in more recent time, with the development of bulk mining techniques, where huge quantities of the earth that is likely to contain opal can be moved by bulldozers and broken up, checked by spotters and with the opal bearing ground put through black light inspections, there is a means by which such companies and corporate interests can expect to pay dividends on share capital invested in the enterprise if only they are able to obtain sufficient incentive to go and find it and dig it up.

That is very relevant in the context of this Bill because at present it is not possible for them to find that incentive: it is not there. If you go out of an existing precious stones field to peg a claim somewhere and begin drilling on that claim site

to discover whether it contains any potch or precious opal, you go to bed the first night and wake up the next morning to find that your site has been pegged out all round. So, if you find anything you do not get the benefit of it, having taken all that risk. Of course, if you do not find anything when drilling on your 50 metre by 50 metre or 100 metre by 50 metre claim, anyone who has put a claim beside you for the purpose of going into the business of discovery simply ups their pegs and moves off. You carry the cost and they save any expense, but if perchance you were successful they would be in there like hyenas to get their slice of what is discovered.

So, as a Government (of whatever political persuasion), through the Parliament, we need to provide the means by which it is possible to secure a reasonable area of ground for the purpose of mining once a discovery is made. However, that must not be so much as to exclude the possibility of a new precious stones field being established by proclamation. I think you, Mr Speaker, understand that. From time to time, for the whole time that you have been here, your constituents have made representations to you about that. There is opal out there—we all know that—a hell of a lot more opal in Australia, indeed in South Australia, by a long shot than has ever been discovered. A good bit is tied up in the Pitjantjatjara lands and other places as we know, but with the rest there is no incentive to look for it. So, we need to amend the legislation.

Before turning the attention of members in the Chamber to that purpose, I simply point out that opalisation occurs at the appropriate and similar altitudes in a huge crescent shape, starting in central western Queensland and going across a band more than 100 kms wide south through the central southern border between Queensland and New South Wales, across north western New South Wales where the famous fields are to be found and into the central western New South Wales area north of Broken Hill where the white cliffs are to be found. Across South Australia in those parts with the same altitudes there are similar sediments that have left space into which the hydrated silicon oxide has permeated and settled, where over millions of years the size of the molecules has settled evenly and the distance between them in terms of microscopic dimension has become precise.

Where that has occurred without disturbance, precious opal is formed. Where disturbance occurs or other impurities have mixed with the silica gel, that contamination results in what is commonly called potch or common opal, which has no capacity to diffract light that passes into the stone and passes not through it but back out of it and in the process is broken up into one or more of the colours of the rainbow as it is affected by the size of the molecules in the body of the stone through which it is passing, hence the fire colours and variations of them and the kinds of patterns—

Mr Condous: Are you debating the Bill?

Mr LEWIS: Yes, I am. It is important to understand these matters because it is easy to find potch in South Australia, indeed in Australia. In the whole of Australia common opal was first found at Angaston by the German settlers, not far from the current site of the Yalumba winery. No-one has attempted to mine precious opal there because it does not occur so far as any discovery that has ever been made. If we do not provide the means by which people seeking to discover a deposit of opal can obtain the benefits of having outlaid that money and taken that enormous risk, we will not get the expansion of the industry for which the legislation ought to provide and which I am sure all honourable members seek. I know that the member for Playford, the Minister and you, Mr Speaker, seek it and I certainly seek it.

The reason for the amendments is that we want to provide incentives in fair and reasonable fashion. The problems that we have run into have largely come from misinformation. It needs to be remembered that, in the first instance, this review process was instigated in 1990 during the time of former Minister Klunder. However, since that time a good deal of indifferent and inaccurate information has been peddled about the Bill and so on, to the extent that there is some opposition to it from a group of people called the Coober Pedy Miners Association. I do not know why that association continues to misrepresent the truth: it really amazes me. Indeed, as I understand the legislation and the association's concerns about it, saying that Coober Pedy is a small miners' town and so on, the provisions contained in the legislation do not enable a large miner to simply peg out the town, or somewhere adjacent to it, because it would not be possible for them to find a patch of ground large enough anywhere in the town to keep far enough away from an existing claim.

Under the provisions that we have proposed, there must be greater than 500 metres between the opal development leases. We do not need any more than that. To suggest that by putting this legislation in place Coober Pedy would suddenly disappear is piffle. Coober Pedy is there forever. Coober Pedy now derives more of its income from tourists than from opal mining. It certainly will not disappear as a place to which tourists go to see how people live underground in the way they did traditionally when the town was established many years ago. Because tourists will keep visiting Coober Pedy, it will not become a place in which opal is not cut: it will continue to be cut at Coober Pedy. Equally, I am sure that whenever extensions are made to existing dwellings or dugouts precious opal will be discovered. It already is, and this will continue.

