HOUSE OF ASSEMBLY

Tuesday 2 April 1996

The SPEAKER (Hon. G.M. Gunn) took the Chair at 2 p.m. and read prayers.

RACING (MISCELLANEOUS) AMENDMENT BILL

Her Excellency the Governor, by message, recommended to the House the appropriation of such amounts of money as might be required for the purposes mentioned in the Bill.

PAPERS TABLED

The following papers were laid on the table:

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

Regulations under the following Acts—
Liquor Licensing—Dry Areas—Renmark.
Security and Investigation Agents—Principal.

By the Treasurer (Hon. S.J. Baker)—

Succession Duties Act—Regulations—Principal.

By the Minister for Industrial Affairs (Hon. G.A. Ingerson)—

Regulations under the following Acts—
Occupational Health, Safety and Welfare—
Powered Mobile Plant.
Transitional Provisions.
Workers Rehabilitation and Compensation—Medical Certificate.

By the Minister for the Environment and Natural Resources (Hon. D.C. Wotton)—

Prevention of Cruelty to Animals Act—Regulations—
Barking Dogs.

By the Minister for Housing, Urban Development and Local Government Relations (Hon. E.S. Ashenden)—

District Council of Central Yorke Peninsula—By Laws—
No. 1 Permits and Penalties.
No. 2 Council Land.
No. 3 Garbage Disposal.
No. 4 Creatures.
No. 5 STED Scheme.
South Australian Housing Trust Act—Regulations—Water Limits.

QUESTION TIME

CASINO LICENCE

The Hon. M.D. RANN (Leader of the Opposition): Has the Premier, or his representatives, had any further discussions with representatives of the Malaysian company MBf, led by Tan Sri Loy, concerning the possible granting of a casino licence and, if so, what was the nature of those discussions? Last week in the House, the Treasurer announced a review of ASER and the Casino, which aims to develop a corporate structure that will 'enable the eventual sale of part or all of the ASER complex'. Following media reports that Malaysian interests, headed by Tan Sri Loy, had been promised a casino licence by the Government in return for investing in Wirrina, on 9 August 1994 the Premier revealed that he had in fact had preliminary discussions with Tan Sri Loy regarding the setting up of a casino at Wirrina.

The Hon. DEAN BROWN: The answer to the Leader of the Opposition's question is 'No.'

SHANDONG PROVINCE

Mr LEWIS (Ridley): My question is directed to the Premier. What major South Australian industries are most likely to get tangible immediate and longer-term benefits from the arrangements which he has concluded with the visiting delegations from Shandong Province to South Australia, led by His Excellency, Chairman of the People's Congress of Shandong Province, Mr Zhao Zihao?

The Hon. DEAN BROWN: The Secretary-General of Shandong Province is presently in South Australia to celebrate 10 years of the sister relationship between Shandong and the State of South Australia. We had detailed discussions yesterday morning. The Secretary-General and his delegation were in the South-East of South Australia looking at beef cattle, wine production and other key features of the South-East on Saturday afternoon and Sunday. This afternoon, I signed a letter of intent with the Secretary-General, Mr Zihao. In that letter of intent, there are a number of key areas which will now be pursued between the Shandong Provincial Government and the State Government of South Australia. They include a significant input on a technical basis and possibly on a financial basis into aquaculture in South Australia.

The member for Hart would realise that, at the dinner last night, the Secretary-General, His Excellency, outlined in some detail the enormous potential he saw for aquaculture in South Australia. Of course, aquaculture in Shandong is a huge industry. It has always been a major industry. They are the leading seawater research centre for the whole of China; therefore, they have the potential to make a very considerable input into aquaculture in South Australia. He was pointing out how jealous he is that we have a 5 000 kilometre coastline with quality water and opportunities, because of our low population along the coastline, to establish a very substantial aquaculture industry indeed.

I will quickly touch on other projects. There is the second stage of the irrigation project, in which Kinhill and SAGRIC have been involved so far. There is the setting up of a joint office in Jinan, the capital of Shandong Province, and the staffing of that office. There is the possible transfer from South Australia into Shandong Province for the setting up of vineyards and a wine industry. Brian Crozer of Petaluma has already established a joint venture in Shandong Province. There is the area that we talked about yesterday morning to cooperate in the provision of health services, including pathology services and other key areas such as that. There is also technical and managerial expertise in the setting up of large hospitals. I point out to the member of Elizabeth that he was talking about one hospital there, with 1 100 patients, and a further 10 000 outpatients each day. Therefore, one appreciates the extent to which the modern technology that we have could be very valuable in Shandong.

There is now also the opportunity to look at how the high technology companies, such as EDS and Tandem, could work in and use Shandong Province as their base to go into other parts of China and to transfer some of the technology that we have developed. There is water technology, the transfer of manufacturing technology and opportunities for developing further education in Shandong Province in much the same way as TAFE has successfully done it in Indonesia, Malaysia and Thailand.

Through a refocussing of this relationship between Shandong Province and South Australia, we have now identified a large number of areas where we can concentrate

on developing the economy of both South Australia and Shandong Province with mutual benefit to both places. Shandong Province has 87 million people and is the second largest economic Province in the whole of China. It is growing very rapidly, and currently it has a growth rate of 12 per cent per annum. If South Australia can tap into Shandong Province, we shall have the opportunity to expand our markets significantly through exports into China.

CASINO LICENCE

The Hon. M.D. RANN (Leader of the Opposition): Will the Treasurer rule out that any special annexe of the present Adelaide Casino can be established outside Adelaide without specific amendments to the Casino Act? The Casino Act allows for only one casino licence, but it is silent on the number and types of premises with the terms and conditions of the licence being determined by the Casino Supervisory Authority.

The Hon. S.J. BAKER: I have had no discussions on that matter whatsoever.

The Hon. M.D. Rann: Answer the question.

The Hon. S.J. BAKER: I gave you the answer, didn't I?

GRAND PRIX

Mr EVANS (Davenport): Will the Minister for Tourism inform the House of the results of the 1995 EDS Grand Prix?

The Hon. G.A. INGERSON: It has been a very proud week for events in South Australia with the World Bowls Championship, which was a fantastic event, and now the final reporting of the results of the Grand Prix in Adelaide. It is the first time that the event has made a significant profit—about $2 million. It is a very important milestone in terms of running events in South Australia. In addition, the Grand Prix Board will be returning to the Government over the next two to three years $20.9 million from the sale of assets and from cash reserves and profits which have been accumulated over the past few years.

Another very important point is that we have again received the trophy for the best Grand Prix in the world. Adelaide has now won that trophy three times. It is an outstanding record, and to be able to stand in the Parliament and say that we have won it three years out of 11 years is a tribute to everybody who has been involved. It has been estimated that the net cost for the total event over 11 years was $28 million with an economic benefit to South Australia of $407 million. I take this opportunity to acknowledge the staff and the board, but particularly—

An honourable member interjecting:

The Hon. G.A. INGERSON: —I will get to that in a second—the current Chairman, Ian Cox, who has been Chairman of the Board for six years and who has been on the board since the very beginning. With his leadership, particularly in the past two years, we were able to promote Sensational Adelaide and turn the Grand Prix around in terms of cost. There are two people, Dr Mal Hemmerling, who has left us to manage the Olympic Games, and Sam Ciccarello, the recent Director, who deserve special mention in this House. Both have done an outstanding job in putting this particular event on the map. I would also like to take this opportunity to congratulate all the staff of the Grand Prix.

Unfortunately, we no longer have the event because of a foul up in the administration and contractual areas. As a result, most of the staff have had to move on; however, because the staff were so good they have excellent opportunities interstate. Three staff members will work under Dr Hemmerling and his team on the Sydney Olympic Games. So, three staff members have excellent jobs. Five staff members have gone to Victoria to make sure that the Grand Prix continues to run at a world standard. I say that very strongly, because without the help of South Australians in organising the Grand Prix in Victoria it would not have run as well as it did. Clearly, those people need to be congratulated on behalf of the Government and all South Australians. There is no doubt that the event put us on the map internationally, particularly in the last two years. The Grand Prix enabled the slogan 'Sensational Adelaide' to be put on the international map.

DRUGS

The Hon. M.D. RANN (Leader of the Opposition): My question is directed to the Minister for Police. Following the recent tragic death of Yvette Newman, does the Government believe any changes are required to the law in relation to the manufacture, sale or possession of drugs such as ecstasy, or an increase in police resources in this area and community education programs aimed at young people about the dangers of these drugs? Following the death of Yvette Newman there have been reports in the media on the widespread availability of ecstasy and other cocktails of illegal drugs including paramethoxyamphetamine (PMA), which can cause convulsions, coma and death. It is reported today that people are buying ecstasy for a rave party to be held over the Easter weekend at a secret location and that many young people in Adelaide do not realise the dangers these drugs pose to their lives and to their health.

The Hon. S.J. BAKER: It is a very serious question. Everyone in this Chamber would recognise the seriousness of the problem arising not only from what are regarded as the common drugs, such as marijuana and heroin, but from designer drugs. A number of things are happening. There has already been some success in terms of arresting some of the manufacturers of these drugs, whereby people have been brought here from interstate for specific operations.

In relation to the publicised rave party, we as a Government abhor any party set up for the taking of drugs. I am sure that the party will be visited by the appropriate authorities, namely, the police. I hope that there is no repeat of the incident which occurred at Adelaide Gaol earlier this year. I am assured that there will be a proper policing effort. I also suggest that it is hard to keep these parties as secret as some people would like.

There is ongoing surveillance. Special discussions are taking place at Federal level, because this is not just a South Australian problem. The education program is a matter I have raised with the police in terms of how we can combat the drug problem. All members would clearly understand that we have to stop peoples' desire to take these things. That has to start with an education process at a very young age in the schools. We will launch something special on road trauma shortly. Again, it will be aimed at young people. I hope that we organise something really special to do with drug abuse.

The difficulty with designer drugs is that not only are there impurities, which cause grave difficulties, but they are so easy to manufacture in backyard establishments. There is a very strong warning out at the moment that, in the case of ecstasy, it is very impure. As we know, two deaths were recently recorded in South Australia. The combination of

heat, exercise and perhaps alcohol in conjunction with these drugs is lethal. As a society, we cannot tolerate that. We must get kids away from wanting to take these things. We cannot simply say, 'It's all bad luck' or 'Yes, we'll get the police out to do this or that': it must start with education programs in schools. I hope to have further discussions with my colleagues on this matter, particularly with the Attorney-General in terms of crime prevention.

Some of these issues are already under discussion; certainly, national discussions are taking place about designer drugs. A special task force is being set up to try to catch the manufacturers of these drugs. I assure the honourable member that, in this process, every effort will be made to stamp out as much as is humanly possible. I am pleased that the honourable member has raised this question because it is very important for all young people. I trust that in a short space of time there will be less inclination by such people to take drugs, and that those who do the manufacturing and distribution can be brought to justice.

ASIAN MARKETS

Mr BASS (Florey): Will the Minister for Industry, Manufacturing, Small Business and Regional Development report to the House how South Australia is gaining in comparison with other States for services in emerging Asian markets? I understand that the South Australian Government is working closely with the Northern Territory Government to promote trade links in Asia and that a Northern Territory Expo in June will highlight these opportunities.

