

## HOUSE OF ASSEMBLY

Thursday 28 March 1996

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

PUBLIC WORKS COMMITTEE: MILE END  
RAILYARDS

Adjourned debate on motion of Mr Oswald:  
That the twenty-second report of the committee be noted.  
(Continued from 21 March. Page 1187.)

**Mr BECKER (Peake):** On behalf of the Mile End Residents Association, I wish to protest in the strongest terms possible at our disappointment. The report has been brought down and, although the committee would argue that it has taken several weeks to consider the report, little opportunity has been given to further explore and develop the case for rerouting a road that is associated with these works. No-one has any argument concerning the siting of and the need for the sports stadium, although, in my personal opinion, I believe that it should have been located either on the Underdale Campus of the University of South Australia or at the Thebarton Oval. Since this report has been brought down, I have further discovered that Thebarton Oval is available again. It is costing that council tens of thousands of dollars a year to maintain the oval without any permanent tenant.

I believe that would have been the ideal location to develop a sports stadium and a sporting complex because of the additional reserve and oval areas associated with that location. It faces the Brickworks and busy South Road. There is a croquet club and a bowling club. There is sufficient room to provide an ideal opportunity to develop a major sporting complex. It is a shame that we as a city would like to host a Commonwealth Games, yet we do not have a world standard sports stadium for our track and field events. Olympic Sports Field served the State well, but in a city the size of Adelaide—the greater metropolitan area consisting of about 1 million people—we have only one athletics track. That is where Australia has fallen down, and certainly where South Australia is falling down, as far as athletics is concerned. That is my personal opinion and how I see the situation.

I am disappointed that the Public Works Committee has brought down this report as quickly as it has. The representatives from the Mile End and the Thebarton Residents Association were given the opportunity to speak to the committee and address certain issues. I understand that the committee was critical, claiming that few answers were provided by those representatives.

The key to the whole project, apart from the sports field, is this road running north to south. We do not know whether we are to have an expressway, a connector road, a ring-route or, at some time in the future, whether this road will link up with the old Glenelg train line and be a major expressway through the western suburbs. If that is so, I am bitterly disappointed. I have been on the record for the 25 years that I have been in the Parliament opposing any expressway or freeway in the western suburbs. I have fought that ever since my days in the old electorate of Hanson. Indeed, I could never look in the eye the people I represented if I did not oppose what the Department of Transport is trying to do.

The key to this matter is the Department of Transport and its attitude, because the department is purely self determining. I do not think it takes much notice of anyone. Certainly it does not take much notice of elected representatives, and I get the impression that it does what it wants when it likes. The department has an agenda and it will not reveal that agenda to the people in the western suburbs. The Department of Transport has much for which to answer in regard to this project.

This organisation has written to me and provided further information on its behalf in its submission. The residents association respectfully requests that I advise the Parliament of its total opposition to the recommendations of the Public Works Committee report on the Mile End railyard development. They believe that the report is both misleading and inaccurate and that it seeks to achieve by stealth the Department of Transport's ambitions for a north-western bypass. They say that the committee has not undertaken a level of investigation worthy of the consequences of its recommendations. It states:

We would welcome an adjournment of Parliament's consideration of this report so as to be better prepared to argue the case against the report. However, if that is not to be afforded to us, we request that you accept and table our following submissions regarding the report. These submissions are not exhaustive and we request the privilege of submitting further at a later date. The association should follow up this matter with the Minister for Transport. Perhaps the Government could build the stadium, but let us look at the road and the considerations relating thereto.

The other major key factor in the whole issue is Bunnings, a major hardware retailer, which has established a warehouse at Parafield. That huge development cost about \$12 million and carries about \$6 million in stock, so about \$18 million is tied up in Bunnings' Parafield warehouse. It wants to redevelop its Mile End property and develop a property south of the city. At some time in the near future it is expecting to look at \$50 million of investment in South Australia, creating 400 jobs. It has been made clear in discussions with that organisation's manager that the whole project is at risk, because it would not take much to tip Bunnings into pulling out of South Australia altogether and not be bothered. Bunnings will be adversely affected by the road network that is proposed in association with the building of the stadium.

We want the Public Works Committee, the Department of Transport and certainly the Government to reconsider the options. The road network can be altered to provide Bunnings with what it wants and, at the same time, have the road underneath Burbridge Road bridge rather than having a flyover at that location.

*Mr Oswald interjecting:*

**Mr BECKER:** The former Minister and now PWC Chairman says that no flyover is proposed, but a major intersection will be created with traffic lights. It will be a major intersection creating a bottleneck, and it will severely restrict the business operations and the entrance from Burbridge Road to Bunnings. I feel sorry if that is to be the attitude that is adopted in relation to Bunnings.

Time does not permit me to go through the whole submission, which I will forward to the committee. The mere fact that the report has been brought down does not mean that it is the end of the issue. I refer to the unanswered questions raised by the Mile End Residents Association. How will Bunnings trade with no access to Burbridge Road, limited or no access to the bypass (if there is one) and the possible closure of Railway Terrace south of the Hilton bridges?

How will it maintain parking, with the proposed 27 netball courts and an 8 000 capacity stadium, having total combined parking for 900 cars, directly in front of its store? Will the Department of Transport have to acquire additional land and incur additional expense to achieve its desired 40 metre corridor through to South Road? Sections of its existing corridor appear no more than 20 to 25 metres in width. Why has not the car park repository (in the south-west) been located south of the Hilton bridges as residents suggested that it should, even before the announcement of the stadium development? Why should the repository be located next to the ponding when it can be relocated under netball courts, the road or the stadium?

Why has the UPA changed its view on the south-west car park such that it will not be grassed but rather capped with bitumen? Why in reality is the report unwilling or unable to leave open the alternative route for the bypass under the Hilton bridges? Why was the Department of Transport and the UPA evidence before the committee so hostile to all residents' proposals? Are 300 car parks worth the loss of the Hilton bridges underpass option? The residents think not. They believe that, if 300 of the 500 car parks are moved from the stadium car park (the south-western car park) to the south of the Hilton bridges, the existing report and proposal could proceed basically unchanged and the option of the underpass remain alive.

There is also the opportunity, by reorganising the road in the ponding basin area, for additional houses, probably as many as 60 extra houses, to be built in that location on uncontaminated land. The whole project, of course, also hinges on the successful removal of the contaminated land, but if there is an opportunity to put another 60 houses in there to save the Bunnings' property and create jobs and help the viability of the project then I think the responsible Ministers should seriously look at this and provide the answers to these questions to the Parliament without further delay.

**Mr OSWALD (Morphett):** I thank members for the opportunity to speak again on this motion. I will not speak for long. I would like to draw members' attention to the evidence that was taken by the Public Works Committee during the hearing. It goes into considerable detail in analysing the proposals put up by the Mile End Residents Association. The committee ensured that the two representatives of the residents association were given a very long hearing. At no stage did we constrict the amount of time we allocated to hearing what they had to say. The evidence was carefully documented by *Hansard*.

We then invited the Urban Projects Authority to respond, and it gave a very detailed response to the Residents Association. Without being judgmental, I would ask members who have an interest in the subject to read that technical evidence. It is technical evidence; it is based on engineering assessments and, also, there was a discussion with Bunnings. The inquiry we undertook looked at site remediation. The question of the road and the routing of the road, and the Department of Transport presentation on that subject, will come before the committee.

I suggest to the member for Peake that he appears before the committee when that subject comes back again and makes representation: we would be very pleased to hear his point of view. The project is very important for Adelaide, but the Public Works Committee wants to get it right. We will not make recommendations to the Parliament based on issues unless they are backed up with sound, scientific fact. The

reason why we considered the road alignment as part of this inquiry, which we reported on last week, is that the alternate route proposed by the Residents Association dissects one of the proposed UPA repositories. Whilst we were talking about remediation and the clean-up of the site, it became obvious that, if the proposed new road alignment went through the soil repository, we would have to take further evidence to see where we were going.

The committee was of the view that the proposal presented by the Department of Transport and the scientific evidence that supported it was compelling and, whilst the proposal presented by the residents association certainly had some merit, when considering the total project the committee erred on the side of the Department of Transport. However, I say to the House that the Department of Transport will present further evidence to the committee when we consider the road alignment some time down the track. I would suggest to the member for Peake that both he and his constituents will have an opportunity to appear before the committee again to put their point of view.

Motion carried.

#### SELECT COMMITTEE ON ORGANS FOR TRANSPLANTATION

**Ms GREIG (Reynell):** I move:

That the time for bringing up the committee's report be extended until Thursday 13 June 1996.

Motion carried.

#### SELECT COMMITTEE ON PETROL MULTI SITE FRANCHISING

**Mr CAUDELL (Mitchell):** I move:

That the time for bringing up the committee's report be extended until Thursday 13 June 1996.

Motion carried.

#### REFERENDUM (WATER SUPPLY AND SEWERAGE SYSTEMS) BILL

Adjourned debate on second reading.

(Continued from 30 November. Page 810.)

**Mr MEIER (Goyder):** I speak on behalf of the Government in saying that we strongly oppose this Bill, which was introduced in another place by the Hon. Sandra Kanck. I find it incredible that the Labor Party supported the Bill in another place. In fact, it was fairly obvious that it was not quite sure what to do because the Hon. Ms. Kanck said in her speech:

Mr Rann said while the Democrat move was unusual, Labor Party members would support it.

In other words, the Leader of the Opposition, the Hon. Mike Rann, must have thought for some time about whether he would support any move to have a referendum on whether or not our water should be outsourced. He decided, 'Yes, I will.' Why? I would suggest for political mischief making. It flies in the face of an article in the *Advertiser* in October 1995 where Mr Rann said that the Labor Party would not whinge its way into power. Mr Rann also said that Labor would not knock every initiative; and, above all, Labor would put South Australia first and put forward a positive alternative.

What do we see Labor doing in respect of this Bill? It is happy to knock South Australia. It knows that the outsourcing of water will be one of the biggest benefits to this State in its history and it simply wants to try to pour cold water on it. In fact, it tried to do that during the Federal election campaign.

I suggest that we had the most comprehensive referendum or survey anyone could want during the Federal election.

Members opposite boasted that the water contract would cause marginal Liberal seats to fall to Labor. In fact, Labor even ran an Independent Water candidate in the seat of Adelaide. How did that candidate fare? That candidate polled a total of 241 votes. Instead of picking up the marginal seats of Adelaide, Hindmarsh and Grey, Labor lost a further two seats—Kingston and Makin—which in real terms had not been regarded as marginal.

The inference is clear. Unlike the Opposition, the people of South Australia appreciate that the contract is a good deal and that the Government is still in control of service, price and water quality. The people of South Australia, especially the younger ones, appreciate the job opportunities that will come from the exports and other economic development components of the contract. More than 1 100 jobs will be created through the outsourcing of the water contract, and that is in the immediate future. We shall have more than \$600 million worth of exports coming up during the next 10 to 15 years, and we can imagine how many jobs that will produce for South Australia. In addition, there will be savings of at least 20 per cent to water consumers. We, the consumers, will benefit anyway.

What does Labor want to do? It wants to knock this project to such an extent that it is happy to support the concept of a referendum; in other words, it still wants to put it back to the people. In a normal referendum we might be able to accept that. But what have we seen occur over months and months with respect to this water contract: we have seen untruths from the other side. There have been innuendos of privatisation of our water supply, which we know to be totally false. It is simply outsourcing to another contractor—in this instance, United Water. The Government still controls all the pipes, the quality and the pricing. The Government is simply allowing another firm to operate South Australia's water in a far more efficient way than has been the case.

Not only that, the most important thing is that it is allowing a company that has magnificent contacts overseas, particularly in the Asian area, to provide opportunities for us to pick up work in those countries. We shall be able to send our own people to help many of the Asian countries to develop their water supplies. Members who have been to some of the Asian countries will appreciate that our reticulated water supply is second to none and that the Asian countries are desperate to get a similar water supply there. We shall be able to supply the expertise. We were not able to supply it before, because it is very difficult to break into the Asian market. Most members will appreciate that it is very easy to say that we will break into a market but it is another thing to do so.

I hope that the Labor Opposition will reconsider its position on this matter, because it certainly put it to the people at the last election. In fact, I highlighted in this House the other day what the Deputy Leader was seeking to do in the Federal seat of Adelaide. He was identifying the fact that the Liberal Government was seeking to sell off all our assets. We know that is untrue. We are not selling our assets. We are retaining control of the assets but simply outsourcing them to the private sector.

I should like to refer to a few comments to which the member for Hart alluded. In fact, nothing that the member for Hart has tried to peddle by way of misinformation could hoodwink the people of South Australia, because they are and have been able to distinguish between fact and fiction. It was

amazing that during the Federal election campaign the member for Hart should appear on television so often. I thought, 'We shall soon see whether the information that they are peddling to the people of South Australia will strike at their hearts.' We know the result.

When the member for Hart, despite his better knowledge, talked about privatisation of our water, the people of South Australia realised that we were not selling a single dollar's worth of assets. When he, despite his better knowledge, talked about handing over control to foreign companies, the people of South Australia knew that the Government would be in charge by setting the price of water, the environmental and quality standards, and the asset management program. They also knew that the company that we had chosen to develop the water industry in this State would eventually be majority Australian owned with a majority of Australian-based directors and a South Australian chairman. When the member for Hart either failed or did not want to understand the size of the exports that the water contract will generate, the people of South Australia realised that United Water had made a contractual commitment to achieve a minimum of \$628 million worth of exports over 10 years. What a bonus to this State!

Yet, six weeks after we signed the contract, the member for Hart still claimed it was for 20 years. Of course, he knew, as did everyone else in this State, that he was telling another untruth and that the contract was for 15 years, not 20 years. He claimed that at the end of the contract SA Water would have lost the experience of running our own water. Again, he was just kidding, or was he simply trying to mislead the people of South Australia? He knew, as everyone else in this State knew, that there are still 1 600 South Australian water employees running our water in regional South Australia and monitoring and controlling United Water's operations in Adelaide, so the Government still has great control of our water.

The honourable member also said that United Water itself does not have an exclusive arrangement to bid for all water contracts in Asia. That flies completely in the face of what Premier Brown and Minister Olsen have said to the Parliament—another untruth from the member for Hart. The Government has said that United Water has exclusive rights in a number of Asian countries. That is a fact. It is in the contract, and the Minister has had the Crown Solicitor confirm it. When the member for Hart failed or did not want to understand the amount of savings that will result from the contract, everyone else realised that the \$164 million worth of savings had nothing to do with separation packages.

Finally, when he claimed that the Government had never announced its plans to deliver a water industry contract, the member for Hart knew he was not telling the truth. He had heard the Treasurer's financial statement to this House in May 1994 which clearly outlined the plan. If the member for Hart wants a referendum, let him look again at the results of the Federal election. There is no doubt that this water contract is the best thing for South Australia; it is a great success story for South Australia.

**Mr BASS** secured the adjournment of the debate.

**WORKERS REHABILITATION AND  
COMPENSATION (MENTAL INCAPACITY)  
AMENDMENT BILL**

Adjourned debate on second reading.

(Continued from 8 February. Page 942.)

**Mr MEIER (Goyder):** Members would recall that the last time we debated this Bill the member for Florey put forward much of the Government's view on it. I will summarise the member for Florey's main argument as to why the Government continues to oppose the Bill. There are three primary grounds: first, it is an unjustified extension of the lump sum provisions of the Act into the area of mental capacity, which will generally be associated with stress claims; secondly, it is likely to compromise or prejudice early and effective rehabilitation of workers suffering from stress; and, thirdly, it would add to the cost of a scheme which in many aspects already provides the most generous benefit levels in Australia and would compound the nationally uncompetitive levy rates for South Australian industry.

I will not go over the arguments that the member for Florey put forward, but I will comment on a few points raised by the Opposition. The Deputy Leader, the member for Ross Smith, claimed that the State Government has not taken action to have these provisions of the WorkCover Act exempted from the Commonwealth Disability Discrimination Act 1992. If the member for Ross Smith had bothered to check his facts, he would have been advised that these provisions of the WorkCover Act are exempt from the Commonwealth Disability Discrimination Act by agreement between the previous State Labor Government and the previous Federal Labor Government. He would also have been advised that the current State Government has already made submissions to the Federal Government seeking a continuation of this exemption.

The Bill is opposed also because it would increase the costs of the South Australian WorkCover system. This Bill has been estimated by WorkCover to present an annual cost to WorkCover of between \$10 million and \$20 million. This estimate does not include the cost payments by exempt employers, which should be estimated at up to \$5 million per year. I wonder whether the Labor Party realises that the South Australian scheme is already carrying a massive \$276 million unfunded liability, caused by Labor's neglect and mismanagement. I am amazed that the Labor Party is saying to business in this Bill: 'We want to increase your costs by another \$10 million to \$20 million.' It ought to get out there and speak with business leaders.

A few business leaders are still very upset at the cost of WorkCover and ask me why we are not doing more to bring down the cost of WorkCover—and it is not hard to explain. The Minister has done his very best to bring down the cost of WorkCover in this State, and we know where things went wrong: we do not have a majority in another place and the Labor Party and the Democrats have insisted on frustrating this Government's attempts to completely revise WorkCover and to allow maximum opportunities for business in this State. How can the Opposition seriously suggest increasing workers' benefits across the board in stress claims by another \$10 million to \$20 million per year when we already have a benefit structure among the most generous of any workers compensation schemes in Australia?

Does the Labor Party not realise that increasing the cost of the scheme will lead to further increases in levy rates, which are already making South Australian industry uncompetitive with interstate counterparts? The Opposition has again demonstrated its financial irresponsibility in continuing to propose this Bill, this further attempt to add to the cost of WorkCover. To make matters worse, as members would be

aware, the Bill is proposed to operate retrospectively. In fact, clause 2 provides that the Bill will come into operation on 10 December 1992. Apart from the obvious issues of principle, this retrospectivity would add a further \$20 million to \$40 million in costs to the WorkCover scheme. Where do they think the money will come from? We now know why we got into such a massive debt situation under the previous Labor Government: money seemed to grow on trees.

Such a Bill is conceived out of political opportunism and has no merit either in its details or in its financial consequences. In opposing this Bill the South Australian Government notes the support for its opposition from industry in this State. In fact, in the correspondence received from the South Australian Employers Chamber dated 11 October 1994 the Government was advised:

The South Australian Employers Chamber of Commerce and Industry does not support the Bill. . . we do not believe that such an assessment is possible for loss of a mental capacity which is the result of other than injuries currently described in the third schedule. . . we do not believe that such disabilities are capable of precise medical assessment. . . employers would be concerned that the introduction of lump sum payments for these disabilities would encourage further claims. The management of stress claims is difficult in the present situation and would not be assisted by the introduction of lump sums. . . we believe that the subject matter of this Bill should be dealt with in the total review of the Act and there is no reason to have the issue dealt with on its own.

The amendments of the previous Government in 1992 restricting stress claims in this area were long overdue. In fact, it took it almost six years to realise the error of its ways and to fix them. Even then, it did so only after a parliamentary select committee and under pressure from the then Independent Labor Speaker of the House of Assembly. Now it wants to return to its previous untenable position.

The Government will not allow such a double standard. The Bill is a backward step and will again be opposed. In many jurisdictions in Australia and overseas, stress claims are not even accepted as part of the workers compensation system. In South Australia we still have a lenient approach that allows many claims to be accepted in situations where the employers' actions are considered to be unreasonable, even though in many cases they are appropriate responses in a difficult industrial environment.

In South Australia, the workers involved in such cases receive extremely supportive income and medical assistance: they are not neglected. However, to extend to them the additional benefit of large lump sums to reflect non-economic losses for permanent losses is to swing the benefit pendulum too far and, in so doing, to ultimately prejudice the workers whom the Labor Party believes the Bill will assist. What it will do is create a body of workers seeking to demonstrate that their stress claim constitutes a permanent loss of mental capacity in order to receive their lump sum. So, I do not believe that anyone would benefit from this Bill. It will be another massive cost burden on employers, and the Government certainly opposes it.

**Mr De LAINE** secured the adjournment of the debate.

## URANIUM

**Mr BASS (Florey):** I move:

That this House supports uranium mining in South Australia, acknowledges the success of the Olympic Dam operations at Roxby Downs, and supports its further expansion; and this House also notes the new Federal Government's announcement of abolishing the three mines policy and supports the expansion of the uranium industry in South Australia.