Unlike those of us who live in houses above the ground and who have to save up or borrow money to build an extension, some people in Coober Pedy who, when they are feeling the pinch and need some extra money, decide to build an extra room. That is the way they get their money, because they know the opal is there. They simply dig out a bit more of the house from the underground space available to them and the precious opal that is so discovered more than compensates for the cost of the extension to the dwelling.

Other places where opal has been discovered, but never properly pegged and notified, is on the pastoral leases that I have referred to in that broad band of country in South Australia when some pastoralists have been digging dams. Of course, Mr Speaker, you and I both know that if we look at the location of some of those dams the likelihood of their ever gathering enough water to fill them is very remote, yet there had to be a reason why they were excavated. I am reliably informed that they were excavated in order to obtain some petty cash and were extended as the need for petty cash arose. Now, who did it I do not know and when it was done is not documented; and how much and what was sold from such excavations is not known either.

I direct myself to the misrepresentation that has been made of these proposals since they were first mooted; from the time when Minister Klunder suggested the review of the legislation back in 1990, by the Coober Pedy Miners Association and, more recently, by the Hon. Sandra Kanck who has not understood much of what the world is about, let alone what opal mining is about. The fairest way to describe the kinds of comments which she is said to have made and which have

been reported as such as recently as early this month in the *Coober Pedy Times* is that you never let the facts get in the way of a good story. Unfortunately for the honourable member, though, and fortunately for people in the industry, there are some sensible people in this world who believe in sticking to the facts at hand and the information that experience provides. I refer to people such as the secretary of the South Australian Opal Miners Association, Barry Lindner.

The Hon. Sandra Kanck has claimed that the opal mining Bill allows for claim registration only in Adelaide. That is wrong. Registrations will continue to be made at the local Department of Mines and Energy office in the area. The Bill merely provides that renewals can be made in Adelaide at the head office in circumstances where, for example, a miner might be in Adelaide for business or medical treatment at the time that the renewal of his lease comes due. The honourable member also stated that the field is only 50 kms by 25 kms in size. That is only 1 250 square kilometres. As you know, Mr Speaker, the Coober Pedy field is 4 950 square kilometres, which is four times the size that the Hon. Sandra Kanck confidently claimed was possible.

The honourable member insinuated that big companies were able to obtain 20 square kilometre leases, set them aside for speculation and lock out small operators. That is not only cynical but, in fairness—and I have to agree with Mr Lindner—it is a mutilation of the truth. The comments of the honourable member have reinforced concern, if not fear, in the minds of people engaged as individual miners in the industry and reinforced the same mistaken perceptions that have arisen out of the utterances of the Coober Pedy Opal Miners Association on the same topics. I can only conclude from that that the honourable member has been misled by the association or that they have both been drinking from the same chalice and mistakenly got themselves into a sweat about nothing. If only they had taken the trouble to study the legislation, because then they would understand the benefits that it will bring.

When we expand the area which can be set aside to someone other than a claim for the purposes of doing some opal exploration—an opal development lease (ODL)—we need to ensure that it is big enough to provide the person who takes the risk in the unworked ground to receive some profit from it if they make a strike, but small enough to ensure that they cannot lock up ground which bears precious stone to such an extent as to preclude the possibility of other people being able to participate in the mining of it in some measure. The Bill before us provides for that in the area that is permitted in an opal development lease. The other provisions that the Bill contains, such as the opal development area provided for in schedule 2 and the amendments to the precious stones claims, are entirely satisfactory and sensible.

I ask all members to try to imagine working with a D9 or one of the other large bulldozers in an area 50 metres by 50 metres. That is not much different to the length of this Chamber squared. The operator hardly has room to turn the thing around, let alone work down to a depth of 18 to 20 metres below which it is not possible to be certain that the stone that you discover is stable. There is just not sufficient ground there to warrant trying to work it for the discovery of the opal that it might contain with that heavy earthmoving equipment.

So we had the fiction of several people getting together and pegging claims in a contiguous fashion and agreeing to operate them in partnership with one another in their development and exploitation of any precious opal that was present. That may be all very well, but it discriminates against the interests of someone who might wish to be genuine about it and prevents, in the process, companies from doing it and limiting their liability in the process of so doing.

I do not share the concerns that have been expressed by the Hon. Sandra Kanck or the Coober Pedy Miners Association, other than to the extent that we have to get the area pretty right. I agree with the member for Playford that it would be a good idea, in three years after the proclamation of the legislation, as a House or Parliament, to appoint a select committee to look at how the legislation is working, because it is worth hundreds of millions of dollars to this State's economy. That comes from the electorate that you, Sir, have so ably represented over the many years that you have been a member of this place. You have effectively put the people's interests and the industry's interests to this place throughout that time and I hope that you will be able to continue that contribution.