The Hon. J.W. OLSEN: South Australia is the highest revenue earner from overseas projects in Australia. A recent publication of *Overseas Trading* of March 1996 indicates that South Australia, and Victoria, leads the rest of Australia by more than three-fold: South Australia generated $80.7 million for the three years to June 1995 from overseas projects; Victoria was a close second with $80 million; and New South Wales was a distant third with $28.7 million, but showing an overall loss of $8.7 million. Other States and Territories have insignificant revenues. The report was prepared by no greater an authority than the New South Wales Parliamentary Public Accounts Committee. In that report, the committee criticises New South Wales for its lack of professionalism and gives reasons for why New South Wales has fallen behind in export services. The caption 'Why New South Wales is being done like a dinner' is, I would argue, a matter of some pride and satisfaction for South Australia.

The report indicates that, when properly managed, exporting of Government services is a low risk business with a huge potential market estimated to be worth $20 billion for goods and services. The Asian Development Bank has contracts worth $5 billion a year, and the United Nations has another budget of about $3.5 billion a year.

The question might be posed: why has South Australia been so successful? Our success can be attributed to established, dedicated, professional commercial Government corporations, such as SAGRIC, whose sole business is to operate overseas projects. The largest individual revenue generator is DETAFE and, in many instances, SAGRIC is its major partner in those projects. Through SAGRIC, South Australia was the second highest contractor to AUSAID in 1993-94 with $58.4 million worth of contracts, and in 1994-95 there was $73.3 million worth of contracts. For the Asian Development Bank, SAGRIC was the eighth highest contractor for loan projects from 1990 to 1995 and the ninth highest for technical assistance projects during the same period.

We can add to that the work of the former EDA (now the Department of Manufacturing, Industry, Small Business and Regional Development), which has directly facilitated new business investment of over $350 million, resulting in over 5 000 direct jobs being created or retained. But there is more to come: 25 companies are off to 'Food and Hotel Asia' in Singapore, and an Indonesian delegation visited South Australia last week. Representatives from Shandong Province are here today, as the Premier outlined to the House. The Northern Territory Expo will be focusing on water and waste water infrastructure opportunities in Asia.

I urge all members to congratulate innovative public servants who are joining in partnership with private enterprise to build South Australia's trade links. In building those trade links, they are setting the pace for every other State in Australia.

PUBLIC SERVICE TESTS

Ms WHITE (Taylor): Will the Premier ask the Commonwealth Government to ensure that those young people who have lost their unemployment benefit as a result of their not taking a test for entry into a South Australian Government traineeship have their benefits restored? The Minister for Youth Affairs has revealed that an error was made within the Office of the Commissioner for Public Employment, causing some young people not to sit the test because they had been given the information that, if they did not perform well in the test, they would not be able to resit it for two years. It has been reported that the Office of the Commissioner for Public Employment failed to inform the applicants that this was not the case.

The Hon. R.B. SUCH: I thank the member for Taylor for her question. It is correct to say that there was a minor hiccup in relation to the test.

Members interjecting:

The Hon. R.B. SUCH: If you listen, you will hear the story. It was a minor hiccup because the test is usually issued in relation to people entering the Commonwealth Public Service as junior clerks. Unfair assertions have been made about public servants, State and Federal, and I will correct what has been put forward and unfairly attributed to people in the CES and in the Office of the Commissioner for Public Employment. Before so doing, I will respond quickly to the question from the member for Taylor and say that I will not be seeking to have changes made in the withdrawal of those benefits because, if she hears the explanation, she will know why.

Following the advertisement appearing in the *Advertiser*, between Monday 12 and Friday 16 February, school leavers called into the CES office to pick up their practice test. They took the test home. Between Monday 19 February and Friday 23 February, school leavers again called into the CES office to register to sit for the test. Four choices of time and day to sit the test were given, and they are detailed. All were asked to ring the CES if they could not show up. A special phone number was provided. All were given written and verbal warnings stating that they could lose their social security entitlements if they did not have a good excuse for not showing up, for example, sickness or having gained employment.

Those who did the practice test but did not show up to register for the real test were not penalised. Case managers

referred them to skill share organisations to become test ready. Sixty-eight social security recipients registered for the real test but did not show up on the day. They are being interviewed to determine whether they will lose their entitlements. Those who failed the real test have been referred to skill share to find out how they can improve.

It is important in answering this question to get it back on track, because it is a positive scheme: it was an exciting initiative jointly funded by the Commonwealth and the State. We have taken on approximately 200 trainees, 160 from the recent test in the clerical area and 33 dental assistants, who started work yesterday with the South Australian Dental Service in the city and country areas. Sixty more trainees start within TAFE this week, and that includes a study program equivalent to 30 per cent time off to study for an Associate Diploma in Business Studies. The next test will be held on 16 April, followed by tests on 23 and 30 April, with appropriate advertising commencing soon.

The next test will target long and medium term unemployed, as the first test targeted recent school leavers. The test will be for clerical positions but will be a modified test which will be based on the State test and not on the Commonwealth one that caused the hiccup before. Besides the clerical tests, traineeships will be offered in the areas of child-care, laboratory technician, library assistant and Aboriginal health.

It was unfortunate that there was a minor hiccup but, sadly, people within the State and Commonwealth Public Services have had to wear some unfortunate and inaccurate assertions about them when they have been absolutely dedicated and working flat out to provide employment and training opportunities for young South Australians.

CLARK, MR T.

Mr BECKER (Peake): Will the Premier explain what steps will be taken to satisfy the judgment against Mr Tim Marcus Clark in the Supreme Court last Friday?

The Hon. DEAN BROWN: Judge Perry found that Marcus Clark was guilty of conflict of interest and negligence and delivered a verdict of guilty, ordering him to pay damages of $81.2 million to the State of South Australia, in other words, to the people of South Australia. The next step is for the Government to wait until the appeal period has lapsed, and it is then a matter for Mr Marcus Clark to inform the Government how he will satisfy the judgment. Depending on his response, the Government will then consider whether or not to take Mr Marcus Clark into bankruptcy. I assure the House that it is the Government's intention to pursue Mr Marcus Clark to the maximum extent possible to maximise the money coming back to the State of South Australia.

The judgment handed down on Friday not only found Marcus Clark guilty but equally it condemns and finds guilty the former Labor Government of South Australia. It found that the former Government failed, following a question in this Parliament in February 1989, to follow through the substance of that question to confirm whether or not Marcus Clark had been guilty of conflict of interest. Clearly, if it had taken—

The SPEAKER: Order! I advise the Premier that in answering the question he must be cautious not to enter into matters that may be subject to appeal before the courts.

The Hon. DEAN BROWN: Mr Speaker, I assure you I am not doing that, and I appreciate your word of caution in that regard. I am now referring to the fact that, if the Labor Government of the day and then Premier Bannon had taken action based on the question asked in this Parliament in February 1989, perhaps the State Bank and Beneficial Finance would not have gone into the Myer REMM site. That is not just my judgment: it happens to be the judgment of the Royal Commissioner himself. I remind the House that the Royal Commissioner had this to say on the matter:

> Much more detailed consideration might have been given to further acquisitions and growth in assets, particularly in relation to the Myer REMM Centre loan three or four months later.

That is the Royal Commissioner finding that if only Premier Bannon and other members of the Labor Government had taken action—

Mr CLARKE: Mr Speaker, I rise—

The Hon. DEAN BROWN: Stop trying to protect your cronies.

Members interjecting:

The SPEAKER: Order! The Deputy Leader of the Opposition has the call.

Mr CLARKE: Thank you, Mr Speaker. My point of order is that the question relates to what ends the Government will go to recover the money from Tim Marcus Clark. The Premier is now entering into a political debate with respect to issues beyond that which is contemplated in the question.

Members interjecting:

The SPEAKER: Order! The question did give the Premier a fairly wide parameter within which to stay.

Members interjecting:

The SPEAKER: Order! I suggest that all members calm themselves while the Chair makes a ruling. The Chair has already pointed out to the Premier that he should be cautious in relation to matters that may be subject to appeal. I will allow the Premier to complete answering the question.

The Hon. DEAN BROWN: I am amazed that the Deputy Leader of the Opposition would attempt to raise in this House such a weak defence of his own colleagues, former Premier Bannon and the present Leader of the Opposition. Let me come to the position of the Leader of the Opposition in this matter. Where is the Leader? Bring him into the Parliament and make him accountable for his actions back in April 1989. It was the present Leader of the Opposition and no other person who stood in this House and tried to defend the actions of Marcus Clark. Let me remind the House what the Leader of the Opposition said in defence of Marcus Clark back in April 1989. I am quoting exactly from the present Leader of the Opposition's remarks:

> Mr Marcus Clark was in no way in breach of any regulations or protocol. He acted quite properly at all times. The fact is that that could have been ascertained by the Liberal Party with a brief phone call.

The Leader of the Opposition, by simply looking up some annual reports of companies, could have found quite clearly, on a *prima facie* case, that Mr Marcus Clark probably was in conflict of interest. It was therefore incumbent on the Leader of the Opposition to have taken action before standing up in this House and attempting to defend Marcus Clark. I find the defence of Marcus Clark in April 1989 by the now Leader of the Opposition to be as serious an act of negligence as the lack of action by Premier Bannon in not following through to ensure that those matters were investigated.

The matter had been raised in this Parliament, and the very least the Labor Government could have done was to go behind closed doors to check whether or not a serious conflict of interest had occurred. I believe that any fool would have found that there had been a conflict of interest. The matter was raised in this Parliament and there is no evidence

whatsoever that the Labor Government of the day, any single Minister, or the now Leader of the Opposition took any action whatsoever to investigate that claim made in this Parliament. That lack of action was negligence in the extreme.

The judgment handed down is a clear judgment of negligence by the now Leader of the Opposition and the then Premier, John Bannon, and members of this House await an apology from the now Leader of the Opposition to the people of South Australia. If the Leader of the Opposition or Premier Bannon had taken action back in April 1989 this State would not have lost another $900 million through the Myer REMM site. The people of South Australia are waiting for the Leader of the Opposition to stand up in this Parliament and apologise for his lack of action in not checking the facts and simply going in with the defence of Marcus Clark, therefore adding to the crimes of the Labor Party in this State.

Members interjecting:

The SPEAKER: Order! There is no need for members to make the comments being heard across the floor. I suggest that most members want Question Time to proceed.

COMPUTER SECURITY

Mr QUIRKE (Playford): What action has the Premier taken to ensure that all Government computer data is absolutely secure, and can he assure the House that all Government agencies are following to the letter the South Australian Government information technology guidelines issued by the then Office of Information Technology in July 1994? It has been reported that there has been a serious security breach through the sale of a police computer, which contains sensitive and confidential information. The Auditor-General in his annual report last year said:

> There was an absence of formal promulgated security policies and procedures.

The Minister is on record as saying that the Government turns over 5 000 to 6 000 computers every year.