In speaking to this motion, it is appropriate that I give a little background on the Olympic Dam project at Roxby Downs. The Olympic Dam ore body was discovered by Western Mining Corporation in 1975. The ore body is situated 560 kilometres north-west of Adelaide. It contains an oil reserve (proved plus probable reserves) in excess of 580 million tonnes of copper, uranium oxide, gold and silver mineralisation, with an average copper grade of 2.5 per cent and uranium oxide grade of .8 kilograms per tonne.

Olympic Dam is Australia's second largest underground mine. A joint venture consisting of 51 per cent Western Mining Corporation and 49 per cent BP committed to the development of the mine and associated processing facilities in March 1986. The initial project was completed in October 1988 with a capacity to produce 45 000 tonnes per annum of copper with uranium oxide, gold and silver by-products. Up to that time, around \$750 million had been spent at Olympic Dam.

In May 1992, Optimisation Project No. 1 was completed at a cost of \$66 million and resulted in production increasing to 66 000 tonnes of copper, 1 400 tonnes of uranium oxide, 25 000 ounces of gold and 300 000 ounces of silver per annum. At the end of March 1993, Western Mining Corporation purchased the 49 per cent of the Olympic Dam project owned by BP, which makes the project now fully owned by Western Mining. This means that Western Mining has invested nearly \$1 billion in today's money in South Australia.

In April 1993 Western Mining announced the decision to proceed with Optimisation Project No. 2. This resulted in an increase in annual production capacity of 85 000 tpa of copper and 1 500 tpa of uranium oxide by mid-1995. The project included the sinking of a second shaft, which is called the Robinson shaft, to enable increased development and mining capacity for this and any future expansion at Olympic Dam. It is estimated that more than \$50 million of the cost of that project was spent in South Australia.

The body of mineralisation at Olympic Dam is big enough to support the operation for several centuries, even at much larger throughput tonnages. Western Mining has almost completed a \$7 million pre-feasibility study into expanding the operation to a production level of 150 000 tonnes of copper per annum and associated by-products. As members can see, Olympic Dam and the operation at Roxby Downs is of significant economic importance for South Australia. In fact, Olympic Dam markets nearly \$7 million worth of products every week. Payments to employees and South Australian suppliers of materials and services amount to around \$3 million per week. As the project grows, these figures will grow accordingly.

A further investment of over \$1 billion will follow when a commitment is made to expand. With the acquisition of BP's 49 per cent, Western Mining paid \$12.5 million in stamp duty into the State Treasury in June 1993. Royalties paid to South Australia are currently \$7.5 million per annum, and \$7 million has been spent on feasibility studies this year alone. It is expected that, at the peak of the construction phase of the expansion, about 1 000 extra people will be required on the site with a further 1 000 jobs to be created elsewhere in the fabrication and manufacturing sectors. At the completion of expansion, Western Mining has estimated that over 300 people will be employed above current work force levels. This increase in employment will have flow-on benefits to service industries and to the State and local communities. Western Mining's aim is to be at the forefront of the world's

best practice in everything that is done at Olympic Dam and, as the mineral markets improve and the operation grows in scale, the returns to the company and, more importantly to the State of South Australia, will also increase.

The township of Roxby Downs has developed into a local community centre with outstanding facilities and provides a stimulus to tourism in the area. Western Mining is also very sensitive to the environmental needs of the local Aboriginal communities. There are three main Aboriginal communities in the Olympic Dam area: the Kuyani to the east of Olympic Dam, the Arrabunna to the north-west and the Dieri to the north-east. Western Mining has reached a formal agreement with the Dieri community and, at the present time, has been talking to the Arrabunna community. Aboriginal custodians have not been in residence or conducted sustained hunting and gathering activities around Olympic Dam for many years, but some Aboriginal people were employed on the stations in the area until the early 1970s.

There are many ethnographic or archaeological sites at Olympic Dam, and many of them have been identified not by local Aborigines but as a direct result of Western Mining's own research. Information about these sites has been forwarded to the State Government by Western Mining for registration to ensure their protection. Western Mining is doing more than digging into the ground and bringing out uranium, gold, silver and copper: it is also addressing the environmental needs of the area, especially those of the local Aboriginal communities.

While the mining industry in South Australia is relatively small compared with other States such as New South Wales, Queensland and Western Australia, it is a very important industry to the State. Mining industry production in 1994 was valued at \$1.2 billion and directly employed around 5 500 persons. Indirectly, through service industries, the mining industry supports a further 40 000 people, in addition to providing substantial employment in supporting manufacturing, commercial and service industries. The mining and petroleum industries contributed \$50 million to the State in royalties in the 1994-95 financial year. Company exploration expenditure for minerals and petroleum during 1994 alone totalled \$65 million.

The sustainability of the mining industry depends on the continuing high level of exploration expenditure and the need to be competitive in a global market and, in particular, the State must continue to be seriously viewed as an exploration and investment target in the international market place—and Western Mining is definitely doing that.

I spoke about the Aboriginal issues, and I will now touch on the environmental issues. Western Mining has demonstrated to Government its commitment to the preservation of the environment and, to ensure that all environmental obligations are fulfilled, the Olympic Dam operation employs a team of 18 professionals and technicians who advise and monitor the operation's environmental impact. Western Mining is actively pursuing a strategy for obtaining its water requirements from the Great Artesian Basin with minimal potential impact on the environment.

Wellfield B is being developed as an additional water source for the ongoing development of the project and is sited within the Great Artesian Basin. An extensive environmental assessment has been carried out by the South Australian Government for the proposal to develop wellfield B, including consultation with the relevant State and Commonwealth Government agencies and the general public. A Government approved environmental management plan is also in place.

It involves comprehensive monitoring programs covering all areas of the operation.

Whenever Roxby Downs is mentioned, people always think of the uranium and the downside of that product, and there is no doubt that there is a downside to uranium mining. But, with the safeguards that are in place not only in Australia but all over the world, the production of uranium for use in power facilities will continue and will be very closely monitored.

One has to look at the by-products of the Olympic Dam operation. Last year it produced 30 000 ounces of gold. I noticed on television last night that gold has peaked at \$400 an ounce, which works out at \$12 million—\$12 million alone for the gold which is a by-product of the mine. Last year 400 000 ounces of silver was produced as a by-product. At the present rate of, I think, approximately \$18 an ounce for silver it is worth about \$7 million. So, just gold and silver production alone amounts to nearly \$20 million, and they are by-products of the mine.

Also produced was 84 000 tonnes of copper cathode. Unfortunately, I do not know the cost of copper at the moment, but 84 000 tonnes is a fairly large amount; and it also produced 1 500 tonnes of uranium ore. The Olympic Dam operation is vital to the future economy of South Australia. It will continue to address safety propositions involved in mining. It will continue to assess and look after the Aboriginal issues in the area as well as the environmental issues. It will continue in years to come to inject millions of dollars into the South Australian economy. It will continue to employ thousands of people not only at Roxby Downs but also in the areas that service the Olympic Dam operation. We, as a Government, must continue to support these types of operations, especially when it is an Australian company willing to invest heavily in South Australia and willing to comply with the rules and regulations that a Government insists upon in relation to the Aboriginal and environmental issues.

The Government has worked closely with the Western Mining Corporation to ensure that, as it undertakes its pre-feasibility studies into the expansion of the Olympic Dam operation, the State will endeavour to support Western Mining and encourage its effort to optimise the Olympic Dam resource which ultimately will be of benefit to all in the State through jobs and wealth creation, and in the manufacturing and construction industries and through the payment of royalties. I commend the motion to the House.

**Mr De LAINE** secured the adjournment of the debate.

### FEDERAL ELECTION

Adjourned debate on motion of Mr Scalzi:

That this House congratulates Prime Minister Howard for his recent election victory and for his impeccable judgment in choosing four South Australians to serve in his Cabinet, which Mr Clarke has moved to amend by deleting all words after 'victory' and inserting in lieu thereof 'and his mandate to continue the former Federal Labor Government's policies'.  
(Continued from 21 March. Page 1199.)

**Mr MEIER (Goyder):** I seek clarification, Mr Acting Speaker. Seeing that the Deputy Leader has moved to amend the motion, am I allowed to speak to both the motion and the proposed amendment?

**The ACTING SPEAKER (Mr Brokenshire):** Yes, you may.

**Mr MEIER:** I find the amendment absolutely incredible. In fact, it would appear that the Deputy Leader has as much arrogance as the former Prime Minister, Mr Keating. All of us would remember election night, which was a very happy night for me as a member of the Liberal Party, when we defeated the Keating Labor Government. However, one of the downsides of that night was when the then Prime Minister, Mr Keating, rose to acknowledge defeat: his speech contained no apologies at all. In fact, he was seeking to praise what he had done as Prime Minister and Treasurer—an incredible situation after he virtually brought this country to its knees.

We know how the people were screaming for a change of Government, and thankfully that occurred with in excess of 40 seats. But did Prime Minister Keating have any remorse? Did he seek to apologise to the people of Australia for what he had done to a once great country? No. In fact, he sought to say how terrific his period in government had been. When Labor took over from the Fraser Government in 1982 we had a foreign debt of some \$27 billion, and during his period in government that debt rose to almost \$200 billion—a debt worse than Mexico's foreign debt. Members know what has happened to Mexico: it is on its knees.

When he was Treasurer, we saw Mr Keating suggest that we were heading down the banana republic road. We know what that did to our dollar, and we know what that did to people overseas. We saw the Prime Minister, during the Federal election campaign, say that if John Howard got in no-one from Asia would want to visit us, that no-one would want to have anything to do with us. Yet, what are we seeing in this State? What has this Liberal Government done with respect to the Asian region? We have opened up doors that were never open before. We have directed our attention, as a Liberal Government, to Asia as one of the key areas that we want to help develop and be associated with in trade.

The SA Water contract with United Water seeks to bring in a minimum of \$600 million to this State from the Asian region, and hopefully it will be well in excess of that, creating hundreds and, hopefully, thousands of jobs in the coming years. Yet Prime Minister Keating had the audacity to say that if John Howard was elected our relationship with our Asian neighbours would be prejudiced. But what has been the truth of the matter? Within days, Dr Mahathir, the Prime Minister of Malaysia, whom Mr Keating had referred to as 'the recalcitrant Dr Mahathir', had accepted an invitation to come and meet with John Howard.

I had the privilege of being in Malaysia just over a year ago and I spoke with several parliamentarians and business leaders. Whilst they are very honourable people and they do not identify which political persuasion they may prefer, it was obvious to me that they could not wait for a change of Government in Australia. That has been proved now by events whereby Dr Mahathir is quite happy to come to Australia. In fact, it appears that there will be greater interaction between our countries.

What will that do for Australia? It will help our efforts in creating greater export opportunities in Malaysia and in countries around it. One of the problems we have is that, when we export our goods to the Asian region, there is often a higher tariff than is the case if the goods came from a nearby Asian country. We have to look to developments in some of those Asia countries if we want to expand our exports in various areas.

**Mr Foley:** What do we do about tariffs?

**Mr MEIER:** The Asian countries on occasions impose a higher tariff on our goods than would be the case if we

exported to certain other countries. At present, the only way to overcome the situation is to liaise with an Asian company to manufacture goods either partly there or here in Australia. In that way we can overcome some of the tariff barriers. I hope that situation will change in the future and, perhaps as a result of the GATT talks over the years I dare say it will, but at present we are faced with that problem.

I fully endorse the motion moved by the member for Hartley congratulating Prime Minister John Howard for his recent election victory and for his impeccable judgment in choosing four South Australians to serve in his Cabinet. It is pleasing that four South Australians are serving in the Cabinet. In fact, it is exceptionally pleasing that 10 of the 12 House of Representatives members from South Australia are Liberals. The only disappointment is that we did not take the other two seats, but at least we made a significant impact in Port Adelaide—and I would say that come the next Federal election it will certainly be our key target seat. Whether we will ever win 12 out of 12 seats, time will tell. We have 10 out of 12, although we have a fair way to go to win the other two seats. I think it will be a plus 5 per cent swing in the next election to win Port Adelaide.

**Mr Foley:** It is still 7½ per cent.

**Mr MEIER:** Is it as high as that? But it is still within the realms of possibility, particularly when you consider the last State election result.

*Members interjecting:*

**Mr MEIER:** I must admit that the member for Hart did speak to me at that booth whilst I was giving out how-to-vote cards. But we won in that booth anyway. If we won in that booth, we do not have to worry too much—although I do not have the final figures, which are still to be determined.

It does disturb me that the Deputy Leader should seek to move an amendment to what was an excellent motion. Members opposite would be wise to stop and reflect on their campaign during the Federal election. They tried to throw up the State issues of outsourcing, which they incorrectly identified as privatisation. It does not matter how often we remind them that they are incorrect, they keep peddling it.

We saw the member for Hart on television regularly during the Federal campaign. I thought that there was only one positive benefit from that: at least the people of South Australia had a chance to register their opposition or their support for what the Brown Liberal Government is doing. The member for Hart was always tying it in with the Brown Liberal Government; he said, 'Here is your opportunity. Give the Brown Liberal Government a rap over the knuckles on this.' What did the people of South Australia do? They gave the biggest victory to the Federal Coalition in this State in my living memory. The member for Hart must be wondering where he must go now to create an issue.

**Mr Foley:** I will find one.

**Mr MEIER:** I hope that he remembers what his Leader was reported as saying in the *Advertiser* of 16 October 1995: The Party will not whinge its way into power.

**Mr Foley:** Absolutely not. We watched you do it for too long.

**Mr MEIER:** I do not know that the member for Hart was aware that his Leader said that, because over the past few months it has been whinge, whinge, whinge on everything. Even though Mr Rann said that Labor would not knock every initiative, that is all we have heard since October. I also noticed that in that article the Leader said:

The process to change and modernise the ALP must and will continue.

He also said that in February there would be a policy forum on health and education, followed by forums on small business, industry, transport and the environment. I assume that the forum was held in February although we have not seen much written in press about it. I guess they have more research to do in that area. I am pleased to support the original motion.

**Mr FOLEY (Hart):** I support the amendment as moved by the Deputy Leader. The Labor Party, as always, is a Party that observes reality, that is, that John Howard won the election. In this motion we simply congratulate Prime Minister Howard on winning the recent election. We are fair people, we acknowledge the win and congratulate him accordingly. But we do propose that the words after 'victory' be deleted and the words 'and his mandate to continue the former Federal Labor Government's policies' be inserted in lieu thereof.

The conservative Parties in Australia realise that they cannot win an election on their far right extremist policies; the Fightback agenda had to be papered over with a yet to be seen commitment to issues such as Medicare and other Labor Party policies.

**Mr Brindal:** We are all moderates over here.

**Mr FOLEY:** There is a majority of moderates, as is attested to, but I know the conservatives are doing what they can to gather ground.

*An honourable member interjecting:*

**Mr FOLEY:** Gather 'ground', not gather 'Brown'. That is the objective, but to do that you first have to gather ground.

**The Hon. G.A. Ingerson:** A long way to go.

**Mr FOLEY:** It is getting close: 20 to 14 was the last ballot, I hear, and that is only a three vote turnaround.

*Members interjecting:*

**Mr FOLEY:** Returning to the motion—I will not be distracted by the Minister for Industrial Affairs and the member for Unley—I am happy for Liberal Party members opposite to bathe in the election victory of John Howard. They have every right to do that: it is a natural reaction. But I want to see how some of the marginal members opposite fare, such as the member for Florey; particularly the member for Reynell, who is sitting on a knife edge seat; perhaps the member for Unley, who has a fairly soft margin; and no doubt the member for Norwood. Those members are now starting to have some concerns, because already John Howard is saying he will take \$4 billion out of the budget this year with a further \$4 billion next year—\$8 billion. My recollection is that that is about the figure John Hewson was talking about taking out of public expenditure under the Fightback policy. You simply cannot take out \$8 billion of Commonwealth outlays in two budgets without substantial cut-backs.

As much as members opposite and this Government might be delighted that John Howard has won, I have no doubt that the strategists within the Party are extremely concerned about it, because John Howard will do what, unfortunately, Federal Governments do—including, I acknowledge, the Labor Government and also Malcolm Fraser. What do they do when they make significant cut-backs? They reduce payments to the States. All that the new Treasurer, Mr Costello, has said is that he will not reduce outlays for the States. He has not said he will adjust them for inflation. If inflation is running at 4 or 5 per cent per annum, not to adjust CPI results in a significant cut to the States: by definition it is a 4 to 5 per cent cut.

In addition to that, we are now hearing discussion about what the Federal Government will do with tied grants. We hear that the Premier and Deputy Premier are excited by the prospect that all these grants will be untied. Do they really think that the Federal Government will untie the grants without cutting them? It will not take the pain of untying the grants and leaving that expenditure up to the States, of which it then has no control, and not get something out of it for itself. What it will get out of it will be a cut to tied grants. It will say to the Premiers at the next COAG meeting—the financial Premiers' meeting—'We will untie the grants and give you flexibility. Sure, we lose a bit of control, but the *quid pro quo* will be a cut.'

Where else do you think the Federal Government will get \$4 billion without significant cuts to the States? Where will these cuts impact? They will impact on education, health, social security, capital expenditure, public housing, and specific grants to works such as the MFP and perhaps the Adelaide Airport. A whole raft of federally funded projects are now in serious doubt. That has been highlighted by a mission to Canberra this week by the Minister for Industry, Manufacturing, Small Business and Regional Development to lobby for this funding to stay in place.

With all this going on, we hear members saying how delighted they are that we now have a Federal Liberal Government. I thank them for their naivety and lack of understanding of the political process. If I were in Reynell, sitting on 2.6 per cent, I would know that that margin will be blown away, right off the map, with the first budget. So, Reynell, Kaurna, Hanson, Peake and Wright will go in just the first Howard budget. Thank you very much, Mr Howard: you have delivered us six seats. Then, when the next Howard budget comes along, a whole raft of other seats will come into play for us. The members for Florey and Norwood and many others will start to feel the real pressure of having an unpopular Federal Government making significant cuts to the States, and the State Liberal Party will clearly wear some of that odium.

*Mr Cummins interjecting:*

**Mr FOLEY:** My colleague the member for Norwood says that people know the difference between State and Federal politics. Let us see at the next State election. Let us have a discussion the day after the next State election, and we will see whether or not they have picked between State and Federal issues. I am happy if members, particularly the member for Mawson, get excited every time they hear the name 'Howard' mentioned in the wind. I hope they continue with that level of excitement all the way up to the next election, when they will get a rude awakening to the realities of a Howard Government with such a landslide majority that it will have no choice but to revert to its natural tendencies—to be a ruthless, uncaring, right wing conservative Government.

That will be the reality, because we cannot have the likes of John Howard, Peter Costello, Alexander Downer, Peter Reith, Nick Minchin—all these men of the conservative far right—without their getting their agenda up. They will think that their majority is significant enough for them to deliver their agenda, and the Robert Hills of this world and other moderates within the Cabinet will have their work cut out in stemming the tide of the right wing, conservative, ruthless nature that clearly will become a hallmark of this Government.

Other members have also been keen to make much play of the fact that four Cabinet Ministers and a parliamentary

secretary are South Australians. Good luck to them, and I congratulate all Cabinet Ministers on their very senior appointments. They are to be congratulated; it is a great honour to represent the nation in Cabinet. But, when four Cabinet Ministers from South Australia are in a 17 member Cabinet and \$4 billion worth of expenditure is being taken out of the first budget and another \$4 billion out of the second year's budget, I would like the member for Norwood to explain to me how that will not wash back here into South Australia, when almost one-quarter of the Cabinet Ministers are South Australians. So, we will have the likes of Downer, Hill, Vanstone and McLachlan presiding over some of the most severe and massive cut-backs that this State has seen for many years.

I would like to hear Liberals opposite explain that one to the electorate, to hear them say how proud they are to have four of their colleagues there, as well as Nick Minchin who, as parliamentary secretary, runs around the country undoing Mabo. I would like to hear them explain that, when there are significant cut-backs in health, education, housing and a whole series of tied and untied grants. It will be a very interesting situation indeed.