Bill read a second time.

In Committee.

Clauses 1 to 12 passed.

New clause 12A—'Major working areas—Coober Pedy.'

Mr QUIRKE: I move:

Page 11, after line 21—Insert new clause as follows:

(1) The regulations must, after the Minister has consulted with such approved associations as the Minister thinks fit, identify an area or areas within the Coober Pedy Precious Stones Field as a major working area or major working areas for the purposes of this section.

(2) The following provisions apply with respect to a major working area identified under subsection (1), and to a person who has pegged out an area for a tenement within such an area, despite the other provisions of this Act:

(a) a person may only peg out an area for a precious stones claim within a major working area, and a corporation cannot peg out any area within a major working area; and

(b) the maximum permissible area that can be pegged out for a precious stones claim within a major working area is 5 000 square metres; and

(c) a person who has pegged out an area for a precious stones claim within a major working area cannot simultaneously have another area pegged out within the precious stones field and, if or when the tenement is registered, the person cannot simultaneously hold more than one precious stones claim within the precious stones field.

(3) The regulations under subsection (1) may, by subsequent regulation, after the Minister has consulted with such approved associations as the Minister thinks fit, be varied from time to time.

This is really the principal issue in the Bill. I make it crystal clear to the Committee that my understanding is that these amendments, which are in the hands of the Minister, a man whom I trust, will ensure that the existing working areas of Coober Pedy, including a 500 metre buffer around those areas, will be exempt from the new Act. I want to make that clear because I suspect that some people in another place will try to make mischief out of this and may try to draft other amendments that will make this a little clearer, in their submission. At the end of the day it is difficult to move amendments to legislation that clearly define a geographical area unless that geographical area can be defined as a square or an ellipse, or something like that, and can be properly pegged out.

I call on the Minister to give an assurance to the Committee, that, if the amendments are accepted, he will use his office to ensure that the existing working areas of Coober Pedy and a 500 metre buffer around them will be exempt from the Act and, further, that the department will peg out and accurately survey this area so there can be no confusion

and so no mischief can be made by other parties in respect of this.

The Hon. G.M. GUNN: The amendment that has been moved by the member for Playford does not endear itself to me or to the overwhelming majority—

Mr Clarke: He has got my vote straight away.

The ACTING CHAIRMAN (Mr Bass): Order! The member for Eyre has the call.

The Hon. G.M. GUNN: I have had a long involvement with the opal mining industry and the earliest debates in which I participated in this place strongly related to this subject. Therefore, I want to make one or two comments in relation to the people who are the architects and promoters of this amendment. There appears to be in the minds of some people—

Mr Clarke interjecting:

The ACTING CHAIRMAN: Order!

The Hon. G.M. GUNN: —a terrible fear that someone else will be successful, that someone else will find a little bit of opal. That is the fear and, therefore, this particular—

Mr Clarke: I thought you supported small business.

The ACTING CHAIRMAN: Order! I caution the Deputy Leader. He has been warned twice today.

The Hon. G.M. GUNN: The opal mining industry is only about small people. Nowhere in the world has this sort of opal mining operation been conducted successfully by large corporations: anyone who knows anything about the industry knows that opal is found in small quantities. The greatest complaint that I have ever had is that too much sandstone is mixed up with the opal. Opal is found by individuals in small quantities. If you worked for someone else, you could put a very valuable small piece of opal in your pocket when you went home, and they would not know you had it. The greatest disputes that take place in this part of the State are over who has the right share. People have talked to one another with high explosives. That is not unusual in that part of the world. This new provision—

The Hon. D.S. Baker interjecting:

The Hon. G.M. GUNN: I do not know, and I do not want to enter into that. The honourable member's amendment provides, 'the regulation must, after the Minister has consulted with such approved associations'. Which association will the Minister consult with? Will it be the Cooper Pedy Opal Miners Association? Will that be the exclusive group? It already has exclusive rights that the other opal mining association of South Australia does not have. These are the people for whom Barbara Wiese had a proclamation drawn up so they would get funding from the District Council of Coober Pedy, but the South Australian Opal Mining Association is not getting funded to carry on their organisation.

Mr ATKINSON: I rise on a point of order, Mr Acting Chairman. Barbara Wiese is entitled to the title 'Honourable', and I ask that the member for Eyre use it.

The ACTING CHAIRMAN: I agree. However, Standing Orders provide that the point of order must be made at the time, so I cannot accept it, given that the honourable member continued to speak for another 30 seconds.