The Hon. S.J. BAKER: I refer all members to the instructions issued in July 1994, which were the first comprehensive instructions issued within the State Government on data confidentiality and security guidelines. The instructions are very comprehensive and it was the first time such a document had been produced, although even before that time it was clearly understood that if any computer equipment were to be sold it had to be wiped clean of any data whatsoever and the disks cleared as well. There is no lack of information as to what requirements are placed on the public sector. I was dismayed to hear of a computer containing confidential information being sold to the public. I was even more dismayed when the computer, as viewed on Channel 9, actually contained information about people, including their names and other details.

There is no excuse for that breach. Strict guidelines within the Police Department are meant to be adhered to. A section of the Police Force—the SAPOL Computing and Communications Branch—which is responsible for all this communications equipment, has, as far as I am aware, strictly adhered to the guidelines which were laid down in July 1994 and which were further reinforced in December 1994. A further edict was released in 1995 showing this Government's sensitivity to such issues.

A full investigation is taking place on this matter, because it should not happen and will not be allowed to happen again. The matter is being pursued by the Police Commissioner, and I have raised a number of questions in terms of the handling of such equipment. The detail with which I have been provided explains that the piece of equipment in question was deemed surplus to requirement in August 1995 and remained with Services SA until this year when it was sold to the person involved who made his information known to Channel 9. Protocol was broken. The equipment was supposed to go through one source and one source only to ensure that all the relevant checks were made—not only that the disks had been cleared but also a check to ensure that they had been cleared properly.

The investigation is being pursued. From this Government's point of view, this mistake is not good enough, and we would hope that the publicity given to this matter will remind everyone, whether it involves the private or public sector, just how easy it is for sensitive information to get into other people's hands. I am informed that this person did not share his information more widely than the press contact with Channel 9. I hope that is the case because there would be some ramifications if that had not occurred. This matter is as vital as that involving the piece of paper containing sensitive information that is supposed to be disposed of but then falls off the back of a truck or is found in a rubbish pit.

The same applies to computers: a situation cannot be tolerated where people's personal information can be released from the area in which it is being used into the wider public arena simply because people are not following procedures. Not only is an investigation occurring, headed by the Police Commissioner, but also checks will be made to ensure that the procedures are maintained.

MOUNT LOFTY

Mr EVANS (Davenport): Will the Minister for the Environment and Natural Resources advise the House when construction will begin on the redevelopment of Mount Lofty Summit?

The Hon. D.C. WOTTON: I am delighted to provide the House and the member for Davenport with an update of what is happening with the Mount Lofty Summit because—

The Hon. R.B. Such interjecting:

The Hon. D.C. WOTTON: It is in a very good electorate, actually, and I know that a lot of interest has been shown in the future of this development, recognising that it has been an absolute disaster area since 1983. Many requests were made of the previous Government to try to do something about upgrading the site. All South Australians have been waiting with a great deal of anticipation to see the project begin and, after the failed proposals of the previous Government, I am delighted to highlight yet another example where this Government has given and will honour a commitment. I am pleased to inform the House that the successful tenderer for the Mount Lofty Summit redevelopment is Fletcher Construction Australia Limited, a company with strong South Australian ties, employing some 40 people in South Australia.

Already Fletcher Construction has been responsible for the construction of many Adelaide landmark buildings, including the Adelaide Festival Theatre, the Grenfell Centre, the Adelaide Entertainment Centre, the Elizabeth city centre redevelopment, West Lakes Mall redevelopment and the Flinders major communications building. I am sure that its work on Mount Lofty will provide us with a showpiece worthy of the 400 000 people who visit the summit each year. The new facility, which includes viewing areas, a plaza, a cafeteria, an interpretive centre and tourism opportunities, has been impressively designed by Raffen Maron Architects—

designers of the award winning Bicentenary Conservatory, which draws a considerable number of tourists each year.

The Mount Lofty project will cost $3.9 million. Last evening we held an information night at Stirling for anybody who had any questions about the development. The vast majority of those present saw this as a positive development and were very supportive. The summit will be closed to public access for the duration of the project. It will be closed from just after Easter until around the end of September. So there will be no opportunity for people to visit the summit during that period.

For those who are interested in how the project will look, a scale model is available. It is now on display in the Stirling council offices but will be made available to those people who are interested. As I mentioned earlier, the summit has been an absolute disgrace since 1983. We have waited a long time for a decent development on Mount Lofty, and I am delighted to be able to say that that is about to start.

POLICE OFFICERS

Mr QUIRKE (Playford): Does the Minister for Police agree with Police Commissioner Hunt's proposal that the Commissioner be given the power to sack police officers, even if an offence cannot be proven beyond reasonable doubt?

The Hon. S.J. BAKER: I am pleased that the member for Playford has been getting briefings from the Police Association; he can keep in touch with the issues from that point of view. The Police Act is an important item on the Government's agenda, simply because no major changes have been made in the Police Act for a number of years. Over a period, many of the conditions in that Act have become outdated, as have the regulations. It was this Government's determination that we would give process and progress to a number of changes that had to occur to bring the Police Force in this State up to date.

One of the issues that has been surrounded by some controversy—and a number of other issues are important, constructive and productive—is whether the Commissioner of Police should have the right of dismissal. From the Government's point of view, amongst all the other items, there are one or two other items in the Police Commissioner's recommended changes to the Act on which we will have further discussions. The Commissioner has said, 'I need these powers in order to ensure that South Australia remains corruption free.' He has some compelling arguments, including the fact that ours is the only jurisdiction that requires proof beyond reasonable doubt. There are reasons for that, because we are talking about an industrial situation and, as the Minister will inform the House, the level of proof required under the industrial arrangements is quite different from that required in the criminal jurisdiction, and so it should be.

In terms of where the amendments will take us, a procedure is being followed, that is, there will be wide consultation. I have brought together all the pieces that make up the Police Act and the changes that have been recommended, along with one or two on which we will ask for some enhancement. All those matters have been combined into one document. That document will be subject to a number of discussions and consultations to ensure that whatever comes out at the end of the day is the best Act we can have for our fine Police Force. It may well be that, at the end of the day, the initial proposal is changed. We might delete the issue of 'beyond reasonable doubt' if it impedes the good conduct and management of the Police Force. However, that can take place only if sufficient safety net provisions are in the Act to ensure that justice is done. The last thing we want is anybody exercising power to the extent that they can place people in a difficult situation simply as a result of personal feelings or animosities. So there has to be balance—a review process and an appeal process.

The matter will obviously have to be discussed widely, including with members on my side of the House—and I am sure that members on the member for Playford's side of the House will have an interest in this proposition. Once the Government is sure that it is doing the right thing—updating the Act, making it fair and workable and allowing those officers who bring disrepute to the Police Force to be removed (and there are always a few in every Police Force)—the matter will be debated by this Parliament.

MILE END SITE

Mr LEGGETT (Hanson): Will the Minister for Housing, Urban Development and Local Government Relations inform the House of progress on the Mile End site and the state-of-the-art technology being used as a remedy?

The Hon. E.S. ASHENDEN: I thank the honourable member for his question. As the local member, he has shown a lot of interest in what is going on at that site. At present, major rehabilitation is being undertaken at the Mile End site. This is taking two forms: buildings on the site are being demolished today—and, although that is more spectacular than the other area, it is not as state-of-the-art as the other area, which is soil rehabilitation. As members would know, the area was previously utilised by the railways, and unfortunately there has been substantial contamination of the soil by diesel fuel. We are decontaminating that soil, and the decontamination has gone so deep that it is now down to the watertable. It is important that we act on this immediately.

The process we are using is bioremediation. This is one of the largest bioremediation projects ever undertaken in Australia, and it will take some seven months before it is completed. I assure the House that this will be highly controlled and that environmental control measures are in place. The steps that have been taken will ensure that dust, noise and odour emissions are controlled, and all liquids used on the site will be retained on the site.

Dr Nick McClure, the Lecturer in Biotechnology at Flinders University, is extremely excited by what the South Australian Government is doing. Although it has been used successfully overseas, the treatment process is new to this State. It will also provide a resource for students at Flinders University who will conduct relevant small-scale research projects on bioremediation. The company which is undertaking the bioremediation is Ground Water Technology, and it has received Environment Protection Authority approval to carry out the project, and that process is meeting all EPA requirements. As I said, the company is considered a world leader in the area.

Members interjecting:

The Hon. E.S. ASHENDEN: For those ignorant members opposite, bioremediation involves the speeding up of a natural biodegrading process by ensuring that the moisture and temperature environment is such that it proceeds at the most rapid rate. The organisms that have been placed in the soil are virtually eating the contaminants, breaking them down completely, so that the soil, at the conclusion of the process, will be perfectly safe and will be replaced *in situ*.

There is no doubt that what is being undertaken there is very much a leader in its field. I am delighted that the South Australian Government is able to take part in such a major process.

WATER, OUTSOURCING

Mr FOLEY (Hart): My question is directed to the Premier. On what basis did Mr Ian Kortlang provide polling on the water contract to the Cabinet sub-committee when SA Water, which commissioned and paid for his services, was not entitled to the information, and who authorised this system of transmitting the poll results? On 28 November the Premier denied that there had been taxpayer-funded polling of the public's attitude to the water contract. Last Friday, before a select committee, Mr Kortlang stated that four lots of polling, conducted by a firm subcontracted by him, had been passed to the Cabinet sub-committee in sealed envelopes via the Chief of SA Water, Mr Ted Phipps. Mr Kortlang further stated, 'I would not get out of bed without doing market research. People know that when they employ us.'

The Hon. J.W. OLSEN: I will obtain the information that the honourable member wants and advise him.

LOCHIEL BUS CRASH

Mr MEIER (Goyder): Will the Minister for Emergency Services provide the House with details of the emergency rescue at a major road accident between a passenger bus and a light truck at Lochiel north of Adelaide on Sunday 31 March?

The Hon. W.A. MATTHEW: I thank the member for Goyder for his question and his obvious concern about this incident which occurred in his electorate. There is no doubt that most South Australians would have been horrified by the imagery shown on television over the weekend after that particular incident. The accident occurred about six kilometres south of Lochiel on National Highway 1.

I should like to take the opportunity to paint for members of Parliament the image of what confronted emergency services workers when they arrived at the site of that accident. Emergency Services workers were confronted by a passenger coachliner on its side along with a Ford light truck and a disconnected trailer upside down between the two, with passengers and debris literally scattered around the accident scene. The fact that more passengers were not seriously injured, or even killed, is a combination of good fortune and the professionalism displayed by the emergency services personnel who were called to the scene of the accident. The passenger bus was carrying 21 passengers, many of them overseas visitors, and two drivers, while the truck had one occupant.

Eleven ambulances in all responded to the accident, including eight from Mid-North locations: Snowtown, Port Pirie, Balaklava, Crystal Brook, Kadina, Port Wakefield, Clare and Mallala. Three ambulances were despatched from the metropolitan area, including a paramedic team. The Rescue One helicopter, with an RAH medical retrieval team and paramedic on board, was also sent to the scene. In all, 30 ambulance service personnel, 21 being volunteers and nine paid staff, were involved. They were assisted by more than 50 personnel from other emergency services agencies, including the police, the Country Fire Service, which had 30 volunteers on site, and the State Emergency Service, which had 16 volunteers on site.