*An honourable member interjecting:*

**Mr BRINDAL (Unley):** No, I do not intend to say, 'What a lot of tripe'; the member for Hart said that for himself in his own speech. I find that extraordinary. I will make a few comments directed specifically to those members opposite who have tried to amend the motion to the effect that we should continue a previous Government's policies. First, I would point out that there was an election; many promises were made by the Federal Coalition on its coming to government. I believe that, by the dictionary definition, that is the mandate that it has been elected to follow and that is the mandate it should follow. If, however, the amendment were to succeed, I would ask which particular Labor Government mandate we should pick up. Do we pick up the consensus model of Bob Hawke or do we go on with the policies of Paul Keating? Which particular Labor model is the correct Labor model which members opposite would commend us to follow—the caring, sharing consensus model of Bob Hawke or the less friendly model adopted by Paul Keating?

After all, was not Paul Keating the man with the totally immaculate foreign suits, the clocks and all the trappings of power; the super wealthy businessman? Was that not the man who described the depression we had to have? Was that not his care and concern? Was that not the man who told people to go and get a job, asking them what they were doing? Is that not the man who has consistently denied to people when they reach the age of 18 and want to go onto tertiary study any right to autonomy or choice of income? If you want Austudy when you are 18 years of age, one of the first questions asked is, 'What is your parents' income?' They keep asking that question until you are 25 years of age. Despite the fact that you can enter into contracts, marry, have sex, drink and be involved in drugs and all sorts of other things, they ask about the parents' income. There is the compassion and concern of the previous Labor Government. I do not even need to mention the tax cuts which were made L-A-W and which Mr Keating, looking us all in the eye, promised us on the way past an election, which he won by stealth and deceit, only then to tell us that promises are made to be broken.

Is that the mandate that members opposite want us to pursue? I am quite sure that that is not the mandate we on this side would wish to see. If you go up South Road today there



is a huge billboard adjacent to the Victoria Hotel, from which Gordon Bilney still beams benignly at us all, larger than life, and the caption reads: 'The polly without the waffle'. I have news for him: the waffle is still there but the 'polly' is gone from the definition. He said that himself yesterday: he is now a private citizen. Like many others of his ilk he was swept away. The prating cockerels before the last election were gathered in their droves to become feather dusters for the inane speeches that they made in their years in power, yet we have relics of the past sitting opposite who, equally, would have us go down the road of pursuing discredited and dishonoured policies pursued by a previous Government.

I would like to pursue this a little further. If the mandate of a new Government coming to power in Canberra should include following the policies of previous Governments, will the Opposition come in here and suggest that this Government should pursue the policies of the previous Bannon Government? Because that is the equivalent. We were elected with a mandate: the Premier was given a clear mandate by the people. Yet, increasingly, I hear members opposite telling us that we should not be doing this, we should not be doing that, we should not be doing something else. What they invariably tell us we should not be doing longest and loudest are the very things they used to do when they were in Government.

It strikes me that they are saying, perhaps with some correctness, 'We made mistakes. We got it wrong. We are now sitting on the opposite side paying the price for that and we are telling you to get it right.' If that is what they are saying, they are to be lauded for it. But if they realise that they made mistakes when they sat on these benches, how can they then introduce a motion that tells the Federal Government that everything is hunky-dory in Canberra and the signs should be up saying 'Business as usual'—because clearly it is not. I commend the member for Hartley for his motion, although I do not think it goes far enough. The member for Hart has noted that there is a parliamentary secretary to the Prime Minister. The member for Adelaide has also been made one of the Whips, which is a not inconsequential job in Canberra. A couple of other members in South Australia missed out because—

*The Hon. Frank Blevins interjecting:*

**Mr BRINDAL:** The member for Giles seems to be very excited about her appointment as a Whip.

**The Hon. Frank Blevins:** I thought she was an assistant to the assistant Whip.

*Members interjecting:*

**Mr BRINDAL:** Even if the member for Adelaide were the assistant to the assistant Whip, let me assure the member for Giles that that is a greater honour than he currently holds. He is sitting on the jump seat counting the days. He assures me that he is daily counting until his retirement. He has had a long and distinguished career but a career that was snuffed four years short by the last election. No wonder he is a little jealous of the member for Adelaide in her preferment.

I am concerned at some of the issues raised by the member for Hart, because I fear that, if we adopt some of the things he said, all we are doing is going down the road of previous Labor Governments. We are members of this Party because we have a freedom of association, and the thing that binds us together is the Party's platform and rules. I commend to members opposite a reading of those rules, because every Federal member who has been elected has been elected on a platform that says 'We are a Federation of States.' I am sure that every member of this House will be looking forward to the first conservative Government in well over a decade

instituting policies that return some of the power back to the States. That would be a radical rethink of the direction in which Labor was taking us.

I must record in this House that I fear for the future of our country as it is. Change may be good: there may be a change and it may be for the better. But I do not accept, and never have accepted, the overweening belief that seems to spring from Canberra that Canberra is the font of all knowledge and all good and, if a decision comes from Canberra, it is by definition good; if a decision comes from this Parliament it cannot be as good because we are a lot of provincial hicks. I must say to the House that it is not only on the benches opposite that I have detected that attitude. However, I look to a Federal Coalition Government's honouring the platform that each of its members is bound to uphold and returning some power to the States.

The member for Price shakes his head: he fears it will be otherwise. I hope that he is wrong. I hope that at the end of the Howard Government we can all say, 'This Government has done the right thing by the States. We have elected a Party with a clear platform that says it will do the right thing by the States and we hope that it will.' The member for Playford appears to grow bored: I will sit down. I know that he is much more interested in the votes of this Party and thinking that he can count the numbers on this side. Certainly, he cannot count the numbers on his own side and a couple of times has learnt that to his peril. He has learnt to his peril that he cannot count the numbers on this side.

*Members interjecting:*

**Mr BRINDAL:** I did not stand against Mr Lewis, so I do not know what the honourable member is talking about, and neither does he.

**The Hon. FRANK BLEVINS (Giles):** I strongly support the amendment to the motion that has been moved by the Deputy Leader: it seems to me to state a fact. The amendment says:

... and his mandate to continue the former Federal Labor Government's policies.

That is true: that is not something that anyone opposite should query. Before the Federal election of 1993 the conservative forces in this country did go to the electorate with a very honest, straightforward, conservative platform and, of course, they lost—to the astonishment of everyone, apparently, with the exception of the then Prime Minister, Paul Keating. But it was an honest, straightforward Tory platform. And I had a bit of respect for Mr Hewson. I did not say it at the time, I know, but I did come to rather like the chap. I was hoping that he would have stuck around a lot longer than he did and I thought it a pity that he left, because he was an unabashed Tory and there are not many left.

So, Mr Howard (the present Prime Minister) decided that this conservative nonsense was no good, unelectable on any kind of conservative platform, and he would have to adopt the Labor Party's platform almost in total. You could not get an argument with the man before and during the election campaign. A journalist would say to him, 'And what about so and so, Mr Howard?' He used to say, 'No problems with that: that's all right; no change.' It did not matter what it was: whether it was the whole range of social security, Medicare or health policies, there was nothing at all. Health policies—no problem. 'But you have been saying for 25 years it is a disaster.' 'I was wrong', was the response. It did not matter what you put to the man, he agreed with it. Every skerrick of

Labor Party policy he agreed with. Of course, he was elected on that Labor platform.

That brings me to the only point I wanted to make on this, and that is the dilemma of Labor senators in the Upper House. Here we have a Government that was elected on a Labor platform, as this amendment says—and I am sure it will have the unanimous support of the House—and Labor members of the Upper House may be tempted to interfere with some of those policies. What I say to them is, 'Look at the precedent.' I am a great believer in tradition. You have to look at the precedents that have been set by Liberal Party senators over the years. I would be absolutely appalled if any of those Labor Party senators did anything in the Senate that created a new precedent. I would want them to stick strictly to the precedents set by the Liberal senators when they were in Opposition. When you think about that, that still gives them plenty of scope.

What Liberal senators did when they were in Opposition was anything they liked. They did not care about convention, rules or mandates: they cared about nothing. All they seemed to care about was making the maximum amount of trouble for the Government. That is all they did. It did not matter whether it was to do with budget measures: they combined with the Greens, Mr Harradine and any other disaffected characters around the place to change the Government's budgeting. In extreme cases, such as 1975, not only did they combine to change it, they actually threw it out and refused Supply. There is a lot of scope for the Labor senators to take action without going one step further—not one inch further—than the Liberal senators have gone.

I keep hearing Mr Howard prattling on about a mandate. We have heard it today. The member for Unley was also prattling on about a mandate. As far as I am concerned, I do not support, and never have supported, the system of two Houses. Nevertheless, Australia has them, so all the talk about abolishing the Upper House is a load of nonsense. They will be around forever and a day. You have to work with them, and everybody in them, as far as I can see around Australia, has been democratically elected, on a policy, on a platform, with a mandate. Every single person up there has a mandate. I hope they all stick to it. I hope all those who said they would vote for the Telstra sale do so. I hope that all those who were elected on the basis of opposing the Telstra sale will also do so. Everybody has to be true to the people who elected them. I hope that they all are.

One only has to look in our Upper House. I think the Liberals sat there with a majority for 100 years, or maybe even longer, and kept on changing constantly everything that they did not like that Labor Governments proposed. They tossed it, willy nilly, straight out the door. They would not even give a second reading to some of the measures. There was not a word about mandates. It was just: we do not like this, we are Liberals—out the door.

Whenever I hear Mr Howard prattling on about a mandate, I can refer him to the behaviour of Liberals in this State, and I can also refer him to the behaviour of Liberals in the Senate when he has been the Leader. He never conceded that the Government had a mandate for anything. All he used to do was get in the Party room and say, 'How can we make the maximum amount of mischief against this Government?' and then he would go on and do so. All I can say to my colleagues in the Federal Parliament is, 'Set no precedents—'

**Mr Quirke:** Take no prisoners!

**The Hon. FRANK BLEVINS:**—and take no prisoners. Do not do anything that the Liberals have not done to Labor Governments over the years, and you will get along just fine.'

**Mr CUMMINS (Norwood):** I support the motion of the member for Hartley, but oppose the amendment of Mr Clarke. I oppose that amendment because, if we supported the former Labor Party policies and the results that those policies have delivered to this country, we would visit on this country one disaster after another. Under the Keating Government, we had youth unemployment throughout the whole of Australia at between 45 and 60 per cent, probably the greatest youth unemployment situation in the history of this country and probably the western world. These are the results of the policies of the Keating Labor Government.

In addition, we have a national unemployment rate of 10.8 per cent, probably the highest rate this country has ever seen. This is as a result of the policies of the Keating Government. Further, as we know, we have a national deficit of \$170 to \$200 million, once again, the highest deficit in the western world and worse than that of Mexico, which is deemed to be bankrupt. When we went into the election, we were told that the annual deficit was in credit. We get into power and find in fact that it is an underlying annual deficit of \$9 billion. This is as a result of the policies of the Government which the amendment asks us to follow—down the track of youth unemployment, adult unemployment and an annual and international deficit which is the worst in the world.

But it goes further than that. We have had a Government also that is hypocritical. The Federal Labor Government wanted us to follow the path of hypocrisy. As one of our policies, we said we wanted to sell one-third of Telstra. That would raise \$500 million for the greatest environment policy this country has ever seen—

**The Hon. Frank Blevins:** \$500 million?

**Mr CUMMINS:** Sorry, \$5 billion, not \$500 million: I thank the member for Giles. It makes the hypocrisy worse because, as we know, the Keating Labor Government sold off the Commonwealth Bank and sold off Qantas. For some reason—and it almost defies reason actually—they want to block the sale of one-third of Telstra to derive \$5 billion: as the member for Giles said, the greatest environment package this country has ever seen. Through the amendment of the member for Ross Smith, they want to continue the former Federal Labor Government's policies, those policies that have created disaster for this country, and if we followed their policy on Telstra we would continue the disasters of the environment created by the Federal Keating Government.

It even goes further than that. The Keating Labor Government delivered upon us the national competition policy. It seems to me that that is fundamentally a policy that will to some extent devastate the smaller States such as South Australia. They attack us on the water contract and say that we are privatising water. Members opposite are that silly that they do not realise that the national competition policy, the child of the Keating Government, together with the Hilmer report supported by the former South Australian Labor Premier, Lynn Arnold, is a licence for private companies to take over the whole of this country.

The national competition policy puts all Government instrumentalities in competition with Government instrumentalities and private business throughout the whole of Australia. For example, if the Electricity Trust of South Australia operates on a national grid system, which it will soon, it means that a company can come to South Australia

and say, 'Look, ETSA, you have your lines delivering electricity, but we think we can deliver it cheaper than you.' Under the national competition policy, it has a right to do precisely that. The introduction of a national competition policy demonstrates the incredible hypocrisy of the Keating Labor Government, and the Labor Party in this State in particular, when they oppose the contracting out of water services.

This policy can be enforced under the Trade Practices Act and there is absolutely no doubt that, as a matter of law under the provisions of that Act, it is a licence for every single company in this country and opposing instrumentalities in water, electricity and every other instrumentality to come into this State and say, 'Right, you are doing it at that price. We can do it better. We want to do it.' We say, 'No.' They say, 'Right, we will go to the Trade Practices Commission'—it is called the Competition Commission, but it is under the Trade Practices Act—'and we will make you give us the contract.'

Talk about hypocrisy! The Keating Government introduced this legislation in this country, and we have a State Labor Opposition, a pack of hypocrites as well, which attacks us for contracting out water services after what the Labor Party has done under Commonwealth law. Fundamentally, the policy was imposed on the States by blackmail. The then Federal Government said, 'If you do not agree with the national competition policy, you will miss out on \$100 million a year; \$1 billion over 10 years.' It has imposed the greatest privatisation laws in the history of this country and the greatest realignment of the national economy since the taxation powers were transferred to the Federal Government after the Second World War. I do not know whether or not it realises, but that is what it has done.

I asked the Leader of the Opposition last week what he thought about the competition policy legislation which we will be forced to introduce into this House. His response to me was, 'What is that?' He did not even know the Bill existed, let alone the content of the Bill, the effect it will have on this State and what Keating has done in his cunning way by imposing these policies on this country. We should never forget that Keating looked after himself with his Italian suits, his clocks and his business deals and he made himself a multi-millionaire, yet he called himself a socialist. He also sold out every single State Government in this country. He certainly sold out the small States, because this competition policy will transfer business to the Eastern States. It will transfer the power to the Commonwealth Government and wipe out the small States. A backroom deal was done between Keating, Goss and Kennett to stitch up the small States.

I believe the smaller States will back out of this, because under State legislation various instrumentalities can be exempt. In fact, Western Australia is already doing that, and I am sure that South Australia will follow suit. The legislation cuts out cross subsidies for farmers, which means that they will be paying more for electricity and gas. Another effect is that all the electricity and water costs in the whole of South Australia and Australia will rise. We are aware that in certain areas we subsidise these costs for businesses. As a result of this move, they will transfer the cost back to consumers. This is what the former Keating Government has done.

The Deputy Leader of the Opposition is asking us to follow the policies of the former Keating Government. You have to be joking! Its policies were a disgrace. It did not look after the people of this country, including the youth and the unemployed. It destroyed the economy of this country, yet we

are asked to support this amendment. Not likely, Mr Speaker, not likely.

**Mrs HALL (Coles):** I strongly support the motion, as it gives me great satisfaction to speak about John Howard's massive election victory and the subsequent selection of his first ministry. The amendment moved by the member for Ross Smith is, not surprisingly, bereft of substance and commonsense. I hesitate to call him the honourable member given some of his clandestine activities in the Federal seat of Adelaide during the Federal election campaign. Even he would know, though, given the size of the Coalition majority, that Prime Minister Howard will not be continuing in the fashion of his predecessor. The Coalition will govern for all Australians and not just the vocal minorities and pressure groups that seemed to hold the Keating Government in their grip for so long.

The Australian people have rejected Labor again, and in South Australia the vote could not have been more resounding. The tide has turned inexorably against a Labor Party that bankrupted this State. In the run up to the Federal election members of the Labor Party spent a great deal of time trying to make the election a referendum on the performance of this State Government—and perhaps it was. Perhaps it was a referendum, too, on the performance of the member for Ross Smith. There were massive swings against Labor in some of his booths, with many people voting Liberal for the first time. This time even the few remaining true believers had to hold their nose to vote for the Labor Party that had betrayed them. The inescapable conclusion is that Labor has lost its heartland because it has lost its heart and its soul and, as I look around this House, I cannot see that it will find it any time too soon. Simply put, people have moved on. They do not believe Labor any more, and they will not believe a union movement whose campaign activities are based on fear, loathing and division.

The contribution of South Australians to this change of Government is worthy of note. Liberals now comprise 10 of our 12 member delegation to the House of Representatives. The Prime Minister has rewarded the judgment of South Australians by including four of our own in his Cabinet. Congratulations are due to Senators Robert Hill and Amanda Vanstone and to Alexander Downer and Ian McLachlan. Each has been given a challenging portfolio, and I am sure they will show strong leadership and make the reforms necessary to ensure that all Australians are better served by their Federal Government. Certainly having four South Australians in the Cabinet will be a boon for Federal-State relations. Senator Hill in particular is an influential figure. As the architect of much of the policy that brought the Coalition back to power, I am sure he will ensure that the interests of our State are at the forefront of the national agenda.

All Australians, and South Australians in particular, will benefit from the increase in the number of women who now serve in the new Parliament. With more than 50 per cent of our population and more than 50 per cent of voters being women, it is only natural that Legislatures do not remain the boys only clubs they once were. In fact, it is extremely important that they do not. The Centenary of Women's Suffrage in 1994 cast a spotlight on the lack of women in politics, and the two major Parties promised some action to address this gender imbalance. While we in the Liberal Party gave encouragement and practical support, through our Liberal Women's Forum and our seminar activities, this is the

way that our Party committed itself to our women to prepare them for political life.

The Labor Party, as we know, went the way of quotas. The Labor Party promised that women would comprise 35 per cent of its candidates in winnable seats. At that time, it sounded a bit like the famous 'No child will live in poverty' line, and so it proved to be. A couple of months ago the involuntarily retired former Prime Minister saw that no progress was being made and promised women that he would take up the matter after the election, but no-one has heard from him since 2 March. We will certainly hear the voices of the women in the new Parliament. Those women who adhere to quotas still would have been horrified to think that Labor women would lose their seat. In fact, the effect was that Labor policy halved the number of women in the House of Representatives. But, despite the decimation of women in Labor ranks, there are now 23 Liberal women in the House of Representatives, and over 25 per cent of those, including our own Susan Jeanes, who unseated the notorious wordsmith Gordon Bilney in the seat of Kingston, won their seats from Labor Ministers.

As a consequence of the great performance of our women at the polls, the first Howard ministry contains four women, two of whom are in Cabinet. Of course, the success of the Liberal Party and the failure of the Labor Party in electing more women is a microcosm of one of the differences between our two Parties. We, in the Liberal Party, are committed to equality of opportunity, while members opposite belong to a Party which mandates results and then fails to deliver. Getting publicity and plaudits for what you say you are going to do does not compare with getting results and actually getting women elected.

At the Federal election the Liberal Party fielded 43 women candidates for the House of Representatives, and the Labor Party fielded only 30. In South Australia, the two seats we deemed winnable were both contested and won by women, Sue Jeanes in Kingston and Trish Draper in Makin. By contrast, the Labor Party could have preselected women in safe or relatively safe seats where the sitting member retired or lost endorsement, but it preselected men in all of them, including Batman, where it slapped the local community in the face by giving the nod to Martin Ferguson, yet another union leader.

A bigger voice for women and a bigger voice for South Australia in Cabinet can only help South Australians. We have a lot of problems in this State, in the main caused by long years of Labor at both the Federal and State levels. It was interesting to hear Kim Beazley say that it was time that the Labor Party began listening to the community. It was also interesting to note that Trish Worth, the Federal member for Adelaide, has been appointed as a Whip. This is a great honour for Trish and an honour for South Australia. It may be a foretaste of the treatment in store for the member for Ross Smith, whose tireless and dubious efforts to defeat her as the member for Adelaide failed as miserably as his childish amendment surely will.