The Hon. G.M. GUNN: Will it be this one, exclusive group that has been against all improvements? In the opal mining industry, like any industry, technology has moved on. In the time that I have been associated with it, I know that the opal mining industry like agriculture has made huge advances. They used to go mining for opals with wheelbarrows and hand winches. Today we have large hydraulic exploration winches, drills, core well drills that put down 40 inch shafts, underground tunnelling machines and blowers, and other forms of machinery that allow miners to shift very large amounts of material. However, like all technological improvements, it is very expensive to operate. Therefore, it is absolutely essential that the miners who do the exploration work be given the opportunity to get some benefit.

Mr Clarke: Are they paying income tax?

The Hon. G.M. GUNN: The honourable gentleman is out of order interjecting. I suggest that he go to Coober Pedy and ask them. Let him ask them. I have participated in this debate today because I am concerned to see that amendments are not moved in this House that will be detrimental to the welfare of the overwhelming majority of decent, hard working people who have put their life into Coober Pedy. They desire only one course of action—to make a decent living. It is a unique part of South Australia; it has attracted the attention of the world. Some people have been very successful and unfortunately other people have not been successful. What is required is commonsense, a fair go and a clear understanding that, when people spend a lot of money and time and go out and prospect with very large drills, and when they find something before the night is out, they will not be completely pegged out. That is what happens. There is the small clique of Vanaceks and Brunzes and a number of other malcontents up there.

Mr Clarke interjecting:

The ACTING CHAIRMAN: Order! The Deputy Leader is out of order.

The Hon. G.M. GUNN: I am entitled to three 15 minute goes. I do not make many speeches in the House these days. Without any trouble at all, I am very happy to comply with Standing Orders, and you will stay here for the 45 minutes. Nothing would make me happier; I have nothing on tonight. I want to know from the Minister whether he will give a categorical assurance to this Committee that he will consult with and give equal weight to both associations. In this sort of activity, where one group thinks that—

Members interjecting:

The ACTING CHAIRMAN: Order!

The Hon. G.M. GUNN: —it is the only one whose views count or are important and who has an understanding of the industry, we will have two sets of opal miners in South Australia: those who operate at Mintabie, Andamooka and elsewhere will have one set of rules to go by and the group that operates within a prescribed area of Coober Pedy will have another. How will we ever draw those lines?

Members interjecting:

The ACTING CHAIRMAN: Order!

The Hon. G.M. GUNN: As someone who has spent a lot of time driving around opal fields, I know it is a changing scene. They stretch in the most odd configuration. As someone who has flown over those fields many times, I would not wish this exercise on my worst friend—not even on the Deputy Leader of the Opposition. I would not wish it on him, because this is a political stunt. It will assist no-one.

Mr Clarke interjecting:

The ACTING CHAIRMAN: Order! The Deputy Leader is out of order.

The Hon. G.M. GUNN: It will do nothing for the people in the opal industry. This little group of people who do not want or believe in progress and who have difficulty understanding commonsense were arguing with Minister Klunder—I remember. I was in Coober Pedy just a few weeks before the last election, when I had the pleasure of

attending a social occasion with a few of my friends at the Croatian Club.

Members interjecting:

The ACTING CHAIRMAN: Before the member for Eyre continues, I must warn members on this side that it has been very good since I have been here and I would like it to stay that way so we can get this completed.

The Hon. G.M. GUNN: Thank you very much, Mr Acting Chairman; I appreciate your assistance in this matter. I remember going to the Croatian Club when this matter we are currently debating was raised with me by one of that little group. I said to them, 'Your friend is doing this to you; it is your Minister, Mr Klunder.' They were complaining about the provisions and I said, 'Have you read the existing Act?' No, he had not, and I said, 'Lots of the things you are complaining about you have worked with for the past 25 years; what are you talking about? I suggest you get your mate Klunder up here, because he's the one doing this to you.' He soon lost interest and we never heard any more about the matter.

We now come to proposed new clause 12A, and this is a fine example of double standards if we have ever seen one. It is really good stuff and members should listen to this:

> a person may only peg out an area for a precious stones claim within a major working area, and a corporation cannot peg out any area within a major working area;

It goes on. Let us look at practical realities. If two individual opal miners wanting to comply with the law, obtaining taxation concessions and running their mining operation as an appropriate business wish to form a corporation jointly or with one or two others—people do not mine individually; there are always two or three people because it is not safe to mine alone (overwhelmingly there are two, three or four miners involved)—under this provision they could not legally form a private company to engage in opal mining. This amendment is an absolute nonsense. I would like to see this provision tested under the Trade Practices Act to see whether it stands up. It is a nonsense provision. Nearly all opal mining operations are partnerships and this provision would preclude people who wanted to work as a company—not public corporations—but as private companies. The provision is a nonsense. This enlightened group opposed—

Mr Clarke: Which group?