In all, 13 patients were transported by ambulance or helicopter to hospital. Of these patients, one with spinal injuries was airlifted by helicopter to the Royal Adelaide Hospital; eight were conveyed to the Balaklava Hospital for treatment, seven of whom were later transferred to the Royal Adelaide Hospital; four casualties were transported to Clare Hospital; and 10 uninjured passengers were transferred from the scene to Lochiel pending the arrival of a replacement bus. I am advised that as of today three injured passengers are still recovering in hospital.

While the injured were being attended to, police patrols were assisted by volunteers from Country Fire Service units at Blyth-Snowtown, Port Wakefield, Lochiel and Nantawarra and South Hummocks as well as State Emergency Service personnel from Snowtown and Bute in carrying out a number of important functions crucial at a crash scene.

To give members an idea, the tasks involved CFS crews ensuring that the crash scene was safe from fire by disconnecting the batteries and laying a foam blanket over the spilt fuel. CFS and SES crews carried out traffic control. This necessitated organising and controlling 12 kilometres of detours as the main road was blocked by the accident. The established detour left Highway 1 at Lochiel and re-entered the highway at Nantawarra. Eight checkpoints in all were established along the highway. Provision of other support to the Ambulance Service and police included minor tasks and general fetch and carry tasks which ensured a cohesive operation as the emergency services crews moved the passengers from the scene.

I am advised that at approximately 2 p.m.—four and a half hours after the first call was made for assistance—Highway 1 was partially opened to traffic again, and by 4.30 p.m.—seven hours after the first phone call for help was received—all wreckage and debris had been removed from the site and Highway 1 was reopened to all traffic.

Last Sunday was a typical situation where the State's emergency services volunteers and paid staff were put to the extreme test. It is a test that many of those personnel, both paid staff and volunteers, spend many hours of their own time preparing for. On behalf of the Government and all members of this Parliament, I acknowledge the efforts of every person who was involved in that rescue operation and pay tribute to them for a job extremely well done.

WATER, OUTSOURCING

Mr FOLEY (Hart): Will the Premier now drop the Government's attempts to stop the Opposition from gaining, under freedom of information, results of polling on the water contract, given that Mr Ian Kortlang last Friday revealed that his polling was not part of a formal Cabinet submission? The Liberals' 1993 election document, 'Make a Change for the Better,' states:

> A Liberal Government will insist the public is at all times fully informed about Government decisions and activities. A Liberal Government will ensure that freedom of information legislation is fully effective in providing access to Government information.

The Hon. DEAN BROWN: The member for Hart is asking me to release details of documents presented to Cabinet, and the answer is 'No.' I am sure that the previous Labor Government would have done that and that no other State Government in Australia would allow confidential Cabinet documents to be revealed publicly. Therefore, he and other members of the Labor Party are trying to breach the principle that has applied to Governments for many years:

that documents formally presented to Cabinet should remain confidential to Cabinet. I have taken an oath that they will, and that will be upheld by this Government.

Members interjecting:

The SPEAKER: Order! It is fairly obvious that the Chair should call on the Business of the Day. There will be no further warnings. It is entirely within the discretion of the Chair whether Question Time continues.

EDS CONTRACT

Mr WADE (Elder): Will the Premier advise the House of the latest developments in the proposal that the Government's data processing contractor, EDS, be split from its parent company, General Motors Corporation?

The Hon. DEAN BROWN: I understand that yesterday, which was during the night our time, the General Motors Corporation parent board met and decided to split Electronic Data Systems (EDS) from General Motors Corporation. This will be put to shareholders in about three months. I have been reassured by EDS that this will allow it to create and expand and to form strategic alliances with other key groups in information technology. Therefore, I see it as a benefit to South Australia that we have EDS with its regional headquarters for data processing based in Adelaide. If that company is now likely to expand and develop even more quickly because of the split from General Motors Corporation, that is good for this State.

I can assure the House that, as part of this decision, EDS will continue to be the preferred supplier of information technology and data processing for General Motors worldwide. It will in no way interfere with the transfer of the data processing for General Motors-Holden of Australia from Melbourne to Adelaide. I believe that it opens up new opportunities to expand even further the EDS operation in South Australia and to bring other companies, as part of its strategic alliances, into South Australia to expand a very significant information technology industry.

GOODWOOD ORPHANAGE

Ms HURLEY (Napier): My question is directed to the Premier. Why did the Government sell land which is managed by the Unley council as open space adjacent to the Goodwood Orphanage to the House of Tabor without consulting the council or giving the council the opportunity to purchase the land? Why has the Government not given the Unley council notice of its intention to cancel the lease as required under the agreement? The Unley council has a lease until 2003 with a right of renewal for a further 21 years over land at the Goodwood Orphanage used as an oval and open space. The Minister for Education and Children's Services has sold the land to the House of Tabor for $1.2 million—

Mr Brindal interjecting:

The SPEAKER: Order!

Ms HURLEY: —for the construction of a two storey complex including classrooms, lecture theatres and an auditorium seating 500 people without giving the Unley council, as lessee, an opportunity to purchase the property and without serving any notice of cancellation of the council's lease.

Members interjecting:

The SPEAKER: Order!

The Hon. DEAN BROWN: The honourable member asked about five to six questions, and I will get answers to them. I point out that many of her facts were wrong (as the member for Unley interjected across the House) and I will correct those facts as well.

TIOXIDE AUSTRALIA

The Hon. FRANK BLEVINS (Giles): Will the Minister for Industry, Manufacturing, Small Business and Regional Development advise the House of the current status of the Tioxide Australia project in Whyalla? An *Advertiser* report on 1 April claimed that the Tioxide Australia development was still under consideration. However, the *Whyalla News* of 19 December stated that Tioxide would not build a plant in Whyalla and that it would close its plant in Burnie, Tasmania, and become an importer.

The Hon. J.W. OLSEN: I will obtain from the department and the parent company the current factual position and advise the honourable member.

GRAVITY SURVEYS

Mrs PENFOLD (Flinders): Will the Minister for Mines and Energy inform the House of work being undertaken by the Department of Mines and Energy in the area of gravity surveys?

The Hon. S.J. BAKER: Two new geophysical gravity surveys are being undertaken by South Australian companies, namely, Haines Surveys and Dynamic Satellite Surveys, as part of the State Government's ongoing exploration initiative. The Broken Hill Exploration Initiative (BHEI) 1996 gravity survey, awarded to Dynamic Satellite Surveys, will form an extension of the successful BHEI 1995 gravity surveys and will encompass approximately 4500 square kilometres to the north of Mingary and Cockburn. The BHEI 1996 gravity survey has generated interest in the private sector with expressions of possible joint ventures between Mines and Energy South Australia (MESA) and Pasminco Exploration, BHP, CRA Exploration and Euro Exploration.

The combination of MESA and company resources will enhance and extend the survey coverage in this area. It is important to understand that finding minerals in this region is vital not only for Broken Hill but also for the future of Port Pirie. The BHEI commenced in 1994 as a joint program involving the South Australian, New South Wales and Commonwealth Governments. The aim of the initiative is to provide a new generation of geoscientific data for the Olary-Broken Hill region as a basis for more effective mineral exploration by industry and to help secure the future of both Port Pirie and Broken Hill.

The second survey was awarded to Haines Surveys. It will take place in the central region of the State as part of the South Australian Steel and Energy (SASE) project. It will cover approximately 3 000 square kilometres from Tarcoola in the south to Coober Pedy in the north. The survey will target iron ore deposits in the Hawks Nest area, with other base metals also being potential targets. Like the BHEI 1996 gravity survey, the SASE gravity survey has attracted interest from the private sector with Resolute Samantha Limited expressing interest in a joint venture with MESA to extend the survey area. Both surveys will commence in the middle of this month and will be completed by June 1996.

The surveys are very important enhancements to the information we already have available through the various core samples taken over a period of time, the mapping that has already been done and the aeromagnetic surveys that have

been carried out. We hope that both surveys will be very productive in terms not only of securing the future of Broken Hill but in providing us with the further strength we believe we have to enhance an iron ore-pig iron project in this State. MESA is not standing still. We are delighted with the progress being made.

YOUTH EMPLOYMENT

Ms GREIG (Reynell): Will the Minister for Employment, Training and Further Education provide details on what is being done by the State Government to assist young people to find meaningful employment opportunities?

The Hon. R.B. SUCH: Without going into the details of the programs we offer, I should preface my answer by saying that this Government's main thrust is to create and to assist the private sector to provide meaningful, long-term employment. We seek to create a climate in which the private sector will continue to invest and expand its investment. In terms of specific programs which target young people, we have many. We do not pretend that this is the total answer, but what we are doing is far more than what any other State Government in Australia has done. We have been recognised in many ways for doing this, because many States are now copying many of the innovative programs introduced recently.

The Kickstart program has been going for several years. An extension of that was Kickstart for Youth, which has been very successful. An offshoot of Kickstart for Youth is Focus on the Future, which targets young people at risk of leaving school early. Once again, it has been extremely successful, and I will give further details at a more appropriate time.

The Employment Broker Scheme has been outstandingly successful by turning part-time work into full-time work. There was reference in the last few days to that in the *Advertiser*. There is Greening Urban SA, an environmental program which provides employment through local government. We have strongly supported the Group Training Companies Scheme by providing incentive payments for group training companies that take on trainees. We have been successful with the LEAP program, which is a Federal program: we have been the brokers, and the amount of money received by my agency in that area amounts to approximately $4 million for this financial year. The Selfstarter Scheme to assist young people buy their own businesses is about to start. Once again, it is a very innovative program.

There is the State Government Entry Level Technical Trainee Scheme which addresses the need for trained technical people within the Public Service. There is the Upskill SA-Contract Compliance Program whereby Government contractors in the civil construction area must take on trainees and employ young people. In addition, I refer to the existing programs in the WorkCover Levy Subsidy Scheme, the Payroll Tax Rebate Scheme and the 1500 traineeships referred to earlier today.

In conclusion, we can employ a lot more people in South Australia as soon as we get some of the monkeys off our back, and these include extreme provisions of unfair dismissal law. I hope that the new Federal Government will address that issue. Some extreme applications of equal opportunity legislation need to be addressed. As a State Government we are committed to providing employment for our young people. The message should be one of positive opportunity and not one of negativism, which we often hear from people who are misinformed and ill-informed about the programs we run.

BUS AND COACH SAFETY

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 on safety initiatives for the bus and coach industry.

GRIEVANCE DEBATE

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

Ms GREIG (Reynell): Today, I would like to congratulate the Southern Vales secondary school cluster, particularly Morphett Vale and Christies Beach High Schools. The schools in our southern cluster are setting a new direction in the SACE curriculum being taught in our high schools. A number of students at stage one and stage two are taking advantage of the vocational training being taught in a range of subjects. For the first time, students studying home economics, work education, English, tourism, business studies, and community studies can gain both SACE qualifications as well as industry entry level qualifications.