**Mr BASS (Florey):** I would like to make a couple of comments about the member for Hartley's motion and the rather ridiculous amendment of the member for Ross Smith, which provides that John Howard has a mandate to continue the former Federal Labor Government's policies. That is really akin to the American cavalry adopting General Custer's battle following the battle of Little Big Horn, where the Indians decimated the cavalry and killed everybody there. To

follow the Federal Labor Government's policies is completely out of order.

Should we continue the policies which gave Australia its massive debt and created high unemployment, the Federal Industrial Relations laws that create chaos, the policy of giving *ad hoc* handouts to unions, or the policy of submitting to the unions and Keating's little mate Bill Kelty? During the Federal election, Labor candidates in South Australia ran a campaign based on fear and inaccurate information. At every opportunity they twisted what was happening in South Australia. However, the people of South Australia were well aware of what the previous State Labor Government had done with its distortion of the facts and it reflected that in the polling booths. In the 1993 State election, the Liberal Party won 77 per cent of the seats, but we did better than that in the recent Federal election when we won 83 per cent of the seats. I think that that shows that South Australian electors are more than aware of the scare tactics that were conducted by the previous Federal Labor Government and the previous State Government.

It is said that Oppositions do not win power but that Governments lose it. I think the previous Federal Government did not just lose but committed harakiri and fell on its own sword. The campaign was based on fear and lies. In South Australia, the Labor Party tried very hard to introduce State issues, but this, of course, failed. The campaign was based on the leadership of Paul Keating, an arrogant Paul Keating at best, and that also failed. Willis's pathetic attempt to introduce false letters from the Victorian Premier, Jeff Kennett, also failed.

In his speech to the Labor Party faithful the former Prime Minister said, 'I have always passionately believed that all power came from the public, every last morsel of it, and it is the nation's perfect right to decide who they want to govern them'. And the nation did make a decision on that day—not only a decision in respect of whom they wanted to govern but a decision as to the policies that were espoused.

It is a shame that Mr Keating was not honest with John Howard during the televised debates when John Howard challenged him to release the exact amount of Australia's debt. Keating always said, 'It is as we predicted'. However, it is nowhere near as was predicted—it is by far a greater amount. Keating also said, 'Quite a number of our members have lost seats, and I want to thank our candidates, I want to thank our workers.' I believe that, if Mr Keating had a good look at what happened at the Federal election, he would not thank the candidates but he would apologise to them, because it was his policies and the way that he ran the country that created such a debacle that the people of Australia turned on the Federal Labor Party. Labor members lost their seats because of Paul Keating's leadership and the way the country was run. I support the motion and oppose totally the rather ridiculous amendment of the member for Ross Smith.

The House divided on the amendment:

AYES (10)

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

NOES (24)

Ashenden, E. S.	Baker, D. S.
Baker, S. J.	Bass, R. P.
Becker, H.	Brindal, M. K.
Brokenshire, R. L.	Caudell, C. J.

## NOES (cont.)

Condous, S. G.	Cummins, J. G.
Evans, I. F.	Greig, J. M.
Hall, J. L.	Ingerson, G. A.
Kotz, D. C.	Leggett, S. R.
Matthew, W. A.	Meier, E. J.
Oswald, J. K. G.	Penfold, E. M.
Rossi, J. P.	Scalzi, G. (teller)
Such, R. B.	Wade, D. E.

Majority of 14 for the Noes.

Amendment thus negated; motion carried.

## CARNEVALE

Adjourned debate on motion of Mr Scalzi:

That this House congratulates the Coordinating Italian Committee, its President, Dr Tony Cocchiaro, and all participating organisations on the success of the first Carnevale in Adelaide festival.

(Continued from 15 February. Page 1077.)

**Mr CUMMINS (Norwood):** It gives me great pleasure to support the motion, partly because I know that the member for Hartley is, and always will be, a strong supporter of the Italian community. The Italian festival was originally held at Norwood Oval, where it remained for some years. As the member for Norwood, for my own selfish reasons I would have liked it to stay there. For the time being, it has transferred to the Adelaide Oval. That was a daring step for the Coordinating Italian Committee to take, because there are risks involved in transferring the event to Adelaide.

I congratulate Dr Tony Cocchiaro and his committee for what they have done. I also congratulate Cathy Condina, the manager, for her effort in helping transfer the event to the Adelaide Oval. Hopefully, it will stay at Adelaide Oval, although to some extent it is dependent on the vagaries of the South Australian Cricket Association and the concerns it has about damage to its ground. The event was a fantastic success and I hope that it is always held at a venue in the city area. On the Sunday you could not move around Adelaide Oval because of the number of people who were there.

The festival was held on 10 and 11 February, although preparations began well before then. The member for Hartley and I were present at the launch of the logo and poster on 17 November 1995 in Rundle Mall, which was attended by over a thousand people. It was a great start to the festival. The poster was so good that I had various traders along The Parade trying to snaffle my poster. Vari from Vari's store collects posters and I gave it to him after the festival. He now has it hanging in his shop. It is rather appropriate that he has it because he is Italian and is a good supporter of the Italian community.

I had the pleasure of attending the Gala Masked Ball on 26 January. I dressed up as a capitano and had the honour of winning a bottle of champagne. I hope that it was not a bribe: I do not think it was. I think I won it because I had a unique costume. It was a great pleasure for me to receive that prize.

I also congratulate and thank Romano Rubichi, who travelled to Venice some time before the festival and brought back a great selection of Venetian masks. He sold the masks to various people, including members of the Labor Party and the Liberal Party. There was no discrimination: he sold masks to everyone. The wearing of those masks added to the festival atmosphere and to the masked ball.

The Coordinating Italian Committee is not simply an organisation that is associated with promoting Italian culture

via the festival but is also associated with the education and welfare of the general community and the Italian community, and that is indeed worthwhile work. It appears that the Carnevale raised about \$50 000, which will be used to support various activities of the Coordinating Italian Committee.

I am proud to say that this Government has supported the Italian community, in particular CIC. For the past two years, the Government has provided a grant for its welfare worker and it intends to continue those grants. Historically, one of the problems has been that the former Government, in relation to the Coordinating Italian Committee, did not bother to have a line in its budgets for welfare for aged people. I have spoken to the relevant Minister and I am assured that, in the 1997 budget, a budget line will be created from which money can be allocated directly for aged care.

In relation to the Italian community, that is very important, because a lot of Italians came here in the 1950s. My stepfather was Italian and I have four half Italian brothers and sisters. He came here in 1927. Some of the Italians came here in the 1850s, after the civil war in Italy, but the predominant group came in the 1950s. They are a rapidly ageing population and they need all the support they can get. I want to congratulate Anna Faber, who is the Welfare Director, for the fantastic work she has done with the older Italian community. I know that in the past 12 months about 31 families have received emergency financial assistance. Other families have been assisted with migration applications, and she is also involved in respite for people suffering from dementia.

That is something the Government will have to look at. The Italian population is ageing, and that will continue. The need will therefore become greater. I have an Italian friend whose wife has dementia. It is the Italian custom that people keep family members at home and try to look after them themselves, and that is to their credit. I know that there are 20 people on the waiting list at the Campbelltown Community Health Centre waiting on dementia respite care for their spouses. I do not think that is good enough. We have to look at that and put more money into it. At the end of the day, if you look at it on an economic basis, what the Coordinating Italian Committee is doing is saving us a fortune, because it raises two-thirds of the money itself and we put in no more than one-third. If we put the elderly Italian community into the general community and expected our general welfare agencies to help them, the cost would go up threefold. So, purely from a selfish economic point of view, we should be putting more money into aged care welfare as we will continue to need to do in the future.

I want to deal with the Italian Union of Workers, which also operates out of CIC. It is funded by the Italian Government, to its great credit. Its coordinator is Renato Coscia, who deals with people with taxation and pension problems and helps low income earners. Last year, approximately 3 500 people were seen by Renato. I congratulate him on that work and thank the Italian Government for the support it has given to Italians who live in this country.

CIC also runs education programs. Its general programs include language education, bilingual courses and so on. In particular, I refer to the education programs for adults. I had the pleasure of giving CIC about \$6 000 five or six months ago for its language program. These programs are very important. A lot of Italians came here in the 1950s and, as is their tradition, the mothers stayed home to look after the children, thus either they did not learn to speak the English language or they did not learn to speak it fluently. Part of the

reason for our Government's giving money to CIC is so they can learn the language. Unfortunately, for some of them their husbands die before them and they are isolated in this community; they need to speak the language. So, the provision of this money for education is critical, and I am sure the Government will continue to provide it.

I thank and congratulate some people in particular: Dr Tony Cocchiaro, Teresa Zaccagnini, Mario Russo and Ross Mussolino, the Executive Committee of the Coordinating Italian Committee. In particular, on behalf of the Government I thank the 26 volunteers who worked in the Italian community for nothing.

I mention in particular Guiseppina Salvati, who died recently, for the voluntary work she did while she was at CIC. I send my personal condolences to her family.

I also congratulate the Italian clubs and organisations that participated in Carnevale, namely, the Arena Community Club; the Society of St Hilarion; Artisti and Solisti; the Calabria Club; the Altavilla club, in particular, in my electorate; the South Australian Italian Association; ISCA; the Sicilia Social Club; the Veneto Club; the Fogolar Furlan Club; the Campania Club; the Molinara Social and Sports Club; the Casa D'Abruzzo Club; the Italian Village; the Lions Club of Adelaide Italian; the Toscana Association; and the Emilia Romagna Association. These clubs and organisations give fantastic support to Carnevale, without which it could not exist. If Carnevale did not exist and we did not have profits from it, the Coordinating Italian Committee could not run the programs I have mentioned.

I wish the Coordinating Italian Committee well in the future. I hope that in due course it will find a secure place for the Carnevale in the city.

**Mrs HALL** secured the adjournment of the debate.

### AUSTUDY

Adjourned debate on motion of Mrs Penfold:

That this House condemns the Federal Government for the lack of equity in the Austudy allowance provisions for country students. (Continued from 21 March. Page 1200.)

**Mr QUIRKE (Playford):** The Opposition understands the problems of people in the country and other disadvantaged groups having access to proper secondary and tertiary education. We do find it a little rich that the person moving this motion is someone who represents a Party in this place that for most of its time has had up front university fees: indeed, for most of its time in power both at the State and Federal level it has supported up front university fees, and considerable university fees. We have no problem in supporting the essence of this motion; in fact, we congratulate the honourable member and hope that she may feel the same affinity for some of the poorer kids in the northern suburbs who want tertiary education and in some instances the poorer kids in the country towns who would like better access to secondary education. We hope that this new found enthusiasm for looking after kids in terms of education is spreading across the Government benches.

Motion carried.

### AUSTRALIAN LABOR PARTY CONFERENCE

Adjourned debate on motion of Mr Brokenshire:

That this House condemns the Australian Labor Party for locking out a political journalist from the Australian Labor Party's annual conference because he was not a member of a union.

(Continued from 8 February. Page 949.)

**Mr BASS (Florey):** As a person who came from a union, I am very disappointed in the Australian Labor Party for locking out a political journalist from its annual conference simply because he was not a member of a union. For five years I led a union that had voluntary membership and I know that it is difficult at times to keep everyone in the fold, but if you look after your members and work to achieve that for which I believe unions were created—that is, to look after members and not get involved in other areas—you can always have a very high membership. I talk of the Police Association, which is a police union, no matter which way you look at it. We had a group of 3 600 members.

When I became the Secretary, from memory there were 43 non-members, and when I left in 1993 there were only something like 16 non-members. I believe that if unions work at representing their people they can reduce the number of non-members, and if the Australian Labor Party got with the unions that support it and said, 'Get back to representing your members and doing what your members want instead of playing politics', it would find that there would be many fewer non-members in different areas.

Finally, if the union in question had worked harder at representing its members and not getting involved in politics, I have no doubt that the political journalist who was excluded from the ALP's annual conference probably would have joined that union. But you have to work for your members and not just for the Labor Party that most unions represent.

**Mr BROKENSHERE (Mawson):** It is with great pleasure that I close this debate. I must say that I had a smile on my face when I read the *Hansard* report of 8 February 1996 (pages 948 to 949) where my colleague, a gentleman for whom I have the utmost admiration and respect, the member for Playford (Mr Quirke), was involved in the debate on this issue. The member for Playford did a valiant job to try to cover this arrogant and most disappointing situation that had arisen because a political journalist was not a member of the union. But I also know that the member for Playford, who should be much further up the ladder in the Labor Party than he is, would know in his heart that freedom, choice and genuine opportunities should be given to all people. It is a pity that some of those people in factions on the other side did not take more heed of that and give people such as the member for Playford a better chance in this Parliament. But he will get his chance one day, because he is a patient person.

Of course, talking about patience, I acknowledge that he gave me a bit of a bagging about being in so-called cobweb corner, but I note with interest how far many members have actually climbed when they started off in cobweb corner and I am sure that, like the member for Playford, I will have the opportunity of climbing in due course. If we read what the member for Playford was saying, we see that he was trying to cover up for the outrageous comments of his Deputy Leader. Being the team player that the member for Playford is, he tried his very best to cover up what the Deputy Leader of the Opposition had exposed himself as being; that is, someone who does not really support democracy, freedom of choice or the fact that people of ability should be able to go about their work on a daily basis.

I refer now in particular to Mr Duffy, a journalist for whom I have a lot of respect; a professional journalist who writes in a manner in which a journalist should write, that is, from a non-biased point of view. He writes the story as he sees it. But he was denied that right when it came to the Australian Labor Party, simply because he was not a member of the union. I noted with interest the member for Playford's comments:

It so happens that, for very good reasons, we hold our convention on Trades and Labor Council property. It is a condition of our occupancy of those premises that people who carry out certain occupations need to be a member of the appropriate trade union.

That is very interesting. What the member for Playford was actually saying is that the Trades and Labor Council property is not only real estate but in the ownership of the Labor Party and, therefore, members opposite are denied the right to stand up for what many of them believe in, that is, fairness and choice. I know those members on the other side and believe that many of them would agree with me on that point because they, being parliamentarians seeking the betterment of their State and their electorates, believe that there should be that freedom of choice. But here with the union movement we see nothing short of dictatorship, which denied an honourable man a chance to earn a fair living for his family.

Therefore, it is not true that I was set up by the Liberal Party to come in and move this motion. In fact, I was delighted to move this motion, because if I have a passion that really fires me up it is the passion for allowing people the opportunity of choice; the opportunity of true democracy, which we spoke about in this Chamber yesterday or the day before, when it comes to the right of the individual to choose whether or not to vote. These are fundamentals, and the fact of the matter is that these fundamentals have been denied to the people of South Australia, to the workers of South Australia and even to members of the Parliamentary Labor Party because of these 1850s agreements that they have with the union movement and that dictatorial attitude that the union movement continues to push even though, under 13 years of Labor rule federally, that union membership has declined to a mere 30 per cent.

It has declined because the people who used to be members of that union movement demand that the choice of whether or not to take on a ticket should have nothing to do with whether you are given that job. I am therefore very proud of having moved this motion.

Motion carried.

*[Sitting suspended from 12.58 to 2 p.m.]*

## QUESTION TIME

### SUBMARINES

**The Hon. M.D. RANN (Leader of the Opposition):** Has the Premier or his Minister for Industry, Manufacturing, Small Business and Regional Development had discussions with the Howard Government seeking agreement for the sale of South Australian built submarines to Taiwan and, if so, what were the results of those discussions? The Premier is on record last week strongly supporting the sale of South Australian built submarines to Taiwan but the Federal Minister, Alexander Downer, has said publicly that the Howard Government will not look at this issue unless there is a formal request to do so. It has been reported that Taiwan

is seeking to purchase 10 conventional submarines worth \$6.5 billion, and that the South Australian built submarine is the best conventional submarine in the world today.

**The Hon. DEAN BROWN:** There have not been talks as yet, but a formal submission is being prepared to go to the Federal Government. When this issue was raised in the media about a week ago, I asked my staff to start preparing a submission. Equally the Minister for Industry, Manufacturing, Small Business and Regional Development has indicated that he has not had formal talks. It does create the opportunity if the Federal Government is willing to allow submarines to be sold to Taiwan.

When I was asked about this matter by the media last week, I indicated that it was a matter for Federal Government foreign policy and it is up to the Federal Government to decide whether or not it is appropriate to sell arms to any country overseas, including Taiwan, but certainly South Australia would very strongly support such an order if it came within the Federal Government's policy. That is why we are at present preparing a detailed proposal to go to the Federal Government, urging it to seriously consider this so that, if it is approved, those submarines can be built here in South Australia.

### STATE ECONOMY

**Mr WADE (Elder):** My question is directed to the Premier. What is the Government's response to the latest economic briefing report of the South Australian Centre for Economic Studies released today?

**The Hon. DEAN BROWN:** I saw the report, or a summary of the report, that came from the Centre for Economic Studies, and it was interesting, because in many ways the report simply reinforced what I said to the House yesterday, namely, that the national economy is slowing down and, as a result, it is starting to have an impact on the South Australian economy. I think the report stated that the economy is 'on a knife edge': frankly, it is the Australian economy that is on a knife edge, and certainly, if there is a significant downturn in the Australian economy, it will naturally impact on South Australia.

*Mr Cummins interjecting:*

**The Hon. DEAN BROWN:** That is the fault, as I said yesterday, of high interest rates imposed by the Federal Labor Government over the past 18 months. What I find interesting is that, despite the negative impact of those high interest rates on the South Australian economy, particularly on the housing industry, I have never heard the Leader of the Opposition or the Opposition's economic spokesperson come out and strongly criticise the economic policies of the Keating Government. Well, fortunately, Keating is a thing of the past and we now have a new Government in Canberra.

I do, however, pick up a couple of points from the report from the South Australian Centre for Economic Studies. First, they talk about the downturn in the Australian car industry, and I have argued on several occasions that there has been a significant downturn. What they fail to do, though, is separate out South Australia from Victoria, because the car industry in Victoria has had a far greater downturn than the car industry in South Australia. At General Motors-Holden's, we have had the benefit of what has been a significant growth in demand for their product, from 320 cars a day now up to 480 cars a day. Mitsubishi is in the process of launching an entirely new model next month, and that model will be exported. They are expecting at least 15 000 vehicles out

there on the world market and, as far as South Australia is concerned, those 15 000 vehicles alone will more than take up any downturn in the national car market.

I also pick up the point that I found that the Centre for Economic Studies was willing to accept without question the low growth rate figures for South Australia that came through from the Australian Bureau of Statistics some 12 to 18 months ago. Now that we have the fastest growth rate of any State in Australia, both for the last quarter and for the last year, I am amazed that they now question those high growth rates. They cannot have it both ways: question it when it is high but accept it when it is low.

I also point out that one reason why the car market in Australia has turned down is that in the last Federal budget it was the Keating Government that increased the tax on cars, so naturally it was going to adversely affect the car industry across Australia and ultimately probably have some impact on the car industry in this State. Overall, it is fair to say that the South Australian economy still reflects what occurs nationally. Even though we have made a major push into export markets, it will still take some time before those export markets grow to the point that it tends to diminish the impact of any national downturn. All we want to see in South Australia is a strong, healthy national economy, because this State will benefit from it.

#### AUSTRALIS MEDIA

**Mr FOLEY (Hart):** My question is directed to the Premier. Given negative nationwide media speculation today surrounding the performance and future of Australis Media, will the Premier reassure staff and customers that the company's future is secure, and reassure taxpayers that his Government's financial support for the company's South Australian operation (reported at \$28 million in the *Australian* of 27 May last year) is under no threat and that the job target of 700 which forms part of the deal will be met?

**The Hon. J.W. OLSEN:** I note reports yesterday indicating that bankers had, in the short term, given an extension to financing arrangements related to Australis. I had the opportunity several weeks ago whilst in the UK to meet Mr Rod Price and talk about their plans for Australis with pay television in Australia and ensuring that South Australia's position as the base for the customer service centre was retained in the future. Mr Price indicated to me that Adelaide would continue to be the base for the customer service centre.

The other point that needs to be established clearly in relation to Australis is that part of the program put together in the incentive support package relates to fixed assets. Those fixed assets are ours in the longer term, so there is no liability cost related to South Australia. If they were to become available, given the present shortage of space at Technology Park, it could be filled tomorrow.