The Hon. G.M. GUNN: The Coober Pedy Miners' Association, the people who originally set themselves up and formed a co-op to sell fuel to their members. This little group also wanted to take an exclusive right on the triangle, but I will not go into that, as the history is well known.

Mr Clarke: I don't know about—

The Hon. G.M. GUNN: It is about time the honourable member went up there and looked for himself. I say to him that if he carried on in the bar in Coober Pedy as he does now, he would get his just deserts, and there is nothing surer. I will not go into that now because I do not want to contravene Standing Orders. These amendments are put forward purely to try to appease a radical minority who are frightened that someone else will be successful. This is a complete nonsense. Therefore, I seek from the Minister an unqualified assurance that he will consult not only with the Coober Pedy Miners' Association but with the South Australian Opal Miners' Association or any other group involved with the opal mining industry. This one group should not have an exclusive right to have input. This group is saying, 'We don't want a lot of people at Coober Pedy who don't belong to our association to have any say.' A large number of opal miners at Coober Pedy belong to the South Australian Opal Miners' Association—

Mr Clarke interjecting:

The Hon. G.M. GUNN: The overwhelming majority of opal miners in South Australia. Not the sub-branch of the ALP. That is where the Vanaceks and the Brunzes are; we all know that.

Members interjecting:

The ACTING CHAIRMAN: I remind the Deputy Leader of the Opposition that he has been warned twice today, and the consequences flow into the Committee. I ask the Deputy Leader to refrain from interjecting and I remind the member for Eyre of the 15 minute time limit, because he is coming close to the end of his time.

The Hon. G.M. GUNN: But I am allowed two more goes, Mr Acting Chairman, and I have just got started. I am normally the retiring type and do not participate. They are the realities of the situation. We are dealing with the operators of bulldozers, and there are not anywhere near as many bulldozers operating at Coober Pedy as there were in the past. I recall when 120 bulldozers were operating at Coober Pedy. It would probably have been the place in South Australia with the largest diesel supply.

These amendments discriminate against people who belong to the South Australian Opal Miners Association. All I want to see in this exercise is opal miners being treated fairly. We must ensure that those who want to get out and show some initiative and enterprise, do some hard work and are prepared to invest in their future are protected and given that opportunity, so that the rest of the industry can benefit. We all know there has been a downturn which has been caused by economic conditions, the high cost of diesel, and the high cost of maintaining plant. Therefore, if we can find new productive fields, it will benefit everyone. It will benefit the opal miners, the rest of the town, the tourist industry and even members of the Coober Pedy Miners Association. They do not want to help themselves. That is unfortunate for the rest of the community. I look forward to the Minister's response before I conclude my remarks.

The Hon. D.S. BAKER: I thank the three members for their contributions to the debate.

Mr Clarke: Is that what you call them?

The Hon. D.S. BAKER: Well, the Deputy Leader can keep interjecting, but sometimes a bit of commonsense comes into this place with a bit of sensible negotiation. I want to thank those members for their input. The member for Ridley knows more about opal mining than I, and I appreciated his input. Also, the member for Playford and the member for Eyre know a lot more about it than I.

It really shows something about an industry when we must have about a 70 page Bill just for the mining industry. I still cannot see why it could not have been part of a general review of the Mining Act, which will come up for consideration soon. The miners themselves have been arguing over this for five years. As the member for Eyre correctly said, it was in Minister Klunder's day, and it went back to Minister Wiese; everybody has had a go and nobody has been able to fix it.

There are two or three intractable sides. The only way I can see through it is to make sure that we negotiate as far as we can. I have at all times negotiated the position and talked to the shadow Minister on this matter. It really got down to this one sticking point. The Government believes, quite firmly, that it is wrong to allow this amendment to come in because it merely perpetuates the problems that we have

experienced. However, the member for Playford, the shadow Minister, has assured us that his side of politics will support the appointment of a select committee into the whole opal mining Bill, in particular within three years, and it may be that there is so much unrest up there that he may want to do it earlier than that, but that is up to them. I am prepared under those conditions to accept it.

As to the assertions of the member for Eyre about whom we consult with, I am prepared, with the shadow Minister for Mines (the member for Playford), to consult with all groups that purport to represent miners in the Coober Pedy area. If the member for Eyre wants to join us when we meet those groups, I will be very happy to have him along there, provided that he does not act provocatively—and I know he will not. I want to hear—and I am sure the shadow Minister wants to hear—the reasons why these people want this amendment. Therefore, I think it is common sense. I will accept the amendments on the undertaking and assurance from the shadow Minister that there is a select committee within three years, and I give the member for Eyre an undertaking that I will consult with all groups with which I can consult from the Coober Pedy area.