During the last term of 1995, a number of teaching staff undertook special training to enable them to incorporate industry based vocational modules into their teaching curriculum. One of the greatest benefits for students that flows from this is that a range of career and further training pathways are opened up when they have completed these modules. In addition to learning background knowledge and information at school, students who take some of the courses will also spend a significant amount of time learning and practising specific industry skills in the workplace. These carefully structured work placements require students to demonstrate competence in these skills to industry standards. During 1997, the range of vocational modules offered will be broadened as more staff become qualified and experienced in teaching this material. In addition, the support available from various industries and businesses will enable more effective workplace loading to occur.

The work being done by our Southern Vales secondary school cluster has to be commended. The individuals involved within both our schools and industry must be acknowledged for their initiatives, their commitment to young people and their endeavour to ensure job opportunities for our students upon leaving school. However, there have been some major concerns in implementing this program, and I hope that, with the assistance of our new Federal Government, vocational education will be recognised as a valuable component in preparing many young people for the work force. It is important to appreciate that the substantial achievements made so far have extended school resources to the limit, and these achievements have been made with virtually no additional resources from DECS. Some seeding money has been received from the ASTF and a small amount from the National Professional Development Program. Mitsubishi has also provided some support for the six schools with which that company is associated.

It has been expressed to me that, in order for our schools to proceed with what is a beneficial program, their energies need to be put into developing programs rather than preparing funding submissions. Our schools have demonstrated a vigorous desire to implement vocational education programs in the southern suburbs where youth unemployment is

amongst the highest in Australia. Education is not an end in itself. Secondary schools need to target educational programs to the future needs of students whether they be in further education, employment or unemployment, with employment obviously being the major goal. Not only do jobs have to be available but potential employees must have the appropriate education and training to obtain those jobs. A significant number of students leave school facing the prospect of lifelong unemployment or underemployment.

The high schools in my area—in fact, all the high schools in the Southern Vales secondary school cluster—recognise an obligation to provide programs to enhance the employment prospects of all our students. To meet this obligation, we as a Government must ensure that funding is available to provide local coordination, leadership and management. We must acknowledge that the southern suburbs of Adelaide have the highest rate of youth unemployment in South Australia and, according to media reports, the second highest in Australia. We must declare vocational education in secondary schools a high priority.

Mr FOLEY (Hart): I refer briefly to an issue which is causing me some concern, one which could develop into a difficult experience, that is, the current Government's plans to close either the Largs North Primary School or the Taperoo Primary School in my electorate. A study by a working party has been under way for four or five months to look at the future of both those schools. I want to state on the public record that I am disappointed that the Government is putting both those schools and their school communities into a position where they must decide their future. I have some concerns about the way in which the Government, through the Education Department, is handling this matter. I think the Government's approach lacks a degree of sensitivity.

I attended a meeting last week at which the school community of the Largs North Primary School was briefed by the Director of Education for the Western Region, Mr Alan Young, and some members of the working party. At that meeting, it became very obvious to the parents of Largs North that the working party looks very much like recommending the closure of the Largs North campus. There was discussion as to whether that campus should be collocated with the Taperoo Primary School or whether parts of the Taperoo Primary School should be located on the campus of the Taperoo High School. There are a number of options, all of which I think do nothing more than cause great angst and concern amongst all school communities.

As the local member of Parliament, I believe it is my job to ensure that the best outcome for the communities of both the Largs North and the Taperoo Primary Schools is achieved. I must say that my observations of the workings of the working party to date—

Mr Becker interjecting:

Mr FOLEY: I think the closure of schools in my electorate is important. A member of the Government interjects that the closure of schools in my electorate is not important. I find that comment disgusting in the extreme. The closing of any school in my electorate is of great concern, and I think the member for Peake, a very senior member of the Liberal Government, should not say such things about schools in my electorate. I appeal to the Government to treat the communities of Largs North and Taperoo with a little more respect than it has shown to date. The Government should come forward and explain to both school communities exactly what is its agenda because, whether it is the Taperoo Primary School or the Largs North Primary School that is forced to close by this Government, it is a matter for concern that nothing has been put on the record by the Education Department or the Government as to why parents should accept the school closure and transfer to another campus.

The Government has not been prepared to say that significant amounts of money will be spent on improving either campus to offer greater technology or better school facilities. There is no incentive for parents to openly consider the possible relocation of the schools. At the very least, the Government should discuss with these school communities what it is prepared to offer. What I will not accept on behalf of both Largs North and Taperoo is the Government, having already decided—which I suspect it has—which school will close, now going through a charade of consulting the parents and involving them in what I consider to be nothing but some very sloppy work by the Education Department to compromise the parents of both the Largs North and Taperoo Primary Schools when the department has already made its decision. It is shameful.

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

Mr BECKER (Peake): It is interesting to hear members of the Labor Party complain when they face school closures in their electorate—we have been through it in our electorates—particularly when certain members of the Labor Party who are employed in the Education Department want to show the local community that they can close schools. Talk about politics in closing schools:there is plenty of it. What happened prior to the last State election was disgraceful: a school was closed by a Labor person within the Education Department who wanted to prove a point. It was closed for no other reason. I have no respect whatsoever for people who complain about our education system, because the previous speaker was employed by the Government and the Premier of this State.

I refer to an article by Alex Kennedy in the *City Messenger* entitled, 'Agro in Labor ranks causes Opposition testosterone rush'. I will not read the first paragraph as it is not necessary, but Alex makes certain comments in relation to the performance of John Quirke, the member for Playford, and the performance of the now Leader of the Opposition. That is the point I want to make, because the Leader of the Opposition apparently does not believe in using the title 'Leader of the Opposition'. He heads his compliment slips and correspondence with details including 'State Labor Leader', 'Shadow Minister for Economic Development', 'Arts', 'Crime prevention' and 'member for Ramsay.' 'State Labor Leader, Parliament House' appears on correspondence to constituents throughout the electorate and in general correspondence. So, there is no such official or designated title, as far as I know and understand, as 'Leader of the Opposition'. He may be State Labor Leader, but if he is not prepared to use the title 'Leader of the Opposition' I do not see why he should use the correspondence, stationery or the facilities of Parliament House for his correspondence. We either have a Leader of the Opposition or we do not.

Reading Alex Kennedy's article, I do not think we will have the Deputy Leader of the Opposition for very long, either. He is the highest paid in Australia, by the way. For a change Alex Kennedy is using information to attack the Labor Party and, of course, promoting people like Cameron and Ron Roberts. We now know who leaks stuff to Alex Kennedy from Parliament House. However, I refer to

correspondence from the Leader of the Opposition to one of my constituents. He sent out a letter on the privatisation of water, and my constituent wrote back and said:

It's the half truths which, by definition, are also half lies such as the statements of the first three paragraphs of your letter under reply which bring our law makers into so much obloquy. Thus we must put the needs of South Australia before Party politics. To quote but one example of blatant politicisation: the Garibaldi business. There were question marks over this enterprise well before the present Government took over; your Party's predecessors did not see fit to concern themselves with it. Was it pure coincidence that television cameras were on hand yesterday to cover the Robinsons leaving Parliament House after visiting your health spokesman? Far too obviously it was not—it was tasteless politicking.

Rann wrote back on 17 November and said:

I have never at any stage either met or spoken with Mr and Mrs Robinson. I therefore find your reference to the parents of the child who died both insensitive and offensive. Are you a parent? If you are, I find it extraordinary that you make such a remark. I have sent a copy of your letter to Mr J. Doherty, the solicitor representing the Robinson family. I suggest you might like to contact him. Anyone who could make such an inference does not deserve the respect in which you hold the other occupations you list in your letter. In the meantime, I return your letter with the suggestion that you study yourself and your own motives as deeply as you scrutinise political candidates.
Yours sincerely, Mike Rann, State Labor Leader.

That is the type of arrogance we have from a person who is the Leader of a political Party, who is entitled to the title of 'Leader of the Opposition' but who will not use that title. He should give up all the lurks and perks to which he is entitled and I will certainly ask the Speaker and Minister for Industrial Relations why he is getting the benefits if he is not prepared to use the title.

Mr BUCKBY (Light): I wish today to refer to and congratulate the Light and Kapunda councils, which recently amalgamated, being the first amalgamation under this Government's plan for restructure of local government. This accumulates a population of approximately 9 000 people in the lower north area. The major towns included are Freeling, Roseworthy, Wasleys and Greenock from the Light council, and Kapunda is the major town from the previous Kapunda council. The amalgamation makes sense because both councils have a similar economic base, that being of traditional broadacre agriculture as well as some intensive agriculture in the area and light industry in the towns of both Freeling and Kapunda. Prior to amalgamation both councils were sharing equipment, so the next obvious step was to move into an amalgamated situation.

I commend the two councils for the work they did and commend also all councillors of both the previous Light and Kapunda councils for their cooperation in this regard. The now amalgamated council will, I believe, be extremely successful. Other councils undergoing talks for amalgamation in my electorate are Barossa, Tanunda and Angaston, moving towards proposed amalgamation on 1 July. Those talks are proceeding very well and cooperation between all councillors in those three councils is extremely pleasing to see. In working together there are sometimes difficult situations, especially where you have the Barossa council being debt free and the other two councils having incurred debt through the building of infrastructure over time. However, I am confident that that will go ahead and provide much greater and better services for the people of the Barossa Valley.

Another point I wish to raise today is the registration of interstate vehicles. Recently I was approached by a member of my electorate who had purchased a four-wheel drive F100 utility. The vehicle was imported from New South Wales, and the constituent saw the car unregistered in a car yard and suggested he would be interested in purchasing it if it was registered. Two or three days later he went back and found that it had been sold to Midcity Motor Auctions. He attended the auction, the vehicle was registered, and he purchased it. He was driving it about a week afterwards and was pulled over by the police and advised that he did not have a cover over a 200 litre gas tank on the vehicle as was required under law.

He had the vehicle inspected by the motor vehicle inspection unit at Regency Park, which could not advise him on what sort of cover to put over it apart from saying that he should have a cover on it. He did it himself, took it back to Regency Park again and, rather than just inspecting that cover, they decided to undertake a complete vehicle check. It was found that the bolts that attached the 200 litre gas tank should have been attached to the chassis but were only attached to the tray of that F100 utility. As a result he then had to get an engineer's report and have the repairs done before taking the vehicle back to Regency Park again. All this cost an extra $1 000. He raised with me the question why, in particular, unregistered interstate vehicles are not checked prior to their being able to be registered, because one would assume that, when the vehicle is registered, it is in a roadworthy condition. It is a good point to make that, when a vehicle is brought in, the only check it gets is to ensure that it has not been stolen.

Mrs GERAGHTY (Torrens): Recently I encountered a problem in my electorate—

The Hon. R.B. Such interjecting:

Mrs GERAGHTY: Eventually members and Ministers opposite will get bored with that and find something new.

Mr Clarke interjecting:

The ACTING SPEAKER (Mr Bass): Order!