That is the simple fact. I would hope that that is an outside chance. Also, I hope that the member for Hart and the Opposition join with the Government to try to work with Australis to protect the jobs that have been created in South Australia, which is the most important issue. I hope that members opposite do not raise this as a high profile political matter but let the company sought its way through. We understand there will be a further application nationally in relation to the coordination of pay TV within Australia. Let that sequence of events follow through. If, at the end of the day, we have to make a judgment, so be it but, at the moment,

several hundred South Australians are employed in that facility and are earning an income in South Australia—and is that not a good thing?

#### INDUSTRIAL RELATIONS

**Mr CONDOUS (Colton):** Does the Minister for Industrial Affairs intend to meet with the Federal Minister for Industrial Affairs to discuss the effect of the proposed reform to the Federal industrial relations system on South Australian employers and employees? Reports in today's press indicate that the Federal Minister met yesterday with the ACTU and national employers' representatives, and that he intends to meet with State Ministers shortly.

**The Hon. G.A. INGERSON:** It will be very pleasant tomorrow morning to attend the meeting of Ministers for Industrial Relations in Australia, because eight of the nine will be Coalition Ministers. It will be a very interesting meeting tomorrow morning.

*Members interjecting:*

**The Hon. G.A. INGERSON:** It is in Melbourne, of course, where the Minister happens to reside. One very interesting fact is that, for the first time in a long time, we have a Federal Minister who believes that the State Government and the State system ought to survive. If ever a group of individuals in Federal Government have wanted to destroy the States and their industrial system—

*An honourable member interjecting:*

**The Hon. G.A. INGERSON:** Mr Kennett can have his own views, just like South Australia, Western Australia and Queensland. All the States that matter will be there to ensure purely and simply—

*An honourable member interjecting:*

**The Hon. G.A. INGERSON:** I would hope that you would stand up for your own State. I know you do not do it very often, but here is a darn good chance for you to do so. The major issues we will discuss tomorrow concern the State and Federal systems working together and being able to harmonise all the issues that have needed to be harmonised for a long time. As an example, I refer to the issue of unfair dismissals. In Australia we should have an unfair dismissal system that recognises that both the employer and the employee have a fair go, instead of a system—

*Mr Clarke interjecting:*

**The Hon. G.A. INGERSON:** We have that system in South Australia but, as the Deputy Leader would know, the Federal system keeps overriding it. It is the unfair Federal system that needs to be corrected. We will also discuss the dual role of commissioners. If we are to have a reasonable Federal-State relationship, we need to work together, and the commissioners ought to be able to work in both commissions. Clearly, we need to ensure that there are joint advisory services and joint inspectorates so that we do not have duplication between the two systems. We want to try to ensure that workplace agreements have some comparison and that we can work together. Obviously, we want to ensure that the role of the Employee Ombudsman in South Australia is picked up in the Federal system.

I notice that the Deputy Leader keeps on having a dig about his role in industrial relations. In the recent Federal election there were some interesting polling results in respect of the industrial relations system and the interests of traditional Labor Party voters. As we all know, the Labor Party in South Australia ran very hard on industrial relations in the recent Federal election. Some polling results that have come



to my notice suggest that there was a drop of some 16.3 per cent in the vote of existing trade union members away from the Labor Party to the Liberal Party: that is, over 100 000 traditional Labor Party voters voted for the Liberal Party at the Federal election. On 2 March the blue collar worker vote collapsed by some 8.5 per cent in an election where industrial relations was one of the prime issues.

The most important point about the result on 2 March is that the Federal Government now has a mandate for change in industrial relations, and part of that is to guarantee that we have a State-Federal relationship which will enable all employers and employees in this State to have a much better system.

### HOUSING APPROVALS

**Ms HURLEY (Napier):** How does the Minister for Housing, Urban Development and Local Government Relations explain the fact that the decline in South Australian dwelling approvals in the year to January 1996 is double the decline in approvals for Australia, and what action is he taking to reverse this trend? The ABS data release for January 1996 showed that dwelling approvals for South Australia have now slumped to their lowest level for over 30 years. Seasonally adjusted, South Australian dwelling approvals were 407 for January. This is about half the level of activity of 1989-90 when interest rates peaked and the subsequent 1991-92 recession.

**The Hon. E.S. ASHENDEN:** This is an easy question to answer. I do not know whether or not the member is aware, but over the past five years approvals for building have exceeded the population growth in South Australia. Therefore, we have an over supply of housing—and that has been building up over the past five years. We now have a situation where there are more houses than there are buyers. So, naturally, the builders are doing the sensible thing and saying, 'Okay, we have more houses than we need, so we will hold back on the new applications that we put forward, particularly in the area of speculative building.'

Let us remember, too, that during this period we had a Federal Labor Government that used interest rates cruelly to try to keep the economy under control and, as we all know, when you fiddle with interest rates it is the housing industry that suffers. I am surprised the member has asked the question because it is her colleagues in Canberra that have had the major impact on this, and it was her colleagues in this House over the past 10 years—before this Government came to power—that put the Housing Trust, for example, into such an horrendous debt position where now the trust cannot afford to build the number of houses it would like.

The trust is not sitting back and saying, 'Hang on, we cannot do anything', but it is coming up with a number of innovative schemes. One of those is the sweat equity or self-build program, which is designed to assist people who normally could not buy a home to be in a position to buy one. In that small way we are helping to assist the private builder. I repeat, the situation we have today is one that was inherited, and a great deal of the blame, if not all of it, rests fairly and squarely on the shoulders of the honourable member's colleagues.

### MAIN STREET PROGRAM

**Mr BROKENSHIRE (Mawson):** Will the Minister for Industry, Manufacturing, Small Business and Regional

Development inform the House what has been achieved through the Main Street program for towns throughout South Australia? I understand that members of the McLaren Vale Main Street program in my electorate, and other members of Main Street programs, met with Minister Olsen this morning when he opened the State Main Street Conference in Goolwa.

**The Hon. J.W. OLSEN:** As the honourable member has clearly indicated, the Main Street program is holding a two day conference for coordinators and people involved with Main Street programs in various locations to look at planning for the next year. The Main Street program is important in that it refocusses main streets throughout South Australia. When the program commenced in 1993 it was a good program, and that is why the Government has picked it up, continued funding and expanded the program. Some 40 towns now participate in the program. In addition to that, several suburbs in the metropolitan area are also part of the program.

Towns from Port Augusta and Quorn, Mr Speaker, which you would show some interest in, to Naracoorte and Millicent in the South-East, are participating in the program to rejuvenate, refocus and get a new vision within those townships.

**An honourable member:** Who started it?

**The Hon. J.W. OLSEN:** I have already acknowledged where the start came from. Tourism from Asia in particular has shown some significant growth in the course of the past 12 months. What is important in expanding that growth is to have in place the infrastructure in South Australia to underpin and assist it. That means the maintenance of heritage and history within country townships but also pegging out, as it relates to the Main Street program, a plan for the future of those communities. In that respect, in acting locally but competing globally, it is important for those small townships to focus on export market opportunities.

We are a small State of only one and a half million people which does not have the economies of scale of larger States, so we need to facilitate the opportunity for country communities, townships and regional centres to go into the international marketplace to win contracts and to bring that business back to those communities to act as a stimulus. The Main Street program assists those communities to focus on those strategies, building towards the rejuvenation of the economy within their own regions. That is important not only for those local communities but for the perception. The perception is that regional Australia is in decline: droughts, desperate farmers, children in country areas not having the opportunities of children in the metropolitan area and in fact being bored with life in those communities.

In fact, if you look at the McKinsey report and other documents you will see that only 12 per cent of those communities are in decline. Regional South Australia, country South Australia, is showing some growth patterns. Whilst, in the past, we had low commodity prices, high interest rates and drought, we now see greater prospects and increased cash flow in those country communities. Therefore, programs such as Main Street, coupled with the PLEC program of the Electricity Trust to underground power lines in those main streets, gives new focus, vision and hope to those communities. At the same time, the Business Centre, the Centre for Manufacturing and the Department of Manufacturing, Industry and Small Business, through regional boards and financial support programs, assist in respect of the international marketplace.

## EMPLOYMENT

**Mr CLARKE (Deputy Leader of the Opposition):** My question is directed to the Minister for Employment, Training and Further Education. Given the State Government's failure so far to meet its pre-election commitment with respect to jobs growth, what is the State Government's promise for jobs in 1996?

**The Hon. R.B. SUCH:** It would be a pleasant change if the Deputy Leader was supportive of economic growth in this State. We are committed to creating more employment in this State. We inherited a financial mess, which was created by your mob.

*Members interjecting:*

**The SPEAKER:** Order! The Deputy Leader has asked his question and will now give the Minister the opportunity to answer it.

*Mr Cummins interjecting:*

**The SPEAKER:** Order! The member for Norwood is out of order.

**The Hon. R.B. SUCH:** We are working flat out to create a climate in which we can get more employment in this State. We have created many thousands of jobs and we will continue to create further jobs in South Australia and to arrest the decline that started during the term of the previous Government. Our target is to create a situation where we have full employment in South Australia.

## KANGAROO ISLAND, BUSHFIRE

**Mrs PENFOLD (Flinders):** Can the Minister for the Environment and Natural Resources provide details about the bushfire which is currently burning on Kangaroo Island and outline the extent of the damage?

**The Hon. D.C. WOTTON:** I knew that the member for Flinders, showing the interest that she always does in her electorate, would be interested in this matter. Yesterday a significant bushfire was started by lightning strikes on Kangaroo Island, and it has now—

*Members interjecting:*

**The SPEAKER:** Order! Would members opposite and those behind the Minister give him the courtesy of allowing him to answer the question.

**The Hon. D.C. WOTTON:** The bushfire that was started yesterday by lightning strikes is now under control. Light rain over the area today has assisted CFS and National Parks and Wildlife Service crews to contain what was a significant blaze. The fire occurred in the north-west sector of the Flinders Chase National Park and destroyed about 4 500 hectares of bushland. Firefighting tactics by CFS and National Parks firefighters blocked the blaze, fortunately, and prevented it reaching some of the more sensitive wilderness areas on the island. Slight winds also contained the pace of the fire, allowing wildlife to escape injury. I am sure that all members of the House would be pleased to know that the island's koalas were not put at risk by the bushfire.

Successful back burning also directed the main thrust of the fire away from sensitive areas. Crews have begun mopping up operations, and they are being assisted by extra National Parks and Wildlife rangers and vehicles from the mainland who arrived on the island a few hours ago. I would particularly like to thank *Sealink* for its cooperation in giving priority to firefighting vehicles. I hope that that did not cause it any inconvenience or inconvenience any passengers. The fire is contained within the park and there has been no

property or stock damage outside the park, and I am very pleased about that.

I can also inform the House that two fixed wing aircraft and one helicopter assisted in firefighting operations. I can inform the member for Flinders that the fire is under control. I would particularly like to thank those in the CFS and the National Parks and Wildlife Service who have concentrated on bringing the fire under control.

## POLICE OFFICERS

**Mr QUIRKE (Playford):** My question is directed to the Minister for Police. How many police officers do we have in South Australia at the moment, and how do the figures compare with those of 12 months ago?

**The Hon. S.J. BAKER:** I will get an exact number for the honourable member. We are talking about a total complement in the Police Force of around 4 200 people, of which around 3 800 are police officers. In terms of the complement, there has been no recruiting, as the honourable member would recognise, for a period of 15 months. There has been natural attrition of some 120 people, and there have been 40 TSPs. They are only general figures.

As members would clearly understand, the police budget is one of the highest budget components anywhere in the country. An assessment by the Commonwealth Grants Commission outlines that South Australia is spending 12 per cent above the national average in this area. What we are trying to do, with the changes that are taking place, is to get the best effort under the need that already has been specified and on which agreement has been reached that there will be some downsizing in the Police Force. We are already talking about contracting out a number of services where police are not necessary. That is an ongoing process. There has been an enterprise agreement.

*Members interjecting:*

**The SPEAKER:** Order! This is not the time for supplementary questions.

**The Hon. S.J. BAKER:** A 15 per cent pay rise has been granted over a two year period. Under that agreement we have been assured of cooperation to downsize the Police Force, to pay for all or most of that pay rise, and those changes are currently taking place. It is our intention to have the best Police Force in Australia. It is our intention—

*An honourable member interjecting:*

**The Hon. S.J. BAKER:** Well, if we are now 12 per cent above the average, some adjustment would still give us the capacity to be the best in Australia. So, we are working through that process. It will not be an easy process, and it will mean some changes to the way in which the police operate. I am pleased with the initiatives which have already been taken by the police in identifying areas that are non-essential core police services. I have already outlined those to the House. We are wasting our time, wasting our energy.

*Members interjecting:*

**The Hon. S.J. BAKER:** The former Government previously condoned those things. It said, 'It does not matter how much you spend, that is all right.' It is no longer all right. We are ensuring that we have a cost-effective Police Force and a Police Force that is focused to be the best in Australia.

### QUEEN ELIZABETH HOSPITAL

**Mr BUCKBY (Light):** My question is directed to the Deputy Premier, representing the Minister for Health. The Minister was questioned yesterday on the probity process of the Queen Elizabeth Hospital. Will the Minister now provide further information to the House?

**The Hon. S.J. BAKER:** The member for Elizabeth asked a question yesterday about the probity auditor. I now provide that detail to the House. Mr Phillip Fargher has been appointed project moderator for the Queen Elizabeth Hospital Development Project. Mr Fargher is a chartered professional engineer and arbitrator with extensive experience in the prudential management of major infrastructure projects in both public and private sector tendering. Mr Fargher will be advised on legal matters by Mr Chris Legoe, a retired justice of the State Supreme Court. The position of project manager is not a full-time position. Mr Fargher lives in Adelaide and he will be called upon at those times when it is necessary to ensure that the probity of assessment meets the highest standard. He will be available on request to fulfil that function.

The project moderator will have extensive authority with regard to equity and probity matters. The moderator will oversee the bidding process and may be appealed to by any party in respect of any matter pertaining to equity or probity. The moderator will consider all matters raised and give written determinations with reasons.

The whole process concerning the QEH has been examined by the chief executive officers of the three major agencies that have some interest in this matter. The whole process has been determined and every part of the process has been rechecked to ensure it actually works so that no difficulty will be experienced along the way in terms of the way the documents are put out or any other part of that process.

Regarding expressions of interest concerning the QEH, the Health Commission has received 13 submissions, some of which involve cross-fertilisation, that is, people who are common to certain consortiums. I know that the member for Elizabeth was sniffing and snooping around the Health Commission today—that has been reported back—but, in terms of her suggestion regarding Kaiser Permanente, I am advised that there has been no expression of interest on the QEH by Kaiser Permanente.

### GOODWOOD ORPHANAGE

**Ms HURLEY (Napier):** My question is directed to the Minister for Housing, Urban Development and Local Government Relations. Did the Government impose any conditions on the future development of land at the Goodwood Orphanage sold by the Government to the House of Tabor and will he table a copy of the sale contract? The Minister for Education and Children's Services told the Estimates Committee on 20 June 1995 that the Government had agreed to a very innovative plan for the sale of the oval at the Goodwood Orphanage to the House of Tabor for \$1.2 million. The Minister said that the House of Tabor would build a theological college on one-third of the site and that, through the 'assiduous efforts' of the member for Unley, the plan would 'protect' the interests of local residents.

Local residents have now expressed outrage at plans released by the House of Tabor for the construction of a multistorey building and have complained about the loss of

open space, the creation of traffic and parking problems, and the loss of amenity. Residents have contacted the Opposition and complained that the member for Unley has supported the plan and has put his position as parliamentary secretary to the Minister for Education ahead of their interests.

**The Hon. R.B. SUCH:** As the Minister representing the Minister for Education and Children's Services in another place, I advise that it is a development on land that was owned by DECS. I know that local residents have expressed a lot of interest in the matter—and the local member is vitally interested as well. I will obtain a status report and come back to the Parliament.

### YOUTH AFFAIRS INITIATIVES

**Mr ROSSI (Lee):** Will the Minister for Youth Affairs provide details of a new initiative involving young South Australians?

**The Hon. R.B. SUCH:** I thank the member for Lee for his question. Members might have seen in this morning's paper an article by a distinguished journalist, Mr Kelton, that focused on this important matter. Unfortunately, despite the fact that it was an excellent article which included a brilliant photograph, it appeared on page 15 rather than page 3, but that is not Mr Kelton's fault.

The article highlighted a new initiative by this Government designed to encourage and facilitate participation by young people in the processes of Government. One aspect of that is to involve them in the initial stages on four boards: the Children's Interest Bureau Advisory Committee, the Drug and Alcohol Services Council, SA Great and the Youth Affairs Council. It is a pilot program to enable young people to understand how decision making processes work and to give them training so that they can participate as effective contributors on boards. This is a first for Australia; it will be welcomed within the youth community. As a Government, we believe in our young people, we value them and we want to encourage their participation.

Another aspect has been the establishment of a ministerial council to advise me. That council will be made up solely of young people: I will be the only non-young person on it. The importance of that advisory committee is that too often we hear people speaking on behalf of young people—and that is no reflection on youth workers—but I want to hear directly from young people themselves in that forum.

Those young people will be selected by way of advertisement and nomination from throughout the State. We will assist young people from the country to participate. We want a representative body that covers non-English speaking young people, Aboriginal people and those with disabilities. Already one member of this House has suggested a suitable person to cover the area relating to disabilities.

Young people will be able to relate directly to the Minister. That will supplement the already extensive consultation which I have with young people and which includes various forums—meeting with young people in schools, travelling in a more casual fashion on public transport, and other areas where I interact with young people.

Another aspect of the initiative is Youth Say. We have contacted 200 groups that work with young people throughout the State and asked them to indicate the concerns of our young people. That is already taking place and we intend to continue that process to further supplement the consultation through the ministerial council. Those initiatives are in addition to the Youth Expo and the Youth Parliament.

Finally, in the very near future we will be detailing a youth charter which is designed to ensure that, when young people deal with Government agencies, they are treated with courtesy and respect. In return, we expect that of the young people. We are focusing on rights and responsibilities and we want to ensure that young people get a fair go when dealing with Government agencies, but in return we expect them to behave and act in a proper manner.

### MEAT PROCESSING

**Mr CLARKE (Deputy Leader of the Opposition):** Will the Minister for Primary Industries convene, as a matter of urgency, a summit of representatives of meat processors, farmer organisations, unions and the Opposition to formulate an action plan to rescue our meat processing industry and the thousands of South Australian jobs that are at risk.

*Members interjecting:*

**The SPEAKER:** Order!

**Mr CLARKE:** The Opposition today has been told that the meat processing industry is in crisis. This was told to us by representatives of the Meat Workers Union who are alarmed at the loss of SAMCOR's export licence, the loss of over 500 jobs this week at the Noarlunga Meatworks and the continuing difficulties that other meat processing plants are experiencing. The Meat Workers Union has described the Minister's reaction to date on this crisis as lacking focus and direction.

**The Hon. R.G. KERIN:** I thank the Deputy Leader for his question. Obviously, what he is referring to is something that is pretty serious for the industry as such, but I think he has probably shown his ignorance of exactly what is going on by leaving out the two most important parties, which are AQIS and the Federal Government. Basically, it is not a State problem but a national problem that we are coming up against. The loss of the licence is due to AQIS closing it down. For the information of members opposite, that is national, and it is doing so on the instructions given to it by the USDA. It is a national problem, so the most important parties in this whole matter are AQIS and the Federal Government. They are the people we are talking to and that is the appropriate way of doing it.

*Members interjecting:*

**The SPEAKER:** Order!

### DEEP SEA PORT INVESTIGATION

**Mr MEIER (Goyder):** Will the Minister for Primary Industries provide details of the findings of the interim report released today by the Deep Sea Port Investigative Committee of the grain industry? The Deep Sea Port Report privately commissioned by the grain industry has been several years in the making, and all rural members—in fact, all members—would be interested to know the findings.

**The Hon. R.G. KERIN:** I thank the member for Goyder for his question. It is terrific to get a question when the member asking it really does understand the issues. The Deep Sea Port Investigative Committee today released its interim report for grain growers to consider. I can assure the member for Goyder that his constituents have not been slow in lobbying the Minister about the recommendations that have been made. The interim report recommends a major upgrade of Port Giles and Port Adelaide over a 10 year period. It recommends a full upgrade of Port Giles with a part upgrade of Port Adelaide so they can part fill panamax ships there.