For the edification of the member for Eyre, I am assured by everyone who has looked at the amendment that it means that approximately 8 per cent of the total opal mining area at Coober Pedy operates as though under the old Act. The 92 per cent, and all other mining areas in South Australia, will operate under the new Act, which will allow exploration licences to bring South Australia into line with what is happening in all other States. My personal view is that the opal miners of Coober Pedy in the excluded area will realise very quickly that they will want a review of the Act, but I am prepared to accept it and honour the commitments I have given.

The Hon. G.M. GUNN: I thank the Minister for his usual conciliatory and mild approach in handling his ministerial duties. If I were a betting person I would wager a penny to a pound that, if these regulations are tabled, people will be lining up before the Legislative Review Committee. That august and distinguished body will have its attention taken up for a considerable amount of time because I can foresee that the process will be long, difficult and, I believe, particularly interesting.

I do not want to delay the Committee any longer. As the Minister rightly points out, these amendments and many other provisions, which the opal industry has been requesting for years, have now come to fruition, and I do not want to see them fail because of this amendment, unacceptable as I think it is. I would hate to see the future of opal mining—which is a very important industry to South Australia, and one which employs many people, directly and indirectly, and, as the member for Ridley pointed out, one has only to go to Hong Kong and Germany to see how much opal is about—in any way left in the hands of the fairies who live at the bottom of the garden in another place. They do not understand or have any comprehension whatsoever of practical reality or commonsense but would do anything for a headline. They change their position three times in the one day and still do not know where they are. I would far sooner be dealing with the member for Playford and the Minister than place the future of opal mining in jeopardy because of people who do not know whether it is Wednesday or Friday week.

The Hon. D.S. BAKER: I accept what the member for Eyre has said. Already in my mind I am forming my recommendations for the select committee. No doubt it will be the members for Ridley and Florey, the Deputy Leader, the shadow Minister, and the member for Eyre would Chair that committee. That would be a very good exercise, and I hope—

Mr Clarke: I haven't done that much wrong.

Mr Quirke interjecting:

The Hon. D.S. BAKER: That is right. The committee would meet in Coober Pedy one day a week. I give those assurances to the Committee, and I can assure members we will do our best to clear up this matter after many years.

New clause inserted.

Remaining clauses (13 to 98) and schedule 1 passed.

Schedule 2—'Amendments to the Mining Act.'

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

Clause 12, page 61, line 5—Leave out 'on land that is' and insert 'on land within a precious stones field that is outside an opal development area, or on land'.

Amendment carried; schedule as amended passed.

Title passed.

Bill read a third time and passed.

PAY-ROLL TAX (EXEMPTION) AMENDMENT BILL

Returned from the Legislative Council without amendment.

LAND TAX (HOME UNIT COMPANIES) AMENDMENT BILL

Returned from the Legislative Council without amendment.

ADJOURNMENT

At 5.12 p.m. the House adjourned until Tuesday 24 October at 2 p.m.

HOUSE OF ASSEMBLY

Tuesday 17 October 1995

QUESTIONS ON NOTICE

ELECTORAL ACT

2. **Mr ATKINSON:**

1. Does the Government propose to amend the Electoral Act so that electoral advertisements containing statements purporting to be a statement of fact but which are inaccurate and misleading to a material extent and are published outside the election period can be dealt with in the same way as such advertisements published during the period?

2. Will the Government allow its publication *Southern Expressway* to be scrutinised by the Electoral Commissioner for the purposes of section 113 of the Electoral Act without pleading the defence of it being published outside an election period?

The Hon. S.J. BAKER:

1. No changes to the law are necessary.

2. It already has been, and no breach of the Electoral Act had occurred. For what was published to be an electoral advertisement it must first be an advertisement and, secondly, it must contain electoral matter. Electoral matter means matter calculated to affect the result of an election. The reference to an election is a reference to a particular election, not merely to an election which must be held at some undetermined future date. At this time there is no relevant election which this matter could be calculated to affect.

EUDUNDA TO MORGAN ROAD

4. **Mr ATKINSON:** Now that the Department of Transport has detoured heavy vehicles from the Blanchetown bridge to and through Eudunda, will it install—

(a) a pedestrian crossing outside the Eudunda Community Preschool, on the Morgan Road; and

(b) right-hand turning lanes at the Morgan—Marrabel Road intersection and the Morgan—Reserve Road intersection?