Mrs GERAGHTY: The opponent's name has been well forgotten. Recently I encountered a situation in my electorate that caused me considerable concern. It relates to the lack of proper consultation with the community. For some time the Brown Government has been making decisions and taking action without any consultation with the community. At times it does not even give the community an opportunity to be involved in what is happening around it. For example, a fence was erected around the Hope Valley reservoir, which is not far from your electorate, Mr Acting Speaker, but there was no consultation with residents along the street in question—

Members interjecting:

Mrs GERAGHTY: I admit that there was a fence, a very low fence. The reservoir management decided to erect the fence but, as I said, there was no consultation about this.

Mr Lewis interjecting:

The ACTING SPEAKER: Order! The member for Torrens has the floor.

Mrs GERAGHTY: Initially, I grant that a couple of residents were given an indication that a fence would be erected, but they were not really given the full story about why it would be erected and whether there was any need for it: they were just told that a fence would be erected. Residents were particularly disturbed in that they went off to work one morning and when they came home the fence was in the process of construction. They attempted to find out exactly what was happening, asking why the fence was being located in such a situation and why it could not be put back a little further. The residents were given the run around and they

telephoned me expressing their concern and the view that the matter was probably a *fait accompli*, as, in fact, was the case. The decision had been made, whether or not the residents had any genuine concern. The people involved told me that had the fence been erected in a better location it could have enhanced the outlook from their properties. In any event, the fence is there, and I wonder even now whether the residents are fully aware of why it was erected.

Members interjecting:

Mrs GERAGHTY: You people have really run my thoughts around the Chamber today, I have to tell you. I contacted the Harvest and Storage Manager and met him on site at about 8 o'clock one morning. I was given a tour of the reservoir and an explanation of the difficulties of maintaining and protecting the equipment. There has been considerable vandalism and, unfortunately, improper use of the reservoir itself. However, my constituents have not been given that opportunity. Not one of the residents to whom I spoke at that stage fully understood the situation, but they did understand the need to protect our drinking water.

They were not simply being selfish people, and it was not a matter of what was in their best interests. They were concerned about the quality of the water, and all they wanted was a fair go, a proper hearing and the opportunity to be involved. In fact, if they had been asked, all they wanted was to have the fence moved about five metres back from the original location. However, at that stage they did not even have the opportunity to apprise the Harvest and Storage Manager of that fact. The fence was going up in a particular position, which I admit is on the Hope Valley reservoir boundary, and that was that.

Unfortunately, this sort of thing is happening all too often. Our communities are not properly consulted and we are about to have a similar issue occur again, I suspect, with other areas of the Hope Valley reservoir land.

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

Mr LEWIS (Ridley): At the mouth of the Huang Ho River, at a latitude south of the 37.5 parallel, is Shandong Province in China. His Excellency the Chairman, Zhao Zhihao, of the People's Congress in that Province is currently in South Australia. That is very significant to us in this Chamber, because that Province has chosen us, of all the people in the world, as the other place on Earth with which it would like to be intimately involved culturally, scientifically, educationally and economically in the way in which it develops the resources at its disposal for the benefit of the people who live there. There are 87 million people in the Province, with an area smaller than the area of the Republic of South Korea and a little bigger than the area that is habitable in South Australia.

The Republic of South Korea is a tenth of the size of South Australia—it is only 98 000 square kilometres, of which only 22 000 square kilometres is habitable. Almost all the area of Shandong is habitable, and it is very densely populated, almost as densely populated as the habitable land in the Republic of South Korea. I was fortunate to be able to share in the celebrations last night welcoming and honouring that delegation from Shandong to South Australia at which His Excellency made some remarks in response to the welcome so ably given by our Premier, Hon. Dean Brown.

In the course of his remarks he drew attention to one of the principal industries of that Province of which I have been aware for over 20 years, since 1974, when I learnt that aquaculture was an industry of the Province with a measure of insight and excellence relevant to our own interest. Naturally, I looked at latitudes equivalent to our own and I found that Shandong Province was already doing what I believed we should and could do here in South Australia in the same latitude.

He drew attention to the fact that, if all the people in Shandong Province were to eat just one abalone a year, they would consume an enormous amount. Indeed, about five abalone equal one kilogram. As there are about 87 million people in the Province, about 17 million kilograms of abalone would be required to give each person one abalone a year, on average. That 17 million kilograms or 17 000 tonnes would take about 1 300 hectares to produce, which is just over 10 square kilometres. My point is this: across the board in South Australia, with the best and the worst abalone all tossed in together, on 1994-95 figures we harvest about 851 tonnes a year, worth to the fishers who caught them $22.766 million gross, amounting to about $26.75 a kilogram with all the different qualities thrown in regardless. If we multiplied that out sufficiently to feed the people of Shandong with just one abalone a year, we would get at least $450 million a year from abalone alone.

My further point is this: around the coastline of South Australia we have not just 1 300 hectares but tens of thousands of hectares that are marginal for agriculture, land that is just back from the shore line; land which is not high above sea level but which is salinised. Such land could be turned into mariculture farms to produce species like this, as well as crustaceans and marine vegetation, the kind which is used as food. They no longer have the means to meet the demand and they do not have the clean water and space that we have from which we can produce it. We could be getting $2 000 million a year from aquaculture, but at present we do not spend anywhere near enough in researching the ways in which we can attain that goal. Clearly, it would create jobs and wealth way beyond what we have at present. We get only about $3 000 million a year from all our other primary industries and I do not see why, from this small area of land that I suggest could be available, we do not go ahead and obtain that benefit.

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

NATIONAL PARKS AND WILDLIFE (MISCELLANEOUS) AMENDMENT BILL

Returned from the Legislative Council with the following amendments:

No. 1. Page 2—After line 4 insert new clause as follows—

'Insertion of Part 1A

3A. The principal Act is amended by inserting the following Part after Part 1:

PART 1A

OBJECTS OF THIS ACT

Objects

5A.(1) The objects of this Act are as follows—

(a) the conservation and preservation of naturally occurring ecosystems and plants and animals indigenous to Australia;

(b) to set aside and manage land of national significance or for the purpose of conserving and preserving the

land and its ecosystems and its native plants and protected animals;

(c) the reintroduction of species of plants and animals to land once inhabited by those species;

(d) to set aside and manage land for public recreation and enjoyment to the extent that that can be done consistently with the objects set out in paragraphs *(a)*, *(b)* and *(c)*.

(2) The Minister, the Council, an advisory committee and all other bodies or persons involved in the administration of this Act must act consistently with and must seek to further its objects.'

No. 2. Page 2, line 33 (clause 6)—Leave out 'seven members six' and insert 'eight members seven'.

No. 3. Page 3, lines 2 to 19 (clause 6)—Leave out subsection (4) and insert new subsection as follows—

'(4) Of the appointed members—

(a) one must have qualifications or experience in the conservation of animals, plants and ecosystems;

(b) another must be a person selected by the Minister from a panel of two men and two women nominated by the Conservation Council of South Australia Incorporated;

(c) another must have qualifications or experience in the management of natural resources;

(d) another must have qualifications or experience in organising community involvement in the conservation of animals, plants or other natural resources;

(e) another must have qualifications or experience in a field of science that is relevant to the conservation of ecosystems and to the relationship of wildlife with its environment;

(f) each of the remaining two must have qualifications or experience in at least one of the following:

(i) ecologically based tourism; or

(ii) business management; or

(iii) financial management; or

(iv) marketing,

being an area in which the other does not have qualifications or experience.'

No. 4. Page 3, line 20 (clause 6)—Leave out 'have' and insert 'be a person who, in the opinion of the Minister, has'.

No. 5. Page 4, line 14 (clause 6)—Leave out 'Four' and insert 'Five'.

No. 6. Page 6 (clause 6)—After line 9 insert new subsection as follows—

'(3) All advice provided by the Council to the Minister must be in writing.'

No. 7. Page 6 (clause 6)—After line 9 insert new section as follows—

'Copy of advice to Environment, Resources and Development Committee

19CA. The Council must, within seven days after providing advice to the Minister provide the Environment, Resources and Development Committee of Parliament with a copy of the advice.'

No. 8. Page 8 (clause 6)—After line 9 insert new sections as follow—

'Meetings to be held in public subject to certain exceptions

19IA. (1) Subject to this section, a meeting of a committee must be conducted in a place open to the public.

(2) A committee must, by notice in a newspaper circulating generally throughout the State, give at least 14 days notice of its intention to hold a meeting that will be open to the public.

(3) The notice must state the time and place at which the meeting will be held.

(4) Fourteen days notice is not required if a meeting needs to be held to deal with an emergency but, in that event, the committee must give as much notice under subsection (2) as is practicable or, if no notice can be given before the meeting is held the committee must give notice under subsection (2) of the date on which the meeting was held and of the emergency that it dealt with.

(5) A committee may order that the public be excluded from attendance at a meeting in order to enable the meeting to consider in confidence—

(a) legal advice; or

(b) information given to the committee on the explicit understanding that it would be treated by the committee as confidential; or

(c) matters relating to actual or possible litigation; or

(d) any matter of a class prescribed by regulation.

(6) Where the matters to be considered at a meeting of a committee include matters referred to in subsection (5) but include other matters as well, the committee can only order the exclusion of the public during that part or those parts of the meeting when a matter referred to in subsection (5) is being considered.

(7) A member of the public who, knowing that an order is in force under subsection (5), enters or remains in a room in which a meeting of the committee is being held is guilty of an offence.

Maximum penalty: $750

(8) If a person referred to in subsection (7) fails to leave the room on request it is lawful for a member of the committee or a member of the police force forcibly to remove him or her from the room.

(9) Where an order is made under subsection (5), a note must be made in the minutes of the making of the order and of the grounds on which it was made.

Agenda and minutes of meeting to be publicly available

19IB. (1) A committee must make available to members of the public copies of the agenda for, and the minutes of, each meeting, or the part of each meeting, of the committee that is open to members of the public.

(2) An agenda must be available at least three days before the meeting to which it relates is held.

(3) A fee charged by a committee for copies of agendas or minutes must not exceed the fee prescribed by regulation.

(4) A committee must provide the Minister with a copy of the agenda and the minutes of each meeting, or the part of each meeting, of the committee that is closed to members of the public.

Advice to be in writing

19IC.(1) All advice provided by a committee to the Minister or to the Council must be in writing.

(2) Where a committee provides advice to the Minister it must provide a copy of the advice to the Council and where a committee provides advice to the Council it must provide a copy of the advice to the Minister.

Committee's advice to be publicly available

19ID.(1) Subject to subsection (2), a committee must make copies of advice given by it to the Minister or the Council available to members of the public for inspection (without charge) or purchased at a price prescribed by regulation.

(2) A committee may withhold advice, or the relevant parts of advice, from public scrutiny if—

(a) the advice deals with matters discussed at a meeting of the committee that was not open to the public; or

(b) disclosure of the advice would be contrary to any Act or other law.

(3) A committee must, within seven days after providing advice to the Minister or the Council, cause to be published in the *Gazette* a notice stating the place or places at which copies of the advice may be inspected or purchased.

Copy of advice to Environment, Resources and Development Committee

19IE. A committee must, within seven days after providing advice to the Minister, provide the Environment, Resources and Development Committee of Parliament with a copy of the advice.