I have had talks this week with my Cabinet colleague the Minister for Transport and we both recognise the importance of the decision that faces growers. Today I addressed the Farmers Federation Annual Grain Conference and urged growers to consider seriously all the complex issues that need to be addressed before any decision is made. Growers nowadays tend to sell their grain by fax, computer or telephone, but at the end of the day we still need proper transport because of the bulk of the commodity that goes out. The process is very complex, and it is important that they get it right from the start. However, we must also consider roads, rail, storage networks, environmental factors, regional development, the effect on communities and local business, and the financing of the final decision.

The report has focused on issues that more directly impact on grower costs, and the financial analysis within the report demonstrates that grain growers will receive a major net benefit if they undertake the major capital investment in the deepening of the port. However, the report also recognises that there are many major related issues that have not yet been addressed.

Once that work has been completed, the farming community and Government will be better briefed to determine what will be best in the long term for the port development strategy in South Australia. As rural members will certainly appreciate, perhaps one of the most important issues is that, when you change the sites to which the grain flows, you change the direction of traffic, and this impacts on all levels of government. Local members would be very aware of the fact that local government authorities in country areas are very concerned about the damage being done to country roads as we have changed the direction in which grain travels.

Whilst the Port Giles-Port Adelaide scenario demonstrates the highest net benefit to growers, I would ask that they consider Ardrossan-Port Adelaide and Port Adelaide-Wallaroo, which are two other options mentioned, once they have seen how these other factors impact on the net benefit of the final decision. In other words, other options may create much lower road maintenance costs which at the end of the day may yield higher net return.

A great deal of work has gone into creating the interim report, and we now need to go further with it and consider what is beneficial to the whole of industry. I commend Jeff Arney and his committee on the amount of work they have put in. They have spent a lot of time doing this over about three years. Certainly, what they have come up with is a good start on which to work. On behalf of the Minister for Transport and myself I offer the grain industry the opportunity to include Government in the next stage of the consultative process. I am sure the member for Goyder looks forward to the debate that will follow, and I anticipate his input into the Government's position.

### KAISER PERMANENTE

**Ms STEVENS (Elizabeth):** Given the agenda for discussions already held with Kaiser Permanente, can the Premier explain how discussions being held in the United States between the Minister for Health and Kaiser will not relate to any South Australian hospital? Yesterday, the Premier said that the Minister for Health gave him a specific commitment not to talk to Kaiser about 'any matter related to the Queen Elizabeth Hospital or any other domestic hospital while in the United States of America'. The Premier

said that the Minister would only discuss Kaiser basing an operation in Adelaide to expand into the Asian area.

On 12 February the Minister said that the Government wanted a strategic partnership like that created with EDS to create links into Asia. The Deputy Premier stated earlier that Kaiser Permanente had not expressed interest in the redevelopment of the Queen Elizabeth Hospital. However, the Minister also said that Kaiser had developed a process called Kaiser Direct, using information technology to manage health care. He said that this was related to Health Plus, to be trialled at Flinders, Noarlunga and Daws Road Hospitals.

**The Hon. S.J. BAKER:** I do not know whether the honourable member is deaf, dumb or stupid.

*Members interjecting:*

**The SPEAKER:** Order! I suggest to the Deputy Premier that some of the comments he has made are unwise and unnecessary.

*Members interjecting:*

**The SPEAKER:** Order! The member for Mawson will understand clearly.

*Members interjecting:*

**The SPEAKER:** Whoever it was. I would say to the member for Mawson that, if I am not right on this occasion, it is the first time. If it was the member for Peake, I call him formally to order, too. I suggest to the Deputy Premier that the term 'stupid' is unnecessary and ask him to withdraw it.

**Mr CLARKE:** Sir—

**The SPEAKER:** Order!

**Mr CLARKE:** I am entitled, Sir.

**The SPEAKER:** I know you are entitled. The Chair is endeavouring to resolve the matter in a sensible manner. The Deputy Premier.

**The Hon. S.J. BAKER:** I withdraw, if there is any difficulty.

**Mrs GERAGHTY:** I rise on a point of order, Mr Speaker. I ask that the Deputy Premier also withdraw the terms 'deaf' and 'dumb', because I have just had a class of hearing impaired students here.

**The SPEAKER:** Order! The Chair has intervened in relation to this matter. I suggest to the member for Torrens that, before she gets to her feet, she think through the consequences of what she will say. I am also aware of who has been present in the Chamber today and I suggest that she think things through before she suddenly jumps to her feet. That applies to any honourable member who takes it upon themselves to get to their feet on all sorts of points of order that do nothing for this Parliament. The Deputy Premier.

**The Hon. S.J. BAKER:** I did use a very common phrase to question the honourable member, and I have withdrawn that comment, but I would like to return—

*The Hon. M.D. Rann interjecting:*

**The SPEAKER:** Order!

**The Hon. S.J. BAKER:** The issue is what the member for Elizabeth is on about. When I use that phrase, I mean that we have already answered a question in relation to this matter: the last set of questions was related to the QEH. I have already responded by saying that, as far as I have been advised, Kaiser Permanente is not involved in that expression of interest. The Premier and I have also advised this Parliament that the Minister's trip was to look at the Asian relationship and particularly in the information technology area, which includes the suite of programs that is running in the health system and, indeed, telemedicine. That was the key area to be discussed with Kaiser Permanente.

There was also some sensitivity about whether the QEH would somehow complicate the Minister's trip. Prior to the Minister's departure, the Premier simply said, 'Be aware, there could be a complication here if you discuss anything to do with QEH.' He simply said, 'You have to stick to the script [which talks about the export potential to the State]; do not get involved in anything on hospitals.' It was straight forward; it was put before the member; and, whilst my expression was inappropriate, people can understand that the member for Elizabeth does not listen, never listens and cannot listen and that, therefore, in automatic mode, she asked, 'What's my next question?' I hope that the member for Elizabeth understands.

## WORKCOVER

**Mr EVANS (Davenport):** Will the Minister for Industrial Affairs inform the House of the latest WorkCover job levy statistics and indicate in which industries the scheme has created jobs?

**The Hon. G.A. INGERSON:** I point out that 7 702 jobs have now been created by the WorkCover levy subsidy scheme. Under the scheme, businesses are able to employ young unemployed people. The scheme, which has been administered by the Economic Development Authority, is a very positive one and is very important to South Australia. Some 25 per cent of the jobs have come from the manufacturing industry and 23 per cent from the wholesale retail industry; 74 per cent of the jobs have been in the city and 26 per cent in country regions. The purpose of the scheme is to encourage employers, when seeking to extend their work force, to consider the unemployed and to help young people, in particular, obtain these very important jobs. As far as the Government is concerned, it has been a very effective scheme.

## DOGS

**Mr QUIRKE (Playford):** My question is directed to the Minister for the Environment and Natural Resources. What rights do dog owners in South Australia have to keep and maintain a dog for their own protection and that of their property? Members will no doubt recall the unfortunate incident at Glenelg some time ago when a young person trespassed on premises that apparently warned of the presence of guard dogs. The Glenelg council took a series of steps, including the impounding of the animals, and sought conditions prior to the return of those animals to the owners. The council claimed that the new Act considered in this place last year allowed this and other procedures.

**The Hon. D.C. WOTTON:** As far as I know that is not the case. Ongoing discussions have taken place with the council regarding the provisions of the Act. I know that we sought specific advice because, as the member for Playford would know, it has been a very sensitive issue. It does not just apply to the Glenelg situation: there have been other instances of attack, and the matter has been treated very seriously in the community. I know that we sought legal information relating to the provisions of the legislation as it related to that case. I do not believe that we have received a response to that as yet, but I would be happy to follow that up, speak to the member for Playford about it and provide the information to Parliament.

### WATERWAYS POLLUTION

**Mrs HALL (Coles):** My question is also directed to the Minister for the Environment and Natural Resources. What progress is being made in cleaning up the Torrens River and Patawalonga catchments, and what estimates exist on the amount of rubbish removed from these waterways so far? Numerous organisations have been involved in cleaning up these rivers with concerted working bees to remove rubbish. Constituents are asking me how much rubbish has been collected and what steps have been taken to ensure that the clean-up is sustained for the long term.

**The Hon. D.C. WOTTON:** I am very pleased to answer this question and I appreciate the interest shown by the member for Coles in this whole program regarding the clean-up of our waterways. The interest shown by a number of members in this place and in another place has been very encouraging indeed. Recently, I was interested to receive a copy of a survey that had been carried out by the member for Peake indicating very clearly the support for the catchment program. The member for Peake has just passed to me a piece of paper which comes from that survey: in reply to the question, 'Do you support the catchment levy to reduce pollution in the Patawalonga and the Torrens River?' 71 per cent of the people questioned said 'Yes'; only 12 per cent said 'No'; and 17 per cent indicated that they did not know. Right across the board there has been strong support from the community. I am very pleased about it, because the revival of our rivers has been very much a community effort.

*Members interjecting:*

**The SPEAKER:** Order! Certain members will have plenty of time to swim in the Patawalonga next week if they keep this up.

**The Hon. D.C. WOTTON:** To answer the question of the member for Coles specifically, it is estimated so far that around 100 tonnes of visual rubbish has been collected from throughout the catchment as part of the clean-up of the river, and that represents an enormous amount of rubbish. The current clean-up has two major components: one is the chemical and toxic contamination of stormwater; and, secondly, the issue of visual litter. Contamination is being addressed by codes of practice developed by the EPA in South Australia as a precursor to regulation and policy. Engineering solutions such as the creation of wetlands, trash racks, silt traps, etc., are also being addressed. I am sure that a number of members have been able to participate in and learn about some of the initiatives being taken in this area.

The matter of visual litter is being dealt with under a new litter strategy currently out for public discussion until 8 May. That strategy—and I remind the House that I would appreciate any feedback on it from members—proposes, for example, \$200 on-the-spot fines ranging to \$4 000 for serious offences in relation to illegal dumping. The strategy also proposes demerit points for drivers who throw litter from cars. Again, that is something which has been very warmly welcomed by the community. This litter strategy takes an overall look at the problem of rubbish and litter to make sure that all bases are covered. An element of the strategy is the proposal that business and industry become more active in the debate. Also, the addition of rubbish and litter traps around new building sites and housing subdivisions has been proposed. Overall, it is an excellent strategy and one that I am very pleased with.

Additionally, a program is proposed for self-management of litter by industry with a system of agreed litter targets to

be put in place. These proposals will assist considerably with a range of other initiatives being undertaken by the catchment boards to ensure an improved overall environment in South Australia as well as a clean-up of our waterways that can be sustained in the longer term. Finally, this program is one in which a lot of interest has been shown from other States. Not only am I pleased with the support from the local community but I am particularly pleased with the advice we have provided to other States that are keen to follow the example being set by South Australia.

### SUPERANNUATION

**Ms WHITE (Taylor):** Does the Treasurer agree that State superannuation legislation should be amended to include a hardship clause allowing certain casual employees in hardship to access their employee superannuation contributions upon employment termination? Under the Superannuation Benefits Scheme Act, casual employees must wait for a period of 12 months upon termination before they can access their funds, regardless of special circumstances. This is not the case for permanent State employees, full-time employees, nor even for casual employees in most private superannuation funds.

I have become aware of constituents who have been casually employed and find themselves, upon termination of that employment, in desperate financial circumstances, yet they are unable to access even small amounts of their money because State legislation contains no hardship clause to allow the 12-month waiting period to be waived.

**The Hon. S.J. BAKER:** The member for Taylor has brought a matter to my attention dealing with this issue, and I am currently examining it. I have a great deal of sympathy for what the honourable member has explained in relation to this question. There are a number of complications, and I will briefly explain them. First, we have in our legislation no provision for these early payouts. We can understand why in terms of the superannuation guarantee scheme, because that is the employer contributing to the employee's account, and there is a requirement that that account be preserved until retirement. As the Federal Government's requirement on that scheme prevails, we do not have an option of an early payout.

In terms of contributory schemes, again some of those rules do disadvantage people, as the honourable member has suggested. I am examining a particular matter at the moment. Whether we can actually have enough room to manoeuvre on an issue like this is very much subject to the federal superannuation rules, and they are the rules set down in legislation, and the rules as applied by the ISC in terms of conforming funds. We do know, and a number of members have written to me, about the anomalies that do occur. Whilst we as a State Government conform to the Federal Government's strictures on this issue, a number of schemes that are not Government schemes allow the hardship clause to apply. So, there are a number of anomalies in there.

As I said, I do have sympathy for what the member for Taylor is saying, namely: if a person is contributing a significant amount towards their future and is no longer employed, why should that person not have access to that account? We are looking at that matter at the moment.

### MEMBER'S REMARKS

**The SPEAKER:** On Tuesday the honourable member for Spence took exception to the honourable member for Lee's

referring to the Opposition as a 'mob of hypocrites'. The honourable member for Spence asked me to rule that the words used were unparliamentary. While I do not condone the use of those words or any others that tend to be personal, because they undoubtedly reflect upon the standard of debate in the Chamber and will be seen as such by the public who judge, I do not agree that they are unparliamentary. However, I ask all members to remember their individual responsibilities under the Standing Orders of this House and to ensure that issues are not personalised and focus on the debate.

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### GRIEVANCE DEBATE

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

**Ms STEVENS (Elizabeth):** I never cease to be amazed at the propensity of members opposite, in particular the Deputy Premier, to descend into insults as soon as they detect the slightest amount of pressure when giving an answer. The Deputy Premier blusters and throws insults with gay abandon across the Chamber—

*Members interjecting:*

**The SPEAKER:** Order! The member for Elizabeth has the call.

**Ms STEVENS:** To make matters worse, he tries to cover himself by saying that what he just said was only a common phrase. Only a common phrase—to whom? Not to too many people, I would hope, in this Chamber, and not to too many decent people in our community. It reminds me of a similar time when the Minister for Health also used the phrase 'nigger in the woodpile', and followed it up by also claiming that this was only a common phrase. Let me say, as I said before, that that sort of language is unbecoming of any individual, particularly Ministers of the Crown. Further on in that answer, he asked me—

*Members interjecting:*

**The ACTING SPEAKER (Mr Becker):** Order!

*Mr Cummins interjecting:*

**The ACTING SPEAKER:** Order! I call the member for Norwood to order.

*Members interjecting:*

**Ms STEVENS:** Mr Speaker, I am finding it very difficult to be heard with the noise in the Chamber.

**The SPEAKER:** Order!

*Members interjecting:*

**The ACTING SPEAKER:** Order! The member for Elizabeth has the floor. The House shall continue in silence.

**Ms STEVENS:** The Deputy Premier also asked me what I was getting at in asking such a question today in Question Time. What I am getting at is trying to get some straight answers about what is going on in relation to the Minister for Health in this State and the privatisation of our health system and, in particular, involvement with the American health care system.

*Mr Cummins interjecting:*

**The ACTING SPEAKER:** Order! The member for Norwood will come to order.

**Ms STEVENS:** We know that in January this year secret discussions were held with the top echelons of the Health Commission and Kaiser Permanente. Those discussions

concerned the forming of a strategic partnership which the Minister himself described as being perfectly analogous to that already entered into with EDS and SA Water. We know what that meant. We know that it meant the total outsourcing of those systems. In that interview, the Minister himself said this was perfectly analogous.

Earlier today, the Deputy Premier has confirmed that Kaiser Permanente has not expressed interest in the Queen Elizabeth Hospital. However, he failed to clarify my other question which was about the involvement or talks in relation to any other hospital. That was based upon the Healthplus initiative which I explained involved all the hospitals in the southern region. My job, as shadow Minister for Health, is to keep this Government honest. We have had a lot to be concerned about, particularly in relation to the health system. We know that this Government does not believe in delivering health services itself: it has made that quite clear on a number of occasions. We also know that this Government and this Minister for Health have gone ahead in a completely gung ho fashion and begun the privatisation process. We know that Modbury Hospital, one year and a bit down the track, is patently not working, despite—

**Mr Bass:** You wouldn't know.

**Ms STEVENS:**—I do know—the protestations of members on the other side of this House.

**The ACTING SPEAKER:** The member for Bass will have his chance in a minute.

**Ms STEVENS:** Is there any reason why I would not be asking the questions I am asking when our Minister is off somewhere engaging not with a small firm like Healthscope but with a multimillion dollar company, Kaiser Permanente, from the United States? Because we are so gung ho in South Australia, we have multinationals from all over the place racing in here eager to get a slice of the action. We need to be really careful that what we are getting in return is not simply a raw deal for South Australia.

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

**Mr BROKENSHIRE (Mawson):** Once again today we have seen the junior fabricator of the Labor Party who tends to follow right in the footsteps of the Leader of the Opposition, and most of the time that is down in the gutter doing her very best to stir things up in the media and not paying attention to real and proper issues that she should be pursuing if she wanted any credibility as a member of the Opposition and shadow spokesperson rather than as a shadow carper. I will highlight a little more about that.

Two days ago I sat in this Chamber and was disappointed—but not surprised—to see the member for Elizabeth carrying on again attacking the Minister for Family and Community Services. She was not only attacking that Minister, a dedicated Minister, but also criticising and saying that there was no planning, and that the people out in the field did not have an understanding of what was happening in the Department for Family and Community Services, which was an absolute indictment of the staff of FACS. She went on to say that actions speak louder than words, implying that the Minister for Family and Community Services really did not put his words into actions.

I take great exception to that, because I happen to work closely with the Minister and I know how committed the Minister is in that very difficult area. But let us put a few facts on the table. Let us look at not just economic matters with respect to FACS—and the honourable member would

have done that all the time as a principal and loved it, so I will give her a bit of her own medicine. The fact is that Labor, after 10 years of mismanagement, now measures things only in dollar terms. Very little attention has been paid to measuring the social consequences of Labor's irresponsibility. Record levels of unemployment, high levels of family breakdown and stresses, record levels of bankruptcies, small business closures and lost opportunities have had a heavy impact on the social structure of this State.

For that, Labor should hang its head in shame, as should the member for Elizabeth. In my opinion, Labor has lost any qualification to speak on the issue of family with any credibility. Our Government is approaching the question of the well-being of all South Australians on many fronts. Across the whole of Government, efforts are providing a total and balanced package of social services and economic initiatives that will stimulate growth and create jobs, giving people back their hope, their livelihood and their opportunities. Let us for a minute look at some of the initiatives that have occurred under Minister Wotton. The Government's focus is to strengthen families and to turn around the period when family structures were undermined. The social fabric of South Australia and of Australia was destroyed by 13 years of Labor, but what are the initiatives that we have put forward in just two years?

We have established an office for families and children to give an across Government focus in decision making; we have appointed family ambassadors to further community debate on issues relating to families; and we have seen the reintroduction of family impact statements to help with the decision making process of Cabinet, which, interestingly enough, is something that Labor dropped when it was in office. Our Government has signalled moves to look at further programs that assist with the task of parenting, and it has indicated the need to get messages to the workplace, realising that happy families and happy workplaces make for a greater contribution to the economic and social fabric of this State.

The Brown Government is committed to ensuring that a sound balance is maintained between economic reform and community service obligations. The sum of \$77.6 million has been spent on FACS programs and administration, and \$89.2 million in support and sponsorship to external or contracted providers for the delivery of family and community welfare services. FACS spending in South Australia represents \$157 a year per man, woman and child, and grants to the non-government sector in total have increased under the Brown Government. The member for Elizabeth is now leaving the Chamber, because she knows that these are the real facts about our commitment to family and community services, and when the heat is on and the truth is there—

**The Hon. FRANK BLEVINS:** Mr Acting Speaker, I draw your attention to the state of the House.

*A quorum having been formed:*

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

**The Hon. FRANK BLEVINS (Giles):** Yesterday the Premier answered a question I asked on daylight saving, and I could see by the look on the faces of members opposite that they were pleased that the topic had been raised again, because we are just about to finish three extra weeks of daylight saving that, as far as I can make out, is for the benefit of the very few, the elite in Adelaide who go to the

Festival of Arts. I never quite worked out why these elite few need daylight saving, to see, for example, Annie Sprinkle.