The Hon. J.W. OLSEN: The Minister for Transport advises that B-doubles and permit overload vehicles have been using the Eudunda-Morgan Road since 1992. With the current restriction on the use of Blanchetown Bridge by heavy vehicles, the increase in the number of such vehicles diverted to the Eudunda-Morgan Road is considered to be minor.

Following an earlier request from the District Council of Ridley-Truro, the Department of Transport is investigating the specific matters now raised by the Honourable Member. The investigation is expected to be completed by November 1995 at which time the Minister for Transport will write and inform the honourable member of the outcome.

TOURISM DEVELOPMENTS

7. **Mr ATKINSON:**

1. Why is it necessary to offer for sale overseas up to $65 million worth of South Australian tourism development?

2. Does the Government prefer that these developments be leased rather than sold freehold overseas and, if not, why not?

The Hon. G.A. INGERSON:

1. The Government is actively endeavouring to promote and encourage new development in this State to provide more jobs and put more money into the economy. One of the areas where there is good prospects of success is in tourism and tourism development. As part of this attraction process, the South Australian Tourism Commission has developed an Investment Prospectus which is a polished, well-produced series of documents aimed at attracting investment into major tourism projects in this State. The Prospectus is being made available to local, interstate and overseas potential investors. While the Prospectus was distributed to interested parties when I was recently visiting parts of south-east Asia, copies have also been made available to a Spanish investor, Italian investors and to interstate interests who attended a recent national conference on BOMA in Adelaide. The aim is to attract investment irrespective of its source.

2. The majority of the projects listed in the Investment Prospectus are owned by private sector interests. There are a number of ways in which new investment can be channelled into a project including:

- equity partnerships,
- creating new business entities which may be Australian based,
- borrowings, and
- sale of the whole project or through strata title and lease back.

Being private projects, the Government has little or no influence on the terms under which investment is made. The important objective is to attract investment to create jobs and improve the prosperity of the State.

HIGHWAYS FUND

8. **Mr ATKINSON:** How much was allocated from the Highways Road Construction Fund for road construction purposes in 1993-94, 1994-95 and 1995-96?

The Hon. J.W. OLSEN: The Minister for Transport has provided the following information:

It is assumed that the honourable member is referring to what is known as the Highways Fund, established under the Highways Act to administer a range of monies for various road purposes.

The information sought is as follows:

1993-94 $88.1 million
1994-95 $100.3 million
1995-96 (estimate) $109.0 million

PORT ROAD

13. **Mr ATKINSON:** What independent assessment will there be of the crack sealing of Port Road undertaken during September?

The Hon. J.W. OLSEN: The Minister for Transport has provided the following information:

The crack sealing work undertaken on Port Road during September was performed by contractors working for the Department of Transport. The work was a component of the Department's normal road maintenance operations and the contractor's performance was assessed in accordance with the contract requirements.

The procedure is a standard low cost treatment designed to extend the integrity of the pavement and is used throughout Australia by Local Government and other Road Authorities. Similar work was completed north of Cheltenham Parade several years ago.

While initially the treatment is very obvious, the black colour fades with time and the flexible material is 'flattened' under traffic.

For your information, the cracks will be covered when the road is resurfaced. Resurfacing of Port Road is currently scheduled in 3 years time. Crack sealing is a necessary pre-requisite to resealing.

TRANSADELAIDE BUSES AND TRAINS

15. **Mr ATKINSON:** Are TransAdelaide buses and trains swept of rubbish daily?

What is the cleaning routine and has it changed since 11 December 1993?

The Hon. J.W. OLSEN: The Minister for Transport has provided the following information:

1. Buses and Trains

All TransAdelaide buses and trains are swept or vacuumed daily to remove rubbish.

2. Buses

Every attempt is made to remove graffiti within 24 hours and buses will not be dispatched when they have suffered major graffiti strikes. Buses are washed inside and out on an 'as needs' basis, resulting in all 729 buses being washed inside and out about three times a week.

This cycle was introduced at Mile End Depot during 1992 and at other depots during 1993 and 1994 because it was not deemed necessary to completely wash out every bus every day, and to reduce the incidence of rust arising from daily exposure to water. It is anticipated that rust caused by constant exposure to water will be reduced as a consequence of this new work practice. In addition, overall cleaning costs have been reduced.

Trains

Trains are swept or vacuumed each day to remove dirt and rubbish. Cleaning rosters were amended in July 1995 to ensure that all cars, including those stabled at outer depots overnight, are cleaned of dirt and rubbish before entering service the next day.

Trains are 'spring cleaned' on a cyclic basis once every three to five weeks.

In addition, trains are frequently inspected in Adelaide Station. Litter accumulated during previous journeys is removed and any graffiti found is normally removed prior to the next trip or, if necessary, the cleaner will continue removing graffiti while the train is in service.