No. 9. Page 8, lines 18 to 20 (clause 6)—Leave out subsection (2) and insert new subsection as follows—

'(2) The members of a consultative committee must be persons who, in the opinion of the Minister, have local knowledge that is relevant to, or who are interested in, the management of reserves or the conservation of animals, plants and ecosystems in the part of the State in relation to which the consultative committee is established.'

No. 10. Page 10 (clause 10)—After line 10 insert new paragraph as follows—

'*(aa)* by striking out from subsection (3) "to be published in the *Gazette* that the plan of management, or the amendment, has been prepared' and substituting 'that the plan of management, or the amendment, has been prepared to be published in the *Gazette* and in a newspaper circulating generally throughout the State".'

No. 11. Page 10 (clause 10)—After line 17 insert new paragraph as follows—

'*(e)* by inserting the following subsection after subsection 10:

(10a) A plan of management must not provide for the culling of protected animals from the reserve unless—

(a) the Minister is of the opinion that the culling of those animals is the only practicable option for controlling an overpopulation of animals of that species in the reserve; and

(b) the plan sets out the Minister's reasons for that opinion.'

No. 12. Page 11, line 4 (clause 14)—After *'Gazette'* insert 'and in a newspaper circulating generally throughout the State'

No. 13. Page 11, line 19 (clause 14)—After *'Gazette'* insert 'and in a newspaper circulating generally throughout the State'.

No. 14. Page 12, line 6 (clause 15)—After *'Gazette'* insert 'and in a newspaper circulating generally throughout the State'.

No. 15. Page 12, line 7 (clause 15)—Leave out 'taken' and insert 'killed'.

No. 16. Page 12 (clause 15)—After line 7 insert new subsection as follows—

'(1a) The Minister must not make a declaration under subsection (1) unless he or she has first sought and considered advice from the Council in relation to the proposed declaration.'

No. 17. Page 12, line 11 (clause 15)—Leave out 'taken' and insert 'killed'.

No. 18. Page 12, line 12 (clause 15)—Leave out 'take' and insert 'kill'.

No. 19. Page 12, line 14 (clause 15)—Leave out 'taken' and insert 'killed'.

No. 20. Page 12, line 16 (clause 15)—Leave out 'taken' and insert 'killed'.

No. 21. Page 12 (clause 15)—After line 16 insert new subparagraph as follows—

'(iv) the period for which the notice will remain in force; and'.

No. 22. Page 12, line 18 (clause 15)—After *'Gazette'* insert 'and in a newspaper circulating generally throughout the State'.

No. 23. Page 12 (clause 15)—After line 18 insert new subsection as follows—

'(3a) A notice under this section must not remain in force for more than 12 months.'

No. 24. Page 12, line 19 (clause 15)—Leave out 'take' and insert 'kill'.

No. 25. Page 12 (clause 15)—After line 20 insert new subsection as follows—

'(5) This section expires on the second anniversary of its commencement.'

No. 26. Page 13 (clause 18)—After line 8 insert—

'Maximum penalty: $2 000
Expiation fee: $200'.

No. 27. Page 14, lines 4 to 7 (clause 21)—Leave out section 60BA. and insert new section as follows—

'60BA.(1) The Governor may by regulation declare that a species of protected animal is a species for the purpose of trial farming under this Division.

(2) A regulation under subsection (1) must set out conditions to which a permit granted under this Division in relation to animals of the species referred to in the regulation will be subject.

(3) A regulation under subsection (1) expires on the fourth anniversary of its commencement and cannot be remade in relation to the same species of animal.

No. 28. Page 14, lines 14 to 21 (clause 22)—Leave out paragraph *(c)* and insert new paragraphs as follow—

"*(c)* by striking out subsection (4) and substituting the following subsection:

(4) A permit for the trial farming of protected animals of a particular species expires at the expiration of the term for which it was granted or when the declaration under section 60BA in relation to that species expires whichever occurs first.;

(d) by inserting after 'section 69' in subsection (6) 'or by a notice under section 60BA'."

No. 29. Page 14 (clause 23)—After line 27 insert new paragraph as follows—

'(ab) by striking out subsection (5) and substituting the following subsections:

(5) The Minister must, by notice published in the *Gazette* and in a newspaper circulating generally throughout the State—

(a) state the place or places at which copies of the draft code can be inspected or purchased; and

(b) invite interested persons to provide the Minister with written comments in relation to the draft code.

(5a) A draft code must be made available for public comment for at least three months before adoption by the Minister.'

No. 30. Page 15, lines 5 to 8 (clause 24)—Leave out section 60G. and insert new section as follows—

'60G. (1) The Minister may, by notice published in the *Gazette*, declare that this Division applies to, and in relation to, animals of one or more of the following species:

(a) red kangaroo—*macropus rufus*;

(b) western grey kangaroo—*macropus fuliginosus melanops*;

(c) euro (wallaroo) (hill kangaroo)—*macropus robustus*.

(2) The Minister may, by subsequent notice published in the *Gazette*, vary or revoke a notice under subsection (1).

(3) The Governor may, by regulation made on the recommendation of the Minister, declare that this Division applies to, and in relation to, protected animals of a species (not being a species referred to in subsection (1)) named in the regulation.

(4) The Minister must not make a recommendation under subsection (3) unless he or she is satisfied that there is sufficient scientific knowledge available in relation to the species concerned to enable the matters referred to in section 60I.(2)*(a), (b), (c)* and *(d)* to be addressed adequately.'

No. 31. Page 15, lines 17 and 18 (clause 24)—Leave out 'named in a notice published under section 60G.(1)' and insert 'to which this Division applies'.

No. 32. Page 15 (clause 24)—After line 22 insert new subparagraph as follows—

'*(iia)* on the ability of the species to maintain natural genetic diversity throughout its population; and'.

No. 33. Page 15, lines 31 to 33 (clause 24)—Leave out paragraph *(e)* and insert new paragraph as follows—

'*(e)* specify humane methods and procedures for the killing, capturing and killing and treatment after capture of animals pursuant to a permit under this Division; and'.

No. 34. Page 16, lines 5 and 6 (clause 24)—Leave out subsection (4) and insert new subsections as follow—

'(4) The Minister must, by notice published in the *Gazette* and in a newspaper circulating generally throughout the State—

(a) state the place or places at which copies of the draft plan can be inspected or purchased; and

(b) invite interested persons to provide the Minister with written comments in relation to the draft plan.

(4a) A draft plan must be made available for public comment for at least three months before adoption by the Minister.'

No. 35. Page 16, lines 20 to 28 (clause 24)—Leave out subsection (2) and insert new subsection as follows—

'(2) The Minister must not grant a permit under subsection (1) to take animals on a reserve except animals of the following species:
(a) red kangaroo—*macropus rufus*;
(b) western grey kangaroo—*macropus fuliginosus melanops*;
(c) euro (wallaroo) (hill kangaroo)—*macropus robustus*,
and then only if—
(d) the Minister has adopted a plan of management under section 38 in relation to the reserve; and
(e) the plan of management provides for the culling of animals of the species to which the permit relates in order to preserve animal or plant habitats or wildlife; and
(f) the permit only authorises the harvesting of animals that would otherwise be culled from the reserve pursuant to the plan of management.'

No. 36. Page 17, line 3 (clause 24)—Leave out 'or the capture and killing' and insert 'the capture and killing and the treatment after capture'.

Consideration in Committee.

Amendment No. 1:

The Hon. D.C. WOTTON: I move:

That the Legislative Council's amendment No.1 be disagreed to.

I take this opportunity to remind the Committee what the Government is on about as far as this legislation is concerned, and the amount of consultation that has taken place in its reaching this stage. Consultation with key interest groups and the department in regard to this legislation commenced in March 1995. The Bill was introduced in November last year, and it then lay on the table for some three months to provide adequate opportunity for further consultation. Extensive consultation occurred during that time. Written submissions were received from various interest groups, including the Conservation Council, ELCAS, NELA and the Nature Conservation Society.

Various meetings were held with the Conservation Council, the ALP and the Democrats. The Bill builds on recommendations arising from the national parks review and the second interim report of the Joint Committee on Living Resources. I remind the Committee that the second interim report of the Joint Committee on Living Resources was a tripartisan agreement and that a very large number of responses to that report were supportive. Consultation also took place with the Chairs of the consultative committees. In fact, the Bill has had strong community support from the friends groups of various national parks and the consultative committees.

I say to those people who have been running around in the community indicating that not enough consultation has taken place that, in contrast to that vast amount of consultation which, as I say, started in March last year, the ALP and the Democrats were moving amendments that were being drafted on the floor of the Council. In my 21 years of Parliament, I have never seen anything like that happen before. Absolutely no consultation took place whatsoever. I would suggest that the ALP and the Democrats have been captured by a narrow group, which itself is promoting a narrow and backward view of conservation for this State.

I will remind the Committee of the aims and purposes of the legislation. The Bill seeks to reform and streamline the administration of national parks in this State—national parks which have been neglected for more than a decade and which are very much in need of reform. The Bill introduced a commitment to consultative processes and sought to provide statutory recognition for consultative committees. It also moved towards the lifting of the profile of the new advisory council. I am sure that members would be aware that this Government came into office with a commitment to establish a new National Parks and Wildlife Commission.

Soon after we came to office, and following consultation, it was made quite clear that to move towards a National Parks and Wildlife Commission was not the way to go and, taking into account the recommendations of the third review of national parks—which was an excellent review—it was decided that, rather than go for a commission, we should establish an advisory council. This legislation attempts to set a new direction for national parks in this State. The Bill seeks to bring our legislation up-to-date with national and international developments, particularly relating to sustainable use of wildlife, and always recognising that with that comes the need for appropriate monitoring and controls. We have never walked away from that responsibility.

We believe that the Bill, as it was drafted, provides adequate safeguards in that regard. It also meets the election commitment to reform administration of the National Parks and Wildlife Service, and that is something about which we feel very strongly. It provides opportunities also for regional development through commercial harvesting and trial farming provisions for native fauna; and, from the advice sought, there appears to be strong support for that to happen in this State.

The first amendment agreed to in the Upper House but with which we disagree relates to objects. Prior to the Democrats' amendments being available—and that was virtually on the day before the legislation was debated—no discussion appeared in any of the written submissions or took place at any of the meetings raising the issue of objects. Mr Elliott's objects, I would suggest, show a clear misunderstanding of the legislation. The legislation is much more than those objects, that is, what sorts of reserves we have, community involvement, and a number of other areas. If we are to have objects—and I am not saying that it is not appropriate to have objects—it is essential they be for the whole Act and not just for sections of the legislation.

As I said, the legislation was introduced more than three months ago. No approaches or consultation has taken place regarding objects, and these objects now before us are thrown together as an attempt to satisfy what I would suggest is a narrow group within the conservation movement. These objects are far too narrow and do not reflect the broad scope of the Act, including the wide range of reserves that can be created under the Act, the objects of management found in section 37 of the Act, the involvement of the community and the administration of the Act, and the provisions providing for the sustainable harvesting and farming of wildlife under the Act.