*Members interjecting:*

**The Hon. FRANK BLEVINS:** I have no idea. Members opposite say that she looked better in daylight; I do not know. All I know is that my constituents have suffered three weeks of unnecessary daylight saving for the sake of a handful of people, encouraged not just by this Government but by all members opposite. Let us make it perfectly clear: on two occasions prior to this extended period of daylight saving I introduced a measure to this Chamber to ensure that daylight saving could not be extended without the issue coming back to Parliament. Every member opposite voted against me. Not one member opposite supported me.

When the regulations were before this Chamber to bring in this three week extension I opposed it and, again, every member opposite, whether from the eastern suburbs or from the West Coast (including the member for Custance), opposed me. They all supported the extra three weeks. But I know from their faces yesterday when I raised the topic again that they will be absolutely delighted to know that they have another opportunity to support their constituents and vote against this unnecessary extension of daylight saving. I concede that the referendum supported a period of daylight saving that was supposed to finish on the first Sunday in March every year, and I am not going against the results of that referendum. What I am saying is that there ought not to be any extension at all. If the Government wants to extend daylight saving for the Festival of Arts, let it come into this Parliament with a substantive Bill to allow that to occur.

Let me tell members the strength of feeling there is on this issue in country areas. When I had the issue before the House previously, a letter in the *Eyre Peninsula Tribune*, which circulates in my electorate, was drawn to my attention (and the member referred to in the letter is the member for Flinders, in whose electorate the *Eyre Peninsula Tribune* also circulates). Dated 22 September 1994, the letter reads in part:

How does the member evaluate the costs, one wonders. How does anyone evaluate human suffering and hardship? How do you measure fatigue-induced ill health, tension, family discord due to chronic early morning rush stress, disruption of family routine and collapsed kids in the early afternoon? To impatiently dismiss the subject as trivia is an admission of the very real hardship the whole exercise incurs in rural Australia.

The letter also states:

We have been screaming for 20 years that rural SA doesn't need or want any daylight saving at all. God forbid that it be extended.

That letter was written by someone whom I do not know—Audrey G. Pobke of Port Lincoln—and I commend her for the strength of her views. All I say to Ms Pobke is that she has the right to take up the question of the extension of daylight saving with her local member and others because it will come before the Parliament again.

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

**Mr VENNING (Custance):** At 12 noon today the Deep Sea Port Interim Report was released at the annual grains conference in Adelaide, which is still continuing. It is an extremely important report which is vital to the economic future of South Australia, because it gives our largest industry, the grain industry, the ability to export its produce in the most convenient way at the lowest cost. As all members would know, in modern times our production, to a large degree, has been market driven. We are directed by our



markets as to what we produce and, in this instance, how those markets want it delivered. Most of our buyers, particularly our barley consumers, now want to transport the produce in the cheapest way, that is, in larger ships.

The problem is that South Australia is now caught out in having only one port that can handle these big ships, that is, Port Lincoln. Port Giles is the only other port with any capacity to load big ships at all. I remind the House of the four categories of ships that visit South Australia. We have the small ships, which are up to 20 000 tonnes dead weight; the handysize ships, between 20 000 and 29 000 tonnes dead weight; handymax, which are becoming more popular, 30 000 to 39 000 tonnes dead weight; and the big ones, the panamax, are greater than 50 000 tonnes dead weight. We can load panamax ships at only one port in South Australia—Port Lincoln. Currently, we have a system of two port loading; that is, ships are loaded at the shallow ports and then they go to Port Lincoln to be topped up. This creates huge costs for our growers, and, of course, the growers are also now paying blue water costs.

This is strategically very bad. It is a situation that should never have arisen. Our reliable grain growing areas are on the other side of the gulf to these deeper ports. This whole issue is a State disgrace. We knew we had a problem over 10 years ago. The Deep Sea Port Committee was set up then and made recommendations, but nothing was done. The Government of the day—and members guessed it, it was a Labor Government—chose to ignore the report and put it in the too hard basket. We heard all sorts of excuses and all sorts of mickey mouse solutions, but nothing was done. Since then millions of dollars have been spent by South Australian Cooperative Bulk Handling on upgrading existing infrastructure, but the recommendations of this report could make that work totally obsolete.

South Australian Cooperative Bulk Handling spent over \$80 million on an upgrade at Wallaroo, but that may not have been necessary if a sensible decision had been made 10 years ago. As I said then—and I repeat it now—we should have moved the Wallaroo complex six miles out of Wallaroo to Tickera, or Myponie Point, as it is often called—and this is referred to at page 24 of the report—where there is deep water and away from the inherent problems created by being in the middle of Wallaroo. All the problems would have been solved. There would have been access for trucks, a reduction in noise and dust pollution in Wallaroo and, most important of all, deep water. While the port's infrastructure at that time was dated and in need of upgrade, the wharf loading facilities remain in that condition. This deep sea port report, I remind members, is just that: a report provided by the industry, and the Parliament can do with it as it wishes but, in this instant, it must act.

The Government must assist with the huge infrastructure costs. The former Government's prevarication has cost the industry millions of dollars. I do not entirely agree with the primary recommendation of a major redevelopment at only Port Adelaide and Port Giles; that is, major dredging and upgrading of Port Adelaide and minor dredging at Port Giles. I do not agree because it does not take adequate notice of where the grain is produced or the lack of State infrastructure to move the grain to these ports. All the grain from northern Yorke Peninsula, the whole of the Mid North and the Upper North would have to be moved by road or rail across State infrastructure which is either not there or below standard.

My position has always been that we should upgrade Port Adelaide and that there should be minor upgrade work at Port

Giles; but certainly Wallaroo needs to be supported. I will support the member for Goyder in that proposition. I will support the industry if it wishes to have a good look at the recommendations and the input from this Government. Port Pirie needs to be considered in respect of whether there is a future for that port. It certainly deserves to be considered because it has been a major port for South Australia over many years—the figures say that, and I support it the whole way.

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

**Mr QUIRKE (Playford):** This afternoon I directed a question to the Minister for the Environment and Natural Resources in his capacity as the Minister responsible for animal welfare relating to the question of the right of persons—and in my electorate it involves a large number of elderly persons, but not explicitly elderly persons—to own and maintain a dog either for their own defence or to defend their property. A number of members in this House would say that the issue is one that is cut and dry, that a dog on its own property has a right to defend itself, its owner and the owner's property. That appears no longer to be the case. The Minister equivocated in his response and said that he would obtain a reply. At the end of the day, it appears that it is not the cut and dry matter that it should be.

*Mr Atkinson interjecting:*

**Mr QUIRKE:** The member for Spence, a person who really needs to be savaged, is interrupting my speech, and that is very unfortunate. He has nothing better to do with his time than pedal around on his tricycle and doorknock a number of places. Obviously, he has a jaundiced view about dogs. My view is that a person has a right to have a dog and to have that dog defend their property. If the member for Spence, or the member for Ross Smith, pass through the front gate or go on to a dog's property and the dog shows good judgment, that is their problem, and that is the way it should be. If there is a sign saying 'Enter at your own risk; a dog is present', I believe that is the only obligation that is required. I believe, quite strongly, that most of my constituents would agree with this.

The fact that the member for Spence cannot go through a front gate to a house in either my electorate, or anywhere else, is his problem. The issue of dog ownership needs to be raised in this House.

*Mr Clarke interjecting:*

**Mr QUIRKE:** I have never seen the member for Ross Smith doorknock, anyway—that is the way it goes. I believe that, if the member for Spence, the member for Ross Smith, or any other member of the House, trespasses on someone's property through a gate, that is tough for them. I am prepared to compromise—

*Mr Atkinson interjecting:*

**The ACTING SPEAKER:** Order!

**Mr QUIRKE:** Thank you for your protection, Sir. The issue is fairly simple. As I understand it, the postman has the right to go to the front door of premises. I would be prepared to give my two learned colleagues the same right as the postie. However, if they decided to go beyond the letter box and into the house, the backyard or any other areas that are clearly sign posted, I believe that most of my constituents who are dog owners—and a large number are, not only for companionship but for protection—would say that their dog should be indemnified from the actions that follow.

I have noticed in recent times a number of findings by courts that I think South Australians should take a very close look at. Quite clearly Fido can cost his or her owner a lot of money, even on your own premises. It appears that, if someone breaks into your house, backyard or wherever and your dog takes what you believe is the appropriate action—in fact, that is why the dog was purchased, fed and kept—it may well cost you a great deal of money, even your house.

This is a matter that needs to be cleared up by the Government. I am sorry to say that I did not pay much attention to the dog legislation which went through here a couple of years ago, but the next time it comes before this place I will, because I believe that the ownership of dogs, and the ownership of dogs by my constituents in particular, is a very important matter which concerns self-defence. Indeed, large numbers of my them have procured dogs for that purpose.

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

**Mr BASS (Florey):** I would like to say a few words about the outsourcing of the management of our water. I believe that the arguments that have been put have not addressed the added benefit that we will be getting because of the involvement of the companies that are now managing the infrastructure of our water. In January I had the pleasure of going to England, and while I was there I went to two companies—

**Mr Clarke:** It was as cold as Hades, was it?

**Mr BASS:** No, the whole fortnight was lovely: it did not even snow. I went to Thames Water and had a look at its establishment, at exactly what it does and whether it is as good as I heard it was—and I can say that it is. It has a terrific system in place in London. There are quite a lot of things that people do not understand about what it does. Everybody says that it does not have its customers at heart. That is absolute rubbish.

I went to its Customer Service Centre at Reading, which is some 70 miles out of greater London. Its Customer Service Centre is a one stop shop which is open 24 hours a day, 365 days a year. It has over 2.3 million telephone contacts a year and receives more than 1.1 million letters. The average telephone response time is 12 seconds; 87 per cent of the billing inquiries are closed within two days; and 86 per cent of written complaints are answered within 10 days, and 40 per cent of those within two days. When Thames Water became involved it had to comply with certain matters. With regard to drinking water quality compliance, in 1990 its record was 95 per cent but in 1995 its record was 99 per cent. The breakdown for some of those years is as follows: in 1990, 95.41 per cent; in 1991, 95.3 per cent; in 1994, 98.36 per cent; and in 1995, 98.9 per cent.

Also, with regard to waste water quality compliance, in 1990 it was 84 per cent and in 1995 it was 97 per cent. Raw water availability compliance in 1990 was 24 per cent and by 1995 it was 100 per cent. Supply interruption compliance in 1990 was 94 per cent and by 1995 it was 100 per cent. Water use restrictions compliance in 1990 was only 22 per cent but in 1995 it was 100 per cent. With regard to water mains pressure, since Thames Water has been involved and up to the end of 1995 it had removed 31 000 premises identified as 'at risk' properties having low mains pressure. There were also areas of 'at risk' sewer flooding, and by 1995 it had removed another 4 300 properties from that list.

Many people do not understand that the water supply in London is controlled by an 80 mile ring which is 40 metres

under the ground and 2.6 metres in diameter. You can drive a car through it. The water in that ring, which is virtually a reservoir, is gravity fed. So, there is no pressure in the ring. To supply water Thames Water just pumps it to the top.

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

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### ADVERTISER REVIEWS

**The Hon. J.W. OLSEN (Minister for Industry, Manufacturing, Small Business and Regional Development):** I table a ministerial statement made by the Minister for Transport in another place today.

### MEMBER'S REMARKS

**Mr VENNING (Custance):** I seek leave to make a personal explanation.

Leave granted.

**Mr VENNING:** A few minutes ago the member for Giles said that I had voted in favour of daylight saving. The fact is that I did not, because I was not here. If I had been here, I would not have supported it. The member for Giles voted for South Australia to go to Eastern Standard Time, in fact to go forward half an hour. He is the hypocrite, Sir, not I.

### GREAT AUSTRALIAN BIGHT MARINE SANCTUARY BILL

Received from the Legislative Council and read a first time.

### EDUCATION (BASIC SKILLS TESTING) AMENDMENT BILL

Received from the Legislative Council and read a first time.

### PASTORAL LAND MANAGEMENT AND CONSERVATION (BOARD MEMBERSHIP) AMENDMENT BILL

Returned from the Legislative Council without amendment.

### BIRTHS, DEATHS AND MARRIAGES REGISTRATION BILL

The Legislative Council intimated that it had agreed to the House of Assembly's amendments.

### EXPIATION OF OFFENCES BILL

Adjourned debate on second reading.  
(Continued from 19 March. Page 1115.)

**Mr ATKINSON (Spence):** Without expiation notices, South Australia would be a much freer society. Vast numbers of laws could not be enforced because the courts system would not have the staff or the time to try alleged offences according to law. In Victoria the number of infringement notices exceeds matters heard in the Magistrates Court by seven to one. It seems to me that the expiation of offences,

which started in South Australia at municipal level before 1938, is institutionalised bribery. The Government issues a person with an infringement notice and warns that, unless he owns up to the offence and pays the discounted fine, the full majesty and cost of the courts system will be brought down on him.

If we did not have this system of bribery, most traffic, fare evasion, fisheries and municipal offences would be unenforceable because of the cost. Infringement notices that may be expiated by the payment of a discount fine are administrative rather than judicial in nature. Advocates of the system reply to the accusation of expiation tyranny made by, among others, the Speaker that anyone receiving an infringement notice has the choice of refusing to expiate, denying the offence and instead having the matter heard according to law by a court.

The Bill before us takes a small step away from that choice. In the past, if a person ignored an infringement notice, he received a summons to court. He will now be deemed to be guilty and enforcement will proceed in his absence. To choose to go to court, the alleged offender must do something to elect to go to court. In an Australian Institute of Criminology paper 'Infringement Notices: Time For Reform', Mr Richard Fox writes:

If the offer of expiation was ignored the matter would normally have to be brought to court on summons. This was obviated at the next stage of development. The demand for expiation was allowed to be treated as though it was already an unpaid fine imposed by a magistrate . . . Under the arrangements, once certain reminder or courtesy letters have been sent, the sheriff or the police can be called upon to enforce payment of the unpaid on-the-spot fine.

That is the system to which we are now moving under the Bill. It may yet go a step further. If a driver was pulled over by police for a sufficiently serious offence, the police could suspend the driver's licence immediately and issue an infringement notice. That kind of legislation would deem the person to have been convicted, although one part of the offence had been expiated and there had been no judicial hearing of the offence. I believe that the Liberal Party is now considering this proposal.

Among the possible defects in the expiation system, as I am sure the Speaker knows and as Mr Fox points out, is that the authority's case against the alleged offender may be weak; the alleged offender expiates it because he or she does not want to appear at a full hearing in open court. Another possible defect is that convenience, discounts, the threat of costs and the unavailability of legal aid will cause the innocent to plead guilty by expiating. Mr Fox writes:

Though these offences amount to a widening of the area of criminality, high levels of moral or social stigma do not accompany most of them. They are often less concerned with harm as an actual and immediate result of wrongdoing, than with conduct that carries with it the potential for harm or inconvenience to others.

This is so with speeding offences. Mr Fox's article tells us that in Victoria in 1993 there were more than 25 million speed camera checks resulting in 524 000 speeding infringement notices. More than 16 per cent of the 2.3 million infringement notices that were issued in Victoria during the time he studied this topic were not paid on time and had to go through the enforcement process.

The same problem in South Australia has necessitated introduction of the Bill. In South Australia during the financial year to June 1993, 144 601 fines were paid bringing in revenue of \$32 million, but another 45 000 cases worth \$8 million were written off to imprisonment or expiated by community service of varying quality and benefit.

The Government thinks that the system is being abused by too many offenders disappearing when warrants are issued against them for non-payment, or by offenders serving a short term of imprisonment in the Fine Default Centre at Northfield Prison, or by working or not working—as the case may be—in accordance with a community service order. The number of offenders prepared to do community service orders has, for the moment, outstripped the ability of the Government to find suitable work at a reasonable cost of supervision.

I take the Attorney-General's point that the advantage for the State, in requiring payment by instalments of money rather than community service orders, is that breach of the instalment order will be detected and punished much more quickly than breach of community service orders. This is so especially when the instalments are effectively a garnishee on Social Security benefits.

The Bill gives offenders an incentive to pay up. During the early drafting stages of the Bill there was a proposal regarding a discount of 10 per cent for prompt payment, but the Attorney-General dismissed the idea as being more trouble than it was worth, and he is probably right to have done so. Under the Bill the alleged offender has 21 days to pay from the issue of the notice if the fine is \$50 or less; if the fine is more than \$50, the alleged offender has 60 days in which to pay. The maximum expiation fee will now be \$315. The offender may pay by credit card, although not all Government agencies will have credit card facilities for this.

If by the expiry of the period for payment the fee has not been paid, a reminder notice shall be sent. Payment after a reminder notice attracts a late fee of \$20. I commend the Government on the reminder notice and the late fee. These should overcome the problem familiar to all Lower House members of constituents forgetting to expiate then offering the expiation fee one or two days late and their offer being refused in favour of a court hearing of the matter.

Under the Bill, if there is no response to the reminder notice, the matter will go before a court registrar for an enforcement order. The procedure for an enforcement order is not a hearing. It is not like the trial of an alleged offender that would be held now if an expiation fee is not paid. The making of an enforcement order will have the same effect as conviction by a magistrate. The enforcement order will then be served on or posted to the offender—more likely posted, I should think.

The Opposition believes that an alleged offender ought to have a right of appeal from such an enforcement order, and we prevailed in another place. I am disappointed to note that the Government in this House will be now be trying to strike this provision from the Bill during Committee.

An offender may apply to a Magistrates Court registrar to pay by instalments or by community service order on the grounds of hardship. As things stand now, instalments or community service orders can be granted only if the case goes to court for trial. Under the Bill, the hardship can be to the offender or to his or her dependants. The court registrar, if he is minded to grant a concession for hardship, is encouraged by the Bill to grant instalments on the fine rather than a community service order. Fines can be worked off at the rate of \$150 for each eight hours. If an offender fails to pay the instalments or to work in accordance with the community service order, the hardship concession will be cancelled and the fine enforced by warrant in the usual way.

An application for review of an enforcement order will be heard not by a magistrate but by a court registrar other than the one who made the order. If the Government had its way,

the second registrar's decision could not be appealed, but the Labor Party has had its way in another place and the Bill presently before us contains an appeal provision.

Under the Bill, the police, the Government department or the local council that imposed the expiation notice may withdraw it, even if it has been paid, and proceed to prosecution before a court. This will occur if a senior officer of the authority thinks that an expiation notice is too lenient given the alleged offender's record or the nature of the behaviour in question. The Opposition was reluctant to allow the procedure of withdrawing the expiation notice after it had been paid and substituting prosecution, but the Attorney-General has now convinced us that it should be allowed in some circumstances. I think the Attorney-General's reasons are good. If a police officer pulls over a motorist for an offence and issues a traffic infringement notice, that policeman is not in a position to know there and then the motorist's past record. It might be an appalling record that requires sterner action than the issue of an infringement notice, and the Opposition now accepts that.

Features of the current law that are continued are that expiation notices may not be imposed on children, that is, persons under 16 years of age, and that the notices cannot be used for offences involving violence and dishonesty. Mr Acting Speaker, you will recall that, during debate on the Road Traffic (Small Wheeled Vehicles) Amendment Bill, the Minister for Transport and the Liberal Government as a whole made much of the inability of police to fine skateboarders, rollerbladers and rollerskaters under the age of 16 who were using footpaths and roads. The Liberal Party told us it was necessary to legalise skates on all our footpaths and most of our roads in order to introduce a scheme of effective regulation which was to involve skaters being compelled to wear helmets, skate between dawn and dusk and to shout 'Passing' as they sped past pedestrians on the footpath.

I note that some of those admirable Liberal dissenters from this nonsense are in the Chamber today, and I think they will be very interested in what I am about to say. If skaters under the age of 16 cannot be issued with infringement notices under the Expiation of Offences Bill, how have we progressed by legalising skating on footpaths and roads? How will the requirements to wear helmets, skate between dawn and dusk and shout 'Passing' be enforced against skaters under 16, as was promised by the Government? Although I am a keen cyclist and traverse the suburbs of Hindmarsh, Croydon, Woodville and Findon each week, I have not heard a single cry of 'Passing' since small wheeled vehicles were legalised on our streets and footpaths.