All trains are checked for graffiti each day during the normal cleaning cycle and when found, and where practicable, it is removed immediately.

In January 1994, the then STA introduced an additional staff member with the responsibility of inspecting all railcars daily and for removing any graffiti on walls and windows. Also the seat/seat cover cleaning and replacement program to remove damaged or graffitied seats has been intensified and the new vandal resistant seating, introduced in September, will provide all rail customers with clean, undamaged railcars for their comfort.

CENTRAL BUSINESS DISTRICT

16. **Mr ATKINSON:** What steps have been taken to ensure that the Central Business District can 'boast that it has a logical, integrated network of passenger transport infrastructure and services'?

The Hon. J.W. OLSEN: The Minister for Transport has provided the following information:

Bus services operating from the suburbs already provide a logical integrated distribution of services in the Central Business District.

With the competitive tendering of public transport, the integrated nature of the network will be retained with through ticketing, and with operators providing a good coverage of the Central Business District. Also, the funding methods proposed for tendered services, will encourage operators to provide improved services to increase the number of passengers using public transport.

The new City Loop bus service, incorporating the new ramp accessible buses, will operate on an East-West route, linking the Railway Station and Adelaide O'Bahn with the new University of South Australia campus, the art institutions along North Terrace, the Royal Adelaide Hospital and Rundle Street East. Already the frequency of the Bee-line bus service operating from North Terrace to Victoria Square has been improved by 50 per cent with services now operating every 5 minutes.

All these initiatives have improved the integration of passenger transport infrastructure and services in the Central Business District.

Further consideration will be given to the issue during the preparation of the long term Strategy for Transport, an initiative I announced in August last.

LIQUID PETROLEUM GAS

18. **Mr LEWIS:**

1. What is the comparative advantage, all other things ceterus parabus in the cost per unit distance travelled using LPG as compared with leaded petrol, unleaded petrol and distillate?

2. What is the percentage difference in the quantities of atmospheric carbon emissions from the use of the foregoing fuels for travel of any one vehicle in each case over the same distance where the vehicle fitted with LPG has—

(a) a normal petrol carburettor for the preparation of the mixture of fuel and air before it enters the motor: or

(b) a computer controlled fuel injection system?

3. What would it cost to convert to LPG fuel, any of the cars currently used by Ministers, and other classes of vehicles supplied to Government employees?

4. Does the Government have to pay Federal sales tax on such equipment?

5. What is the current rate of sales tax on such LPG conversion equipment?

6. How many Minister's cars have been converted to LPG?

7. At what approximate odometer reading or age in months are each class of vehicles sold off and what would be the consequence of doubling the age and/or distance travelled, given that many cars are now constructed to provide for 3 years/100 000 kms guarantee?

8. How many other cars in the Government fleet have been converted to LPG fuel and what is this in terms of percentage of the total number of cars owned by the Government (to the nearest approximate decimal point)?

9. What is the marginal premium price in the used car market which is paid for a car which has been fitted with LPG conversion equipment over and above a vehicle of the same make, model and general condition but without LPG equipment?

The Hon. D.S. BAKER:

1. Information from Mines and Energy South Australia indicates that calculations based on travel over 20 000 kilometres show the current saving using LPG compared to leaded petrol, unleaded petrol, and distillate is about 44 percent (using the following fuel prices: leaded petrol 75 c/l, unleaded petrol 72 c/l, and distillate 72 c/l).

2. Based on the figures for travel of 100 kilometres there is approximately a 20 percent reduction in carbon dioxide emissions for an LPG converted motor vehicle compared to a conventional petrol-fuelled motor vehicle. A computer controlled fuel-injected system would marginally reduce this value.

3. Costs for LPG conversions range from approximately $1 680 for a small four cylinder motor vehicle such as the Mazda 121, $1 880 for a 6 cylinder Ford Falcon and $2 100 for a Holden Statesman (large V6).

4. LPG conversion equipment is exempt from Federal sales tax under exemption number 172.

5. Currently it is 22 per cent.

6. Two vehicles.

7. Criteria for sale of State Fleet vehicles is 24 months, 40 000 kilometres.

- August average is 26.1 months, 44 149 kilometres
- September average is 26 months, 40 865 kilometres

The consequence of doubling the age and/or distance travelled is difficult to calculate with sufficient accuracy because there would be a significant decrease in residual value, significant increase in tyre, scheduled maintenance and unscheduled maintenance costs.

8. 13 in total which represents 0.16 per cent of the fleet.

9. There are no definitive records kept on this matter and therefore the effect on re-sale value is unknown.