**Mr Cummins:** That's because you go so fast.

**Mr ATKINSON:** If the member for Norwood had witnessed me on my mountain bike—not a racer—he would know that I am one of the slowest cyclists in the metropolitan area. I would like an answer to this from the Deputy Premier in his reply—I hope he is listening carefully—or during the Committee stage. Thousands of elderly people who listen to Bob Francis's *Nightline* program on Radio 5AA and Christopher Cordeaux's program on Radio 5DN will want an answer to this, and they will want it tonight.

The Bill completes the tendency of the infringement notice system, which is to fine people without having a trial of their case. If the alleged offender does not respond to the expiation notice he or she will get not a trial but an enforcement procedure in which the merits of the case are not canvassed. The tension between the judicial process to which we are

used and the administrative process we are getting is manifest in clause 13(6)(c), which provides:

On an enforcement order being made the Registrar must cause a copy of the order to be given personally or by post to the alleged offender.

It seems to me that, after the enforcement order has been made, the offender is no longer 'the alleged offender'. He or she may not have had the allegation tested by trial, but for the purposes of the law he or she is an offender *simpliciter*. This is the fulfilment of the very tendency that the Liberal Opposition criticised when the infringement notice scheme was expanded under the Bannon Labor Government. The Bill is yet another example of Opposition poachers turned Government gamekeepers.

I am glad to see you back in the Chair, Mr Speaker; I welcome that. I congratulate the Government on persisting with the project of putting laws about expiation in one Bill. I commend it on sending reminder notices and allowing late payment. I think, however, that standard infringement notices, starting if possible with traffic infringement notices, should have a line in Italian, Greek and Vietnamese warning of the importance of the notice. I wonder how many native speakers of languages other than English toss infringement notices aside until it is too late to expiate them. Authorities who issue infringement notices should have a discretion to withdraw them and issue a warning or caution instead. As Mr Fox writes, 'Guidelines for exercising that prosecutorial discretion should be drawn up and disseminated to those making enforcement decisions.'

This would legitimise the practice of members of Parliament writing to authorities on behalf of constituents who have been issued infringement notices. I am reluctant to do this now, because an infringement notice too closely resembles a prosecution for my liking, and as a member of Parliament I will not try to interfere with the prosecution or judicial process. Indeed, my understanding of changes to the Criminal Law Consolidation Act's Part VII—'Offences of a public nature'—passed by the last Parliament is that they make it a risky business for a member of Parliament to seek the withdrawal of an infringement notice. I refer to sections 238, 251, 252 and 256. Members ought to read these sections carefully. I know that most of my colleagues are not as fussy about this as I am. These scruples and conjecture could be forgotten if the Bill before us explicitly authorised the procedure whereby authorities that issue infringement notices could withdraw them. This would legitimise beyond any doubt members of Parliament writing to authorities seeking withdrawal on behalf of constituents.

Another of Mr Fox's suggestions is that the infringement notice should give the alleged offender a formal opportunity to advise the authority that issued the notice, in writing, of facts that the alleged offender thinks should be taken into account in deciding whether the authority should proceed with the notice. I find that, faced with the choice between expiating the offence by paying the money and appearing in court, constituents find the choice much too difficult to make and I think they would like a third way. I am reluctant to advise constituents which of the two choices to make because, of course, I was not with them when they were alleged to have committed the offence. With those remarks I indicate that the Opposition supports the Bill.

**The Hon. S.J. BAKER (Deputy Premier):** I thank the member for Spence for his fine contribution to the debate and I congratulate him on his very thorough analysis of the Bill.

In a sense, we are breaking new ground in response to a number of frustrations involving the system. Each member of the House can probably relate to those frustrations. I would get one or two complaints a week from people who have said, 'I went to pay the fine' or 'I put it in the post' but it did not arrive on time'; bad luck—they are in the court system. On a number of occasions I have raised this matter with the previous Government (and I have certainly raised it with the Attorney-General), as have many members of this House. The fact that people have 60 days—two months—to arrange their affairs must surely indicate that, with a little responsibility, they can pay within that time frame. The question is not about money: it is about whether they pay their bills on time. No matter what time period we give people they will always wait until the last moment and then find that circumstances get out of control. I know people who throw their bills in a shoe box and think about them some time later. It is only when the final notice comes in—

*Mr Atkinson interjecting:*

**The Hon. S.J. BAKER:** Some members also do that. That is not a very healthy way to operate; it is certainly different from the way I operate, but it happens with a large number of people. In some weeks one or two people come into my electorate office (and some weeks are better than others) saying, 'It's unfair. I did all this; I didn't quite make the cut; now can you get me out of going to court?' I point out that 60 days is a long time. Human behaviour being what it is, the practical way of overcoming that problem is to say, 'Right; we agree. However, there will be a penalty, because it means that extra effort has to be made by the Crown.' It is a forward step.

On the issue of whether people have a capacity to pay, we know, for example, that a large number of our prison population are Aboriginal people, and we know that a number of them simply fail the test because fines have not been paid. There are far too many—and probably we have the highest percentage in the country—people in prison simply for failing to pay fines. If it is a very serious offence that has resulted not in gaoling but in a hefty fine which the person does not pay, that is one matter. But, if it is simply bad conduct of financial affairs or incapacity to think when these bills are due, that is another matter.

So, there are alternatives, and those alternatives have been taken up in the Bill. Most people will see the Bill as being very constructive. The member for Spence shares my concerns about the capacity of the system to enable all the community service orders to operate in a constructive fashion so that people do pay the penalty. I do fear that, whilst it will unburden the system quite significantly—although magistrates do not spend a lot of time on these issues—the extent to which the registrars will be placed under pressure to convert an expiation notice into a community service order, rather than making the effort to pay that fine off, needs further consideration. My preference as Treasurer is that the fine be paid off. Community service orders do require resources to allow them to operate effectively, and we know that there have been some problems with community service orders. Some people may perceive that they can opt for a community service order under the hardship provisions on the understanding that they will not do a lot of work in the process.

*Mr Atkinson interjecting:*

**The Hon. S.J. BAKER:** That is exactly right. We still have a long way to go in terms of the practical implementation. However, I agree: the direction is right; it is an import-

ant change; and I am pleased with the provisions in the Bill. The enforcement of the small-wheeled vehicle legislation, which was raised by the member for Spence, who talked about 5AA—and I know that he is a prolific contributor to the 5AA program—is perhaps not central to the Bill or has nothing to do with it.

**Mr Atkinson:** It certainly has!

**The Hon. S.J. BAKER:** In terms of an offence wherever it may be and in whatever prescribed form across the board—

**Mr Atkinson:** How will you enforce all these things you have introduced?

**The Hon. S.J. BAKER:** This is one piece of legislation. We have hundreds of pieces of legislation which have a capacity to come here. Of course, the regulations—

*Mr Atkinson interjecting:*

**The Hon. S.J. BAKER:** Criminal offences committed by those under 16 are enforced under the youth offenders system, as is any other offence, except for those under the TIN system.

**Mr Atkinson:** So you have to arrest them?

**The Hon. S.J. BAKER:** As the honourable member would clearly understand, it depends on the level of the offence. If the honourable member wishes to follow up on that issue I will deal with it in Committee. In terms of the misunderstanding in relation to a particular amendment, I will explain that when we reach the clause. Whilst the Attorney did accept certain references to the issue of appealability, the fact is that technically the matter has to be satisfied in a different way from the one which was suggested by the Opposition and which succeeded in another place. I have another amendment on that issue.

As I said at the beginning, the Bill has some positive benefits. I applaud the Attorney for the late payment fee provision. The capacity to reduce the number of court appearances simply for things that can be handled administratively is a step in the right direction. Like the member for Spence, I do question parts of the system's capability, but perhaps these changes will focus our attention to make sure that we allow the system to work effectively by ensuring that community service orders are carried out in the fashion that we in this House believe is desirable.

Bill read a second time.

In Committee.

Clauses 1 to 5 passed.

Clause 6—'Expiation notice.'

**Mr ATKINSON:** I refer to clause 6(1)(g) which provides:

6. (1) An expiation notice—  
(g) cannot (except where some other Act provides otherwise) be given to a child.

That should be read in conjunction with the definition of 'child' in clause 4, which provides:

'child', in relation to an offence, means a person who was under the age of 16 years at the time the offence is alleged to have been committed;

We were told when the Road Traffic (Small-wheeled Vehicles) Amendment Bill was proclaimed that it was necessary to legalise skateboarding and rollerblading on all footpaths and most roads because, under the Road Traffic Act and the expiation of offences law as it stood, children under the age of 16 could not be issued with an expiation notice for skateboarding, rollerblading or riding a bicycle on a footpath or, in the case of skateboarding and rollerblading, on a road. The Government said, 'Police cannot enforce it now; therefore, we have to change it.' The Minister of Transport then came forward with what I found to be an outlandish

legalisation of quite dangerous behaviour on our footpaths and roads.

That Bill was proclaimed and became law in February of this year. Many members voted against that Bill. The Labor Opposition certainly did, and some Liberal members of Parliament crossed the floor to vote with us. The Government argued that the Bill was necessary because the current law was not working. Those of us who actually walk on the footpaths, ride bicycles on the road and do not travel in a chauffeured white limousine like the Minister for Transport, knew how the law was enforced. The law was enforced by police officers telling skateboarders and rollerbladers to get off their skateboards or their rollerblades and go home. Fortunately, most children complied with that suggestion if they were skating in a dangerous way and were collared by a police officer. So, sometimes our criminal law works best when it works informally, as I am sure the Chairman of the Committee knows. But, no, the Government would not have that. The Government had to have the blanket legalisation of skating on footpaths and roads, because it held the view that the current law was unenforceable.

So, the Minister of Transport and the Liberal Government legalised skating on footpaths and some roads and introduced a code of conduct whereby skaters could use these footpaths and roads only between dawn and dusk. Skaters had to wear a helmet and comply with a code of conduct which included shouting 'Passing' when overtaking pedestrians. Only the Minister of Transport could believe, living in North Adelaide and being ferried between her home and her city office in her chauffeured white limousine, that such a law would be obeyed. Now we find in the Expiation of Offences Bill that not even this can be enforced against skateboarders and rollerbladers under the age of 16. I assure members that most of the children concerned are under the age of 16. We now learn from this new Bill that all the safeguards and the code of conduct that the Liberal Government proposed in the Road Traffic (Small-wheeled Vehicles) Amendment Bill are unenforceable. What will the Deputy Premier do to make the Bill enforceable? I regret that I have spoken so long that it has enabled the Deputy Premier to be briefed on this matter.

**The Hon. S.J. BAKER:** I thank the member for his explanation of the issue. I do not have a copy of that particular Bill and do not know what is expiable under it. Perhaps the member for Spence, who has taken a great deal of interest in that Bill, could tell me what is expiable under it. The honourable member would recognise that, if there are penalties, they are dealt with by the Youth Court. I am unaware—and I will undertake to have the Attorney provide the information—to what extent expiation notices are issued and treated under that legislation.

Obviously, if it is an offence and it goes before the Youth Court there are cautions and other ways in which they can be dealt with that do not include imposing a fine. That is clear. In relation to the issuing of TINs under those circumstances and how they are dealt with, I will obtain a considered reply from the Attorney-General.

**Mr ATKINSON:** I am not satisfied with that explanation from the Government. All people are expected to know the law, and the Deputy Premier, representing the Attorney-General in this House, is deemed to know the statutes chapter and verse, so he should be able to provide that information to the Committee. It is simply not acceptable to the Opposition that he has been unable to do that. I foreshadow that I will move an amendment to put the matter beyond doubt by inserting words in clause 6(1)(g) so that it would read:

... cannot, except under the Road Traffic Act or when some other Act provides otherwise, be given to a child.

The effect of that is that those under the age of 16 could be issued with expiation notices under the Road Traffic Act, specifically in respect of the small-wheeled vehicles amendment to that Act recently made by the Parliament. It seems to me that the elderly will be much comforted by the knowledge that expiation notices could be issued to all people riding bicycles on footpaths and all people who use in-line skates and skateboards when they are not authorised to do so under the current law. I will move that amendment when it has been prepared.

**The Hon. S.J. BAKER:** In order to save time, I undertake to inform the Attorney that an amendment will be moved in the other place. In the meantime I will take the *Hansard* explanation provided by the member for Spence and make sure that the Attorney is well aware of the amendment that he wishes to move, to enable the legislation, which will have to go back to the other place, to be properly looked at.

**Mr Atkinson:** It can't be amended in the other place.

**The Hon. S.J. BAKER:** I assure the member for Spence that it will be going back to the other place, so that the matter can be looked at during the passage between the Houses. It may well be that some issue in terms of the law will arise, and the Attorney will be able to explain it to the honourable member, or the honourable member may well be right. I think the honourable member's suggestion deserves that scrutiny, and I give an undertaking that that will occur.

**Mr ATKINSON:** It seems to me that my proposed amendment merely fulfils a Government promise made when the small-wheeled vehicles legislation was introduced. It puts the question beyond doubt. Surely that is something the Deputy Premier would want to happen. It is not clear to me why the Deputy Premier is resisting the amendment, because the clause provides that an expiation notice cannot, except where some other Act provides otherwise, be given to a child. So, the clause in the form in which the Government is moving it contemplates an expiation notice being given to a child under another Act of Parliament. All this does is fulfil what the Government told the public of South Australia it was going to do; that is, legalise roller blading and skateboarding on footpaths while bringing in a code of conduct to regulate it. If you cannot enforce the code of conduct, what is the point in having it?

**The Hon. S.J. BAKER:** I have given an undertaking to the honourable member that the matter will be examined. I am sure his counterpart in the other place will also give the matter due attention. I do not know what is expiable under that Act.

**Mr Atkinson:** But you should.

**The Hon. S.J. BAKER:** I do not have a copy of the Act. If no offences are expiable under the Act, what the honourable member is doing is irrelevant. If the honourable member has a particular proposition and says that under section 4 an offence is created, it is expiable, then the honourable member—

**Mr ATKINSON:** No, I am making it expiable.

**The Hon. S.J. BAKER:** The honourable member is wrong. It relates to how these things are dealt with under other Acts. So, if there is a TIN, an expiation notice, there is a way of handling it irrespective of what Act it arises from. As we know, a large numbers of TINs were created under the Police Act, the Road Traffic Act and a whole range of Acts which have an expiation notice because the offence is not

regarded as serious, although it is an offence and, therefore, expiable. I know that under summary law there are a number of expiable offences. The honourable member has raised the question but has not told anyone in the Committee whether what he is doing is even relevant. I am not criticising the honourable member; I think he raises a relevant point.

If he is saying 'I want this done' and it is not effected by the Act we are talking about, we are wasting everyone's time. I cannot find a copy of the legislation in order to find out whether or not it is expiable. I am advised that this Act does not make anything expiable at all.

**The ACTING CHAIRMAN (Mr Bass):** Does the member for Spence wish to proceed with his amendment?

**Mr ATKINSON:** I found the Deputy Premier most persuasive and I do not intend to proceed with my amendment.

Clause passed.

Clauses 7 to 13 passed.

Clause 14—'Enforcement orders are not subject to appeal but may be reviewed.'

**The Hon. S.J. BAKER:** I move:

Page 9, line 21—Leave out 'is subject to an appeal' and insert 'of an enforcement order is not subject to appeal by the person liable under the order (but nothing in this section affects the person's right of appeal against the conviction of the offence or offences to which the order relates).'

The member for Spence referred to this matter in his contribution. If I can work through it with the member for Spence, I will explain why he may not be as correct as he thinks he is and why an amendment is required.

There was some degree of confusion about appeal rights in the other place. This amendment is designed to make clear the Government's position. The system is designed to produce an enforcement order. That enforcement order is made by the registrar under clause 13 of the Bill. There is no requirement for a hearing. The process is entirely automatic, unless the subject of the order opts to take the matter to court and dispute it. The Bill provides that the enforcement order is not subject to appeal. The Government maintains that to be the correct position. There is nothing to appeal: the process is automatic.

Clause 14 of the Bill provides the defendant with an opportunity to have the making of the enforcement order by the registrar reviewed on specified grounds by the Magistrates Court. In the original Bill clause 14(6) provided that the results of such a review were not subject to appeal. The Opposition in another place successfully amended clause 14(6) of the Bill by removing the word 'not', thus making the decision of the registrar appealable to the Supreme Court. It was concerned that people would be convicted and thus, in the end, be subject to being sent to gaol without having the opportunity to have an appeal. The Government understands this concern and shares it. It is not the Government's intention to produce that result. In essence, a failure of communication resulted in ambiguity in the drafting of the Bill.

It remains the position of the Government that allowing someone to take the decision to the Magistrates Court on a limited procedural review by a registrar is a waste of the scarce and costly resources of the Supreme Court. Can it seriously be imagined that a Supreme Court judge should be compelled at all on appeal on the finding made by a registrar and upheld by a magistrate that, for example, the calculations of the amount owing after community service has been taken into account are wrong? The answer is 'No.' The Government

agrees with the Opposition that a defendant should have a general right of appeal. It thought that it had done so in clause 13(6)(a) when it provided that the enforcement order is deemed to be a conviction. A conviction in the Magistrates Court is appealable under section 42 of the Magistrates Court Act.

The Government always contemplated that the avenue of appeal should remain open, and that is why clause 14(1) provides that an enforcement order is not appealable. What it does not say is that the conviction is not appealable. The Government therefore agrees with what the Opposition was trying to achieve by its amendment in another place but disagrees with the method by which it sought to achieve it. The purpose of this amendment is to achieve what the Opposition wanted to achieve and to achieve what the Government always wanted to achieve. The amendment before us deals with the way in which we can treat the enforcement order.

**Mr ATKINSON:** It is always a pleasure to listen to the Deputy Premier and the Opposition is convinced.

Amendment carried; clause as amended passed.

Remaining clauses (15 to 20) passed.

Bill read a third time and passed.

#### **STATUTES AMENDMENT AND REPEAL (COMMON EXPIATION SCHEME) BILL**

Adjourned debate on second reading.

(Continued from 19 March. Page 1112.)

**Mr ATKINSON (Spence):** The Bill before us merely expunges the old law relating to expiation notices so that the Bill we just debated can replace it. Accordingly, the Opposition supports the Bill.

**The Hon. S.J. BAKER (Deputy Premier):** I thank the member for Spence for his support of the Bill.

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

#### **SUMMARY PROCEDURE (TIME FOR MAKING COMPLAINT) AMENDMENT BILL**

Adjourned debate on second reading.

(Continued from 19 March. Page 1115.)

**Mr ATKINSON (Spence):** The Opposition was initially cautious of the Government's Bill. The Opposition wondered why, after so many years, it was necessary to extend the limitation period for summary offences from six months from the date of the offence to two years. I am pleased to say that the Attorney-General responded to the Opposition's questions in good grace and gave a good explanation of the reason for the Bill. The Opposition is happy that the Government has now accepted the Opposition's distinction between a limitation period for expiable offences, which will now be six months, and the limitation period for summary offences, which will be two years.

Most South Australians would be reluctant to defend in court an expiation notice alleging perhaps that in 1993 they had ridden through the Barton Road bus lane while not wearing a helmet. It would be rather hard for such a person to recollect the incident or gather the evidence necessary to defend such a minor charge after such a long time had elapsed.

*Mr Bass interjecting:*

**Mr ATKINSON:** The member for Florey says, 'Justice delayed is justice denied', but, if he is familiar with the text of the Bill before us, he would know that the Government is proposing to delay justice for up to 18 months. I think, however, that the member for Florey will support the Bill anyway. With those remarks, the Opposition supports the Bill.

**The Hon. S.J. BAKER (Deputy Premier):** I thank the member for Spence for his contribution. There is a difference between what is regarded as very minor offences which are subject to expiation—and, as we have just been discussing, there is special provision where the six months limit prevails—and other offences, some of which are of a reasonably serious nature. The extension of time allows for those people who have committed an offence not to escape the law simply by the elapse of time or the elapse of the capacity to find the

offence.

It is not uncommon for an offence to be committed and, for a variety of reasons, for the matter not to proceed for well over six months simply because of a lack of capacity either in locating the individual or the offence. I know that in the white collar crime area, where some of the more minor offences are committed, if the offence is not detected almost immediately a person has a fair chance of getting away with it. So, I thank the member for Spence for his support of the Bill.

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

#### ADJOURNMENT

At 4.33 p.m. the House adjourned until Tuesday 2 April at 2 p.m.