A number of objects could be included, for example, a contribution towards the implementation of national or international agreements relating to the conservation of animals, plants and ecosystems; the opportunity to provide community participation in the management of reserves and the conservation of wild life; and the opportunity to use wildlife in a manner that is consistent with the objects of this Act and the principles of ecologically sustainable development. Certainly opportunity could be provided in regard to Aboriginal communities, recognising their legitimate interests as traditional owners. It is certainly recognised that the primary objective of this legislation must be the preservation of biodiversity. However, within that are varying degrees of protection.

If we are to insert objects, they must properly reflect the whole of the Act; for example, the objects in the EPA Act go on for a full page. Some conflict with each other, but that is resolved by mechanisms within the Act. I am not opposed to the establishment of objects. As a matter of fact, prior to the amendments being debated in another place, I gave a commitment that I would be happy to sit down with the Opposition and the Democrats to draw up a suitable set of objects to be introduced later. However, before that happens, there has to be consultation. For example, I would not be prepared to introduce objects into this legislation without having the opportunity to consult with the consultative committees that are established throughout South Australia for this very reason—to provide adequate consultation and to talk about matters relating to objects of the legislation.

It is important that that consultation takes place to ensure that all issues are canvassed and that there is broad community support for any proposed changes before the objects are inserted. Certainly, the friends and the consultative committee network need to be given the opportunity to participate in the drafting of objects. I suggest that it would be totally appropriate for the new council, which is to be established under this legislation, to be given the opportunity to make comment about the objects as well. I repeat: we oppose this amendment. Prior to debate on the amendments, I gave an undertaking that I would consider this matter and that I would do so in conjunction with the Democrats and the Labor Party. I also gave an undertaking that I would seek the opportunity to refer the matter to the new council to ensure appropriate consultation with the community prior to such objects being introduced. The Government opposes the amendment.

Ms HURLEY: The Opposition will continue to support the amendment. The Minister's response indicates that he does not properly understand the depth of distrust of people in the conservation movement of the current Government and its intentions towards national parks and wildlife. They would really like to see something fairly concrete rather than simply adopting the 'trust me and we'll make it all right' approach that seems to have been outlined by the Minister. We are strongly in favour of further widening the objects of the Act, and there is some support for the way this amendment does that.

The Hon. D.C. WOTTON: I find that statement incredible. I understand that there may be some distrust in the community on the part of a small group of conservationists; I have already indicated that. Is the honourable member suggesting that, with all the hoo-ha with which she and her colleagues have gone on about the lack of consultation regarding this legislation, with something as important as the objects to be placed in this legislation, we should just include something that has been cobbled together by the Labor Party and the Democrats in another place—over a cup of coffee, virtually—without any opportunity for consultation with the consultative committees across the State helping us to plan and develop our national parks? Is she suggesting that we should not have the opportunity to discuss this formally with the Conservation Council?

I know that members of the Conservation Council have been furiously feeding information to the Labor Party and the Democrats. Is the honourable member suggesting that the Government of the day should not have the opportunity even to consider or discuss this matter with the Conservation Council or with any other group? There are other groups. I have just referred to ELCAS and NELA, which are both very important groups when it comes to conservation in this State. Should they not be involved in any discussion? Should I not have the opportunity to talk to the Nature Conservation Society, which I understand is only one of the organisations in the peak body, the Conservation Council? However, other groups may want to discuss this matter with us.

I have given a commitment that I am happy to talk to the Labor Party and to the Democrats about objects. I have given an undertaking that I would want the matter of objects to be discussed with the new council. I want to discuss it with as wide a range of people as possible and with organisations that have an interest in this matter. However, the Opposition is just intent on putting into legislation something that does not even cover the breadth of the legislation in relation to objects, cobbled together over a cup of coffee.

I find this just incredible. These are the people who go on, day after day, with the Conservation Council about the need for appropriate consultation. Can the honourable member say whether the Conservation Council is satisfied with the consultation that has taken place with regard to this matter? Is it satisfied, given that it has not even talked to the Government of the day about this issue or to the other groups, including the consultative committees, and so on? I just cannot believe that that would be the case. I can only reiterate that we oppose the amendment.

Ms HURLEY: The Minister said that he found it incredible that this amendment was cobbled together by the Opposition and the Democrats. I find it even more incredible that the Minister has brought in such a flawed Bill. The Minister, who has an entire department around him and who has the ability to consult widely with all these groups, did not consult properly before he introduced the Bill. The Minister did not introduce a Bill with proper objects, and he did not have the consultation he is talking about himself. That is an admission of his dereliction of duty. He seems to be saying that the Opposition and the Democrats should have got together and written the objects of the Bill for him. That is what we have done. If he finds that inadequate, perhaps he should think about what he should have brought in. Perhaps he should have brought in a proper Bill following proper consultation.

The Hon. D.C. WOTTON: I only make the point again that I find it incredible. The honourable member knows that there has been absolutely no consultation on this issue—none whatsoever. Let the honourable member stand up and advise the Committee how much consultation has taken place with regard to this matter and with whom members opposite have consulted—these people, who day after day condemn this Government and me as Minister for not consulting properly. I find it totally unacceptable that we are debating this amendment simply because a couple of people from the Conservation Council, at the eleventh hour, when this legislation has been around for more than 12 months—and I remind the Committee again that the first discussions took place in March 1995—got together and said, 'Oops, we'd better have some objects; we should have included some objects.'

The Conservation Council said, 'Well, yes, I suppose that's what should happen. Don't worry about the consultation; the consultation is the least of our worries.' Perhaps one would expect the Opposition to regard the objects as not even being important. How can it place any importance on them when it has not even taken the trouble to consult anybody on this issue, when the legislation has been out since March last

year and has laid on the table in this place for over three months to enable consultation to take place?

We have not received one representation from the Conservation Council or anybody else, including the Opposition, suggesting that this legislation should have objects in it. I intend to propose further amendments to this legislation in line with the national parks review and I have given an assurance that, after discussion with the Opposition, including the Democrats, and all the other groups to which I have referred, I shall be happy to bring objects into this legislation, but I am not prepared to do it without that consultation.

Motion carried.

Amendments Nos 2 to 5:

The Hon. D.C. WOTTON: I move:

That the Legislative Council's amendments Nos 2 to 5 be agreed to.

Motion carried.

Amendments Nos 6 to 8:

The Hon. D.C. WOTTON: I move:

That the Legislative Council's amendments Nos 6 to 8 be disagreed to.

These amendments were put forward by the Opposition and the Democrats in another place. Amendment No. 6, moved by the Democrats and supported by the ALP, requires that the advice of the new National Parks Advisory Council be provided not only to the Minister but to the ERDC within seven days of that advice being forwarded to the Minister. That is totally unacceptable. It is not required of any other advisory committee of which I am aware. If it is, the member for Napier should explain to the Committee with which other committees that occurs. It is not a managerial council: it is an advisory council. Therefore, the member for Napier should tell us where that occurs in similar circumstances. I do not believe that any advisory council providing information to a Minister also has to provide it to the ERDC.

This is an expert council. While I respect the work of the ERDC, it is not expert in its role. Its role is not to be involved in day-to-day decisions relating to national parks. If this is likely to happen, it would appear that the ERDC has nothing else to do, but I know that is not the case.

We have reached a compromise with the legislation. We are encouraging involvement with the notices being published in the *Gazette* and the newspapers, and that has been agreed to in amendments that were introduced in another place. It would mean that the council would have a direct line to advisory committees and to—

Mr LEWIS: I rise on a point of order, Mr Acting Chairman. Perhaps the member for Napier would like the Hon. Mr Terry Roberts to come and sit beside her in the Chamber.

The ACTING CHAIRMAN (Mr Bass): The member for Napier is out of order by conducting a conversation in that manner.

The Hon. D.C. WOTTON: This is not about engaging the community and insisting that this material go to the ERDC. As Minister for the Environment and Natural Resources, I am certainly about engaging community involvement—I am totally committed to that—and I have done everything I can to ensure that is done. It is interesting to note, having had an opportunity to look at the legislation that was drawn up but not brought into the House by the then Minister for the Environment and Natural Resources, Mr Mayes, that many of the provisions that we are introducing are the same as those under that legislation.

A requirement that this advice go to the ERDC, when it does not happen anywhere else, would restrict the capacity of the council to consider some issues and provide appropriate advice to the Minister. As I said earlier, the council is an advisory body, and its purpose is to provide advice to the Minister. I suggest that at times that advice will relate to sensitive issues, and it is then the Minister's prerogative to determine whether that advice is passed on, considered or not considered. It is not the current practice with other advisory committees, and it will certainly inhibit the receipt of information by the council and the advice that is relayed to the Minister.

Amendment No. 8 relates to advisory committees. These committees were meant to parallel the consultative committees. It was felt that it would be appropriate to establish these committees if particular issues needed to be considered. These committees would have a short life. They would be given a task and, when that task was completed, they would no longer exist. It was intended that they should be functional committees, that they be consultative, that they go out and seek consultation, and so on.

The amendment that has been moved and supported by the Democrats and the ALP in another place requires that the minutes of meetings of advisory committees must be publicly available together with agendas and advice given to the Minister and, further, that advice to the Minister be forwarded to the ERDC within seven days. Again, let the member for Napier tell me where that happens in other circumstances, because it does not. Such a requirement will be a burden on the committee. The committees are designed to have sufficient flexibility to adapt to circumstances. Some committee meetings will need to be held in public: others will not. It will depend on the issue. Therefore, it should not be a requirement for all meetings. All it does is to make this whole issue burdensome and over-bureaucratic.

The whole point of the structure being set up by this legislation is to get away from permanent committees and rigid processes. This has been the flavour of the legislation throughout the past five years, and I believe it to be appropriate. It is even more appropriate to take advice from the council as to when committees should be established and when meetings should be held in public. I see that as a role of the council. Sometimes it will just be advice from these committees to the Minister and sometimes the committees and the Minister will want public debate on the issue. That should be the prerogative of the committee being advised by the advisory council. I suggest that over-regulation and a further drain on resources is the last thing that we want when dealing with the management of national parks.

Formal recognition of advisory committees in the Act is not essential to the administration of the Act. The task force and working groups can be established without the encumbrances imposed by the amendments moved by the Democrats and supported by the ALP. For those reasons we oppose the amendments.

Ms HURLEY: Again, this illustrates how little the Minister understands the feeling of the community on these sorts of issues and the sensitivity of many people in this State regarding our national parks and wildlife legislation. He asked me where it happens elsewhere. This is fairly typical of the blinkered attitude of Liberal conservatives generally. We do not have to rely entirely on what happens elsewhere. The issue of our national parks and wildlife is very sensitive.

It is very important to people in this State that national parks and wildlife be protected properly. The Minister should understand that better than anyone. If we need extra legislation and measures to protect our parks and wildlife, they should be included under this Bill. That is the thrust of this amendment and we support that decisively. The Minister has called it a burdensome provision. The Minister seems to have taken the view all the way through that it is burdensome to consult with the public. So be it; he will have to wear that. The public will be kept informed of what is—

Mr Brokenshire interjecting:

The ACTING CHAIRMAN: The member for Mawson is out of his seat and is out of order interjecting.

Ms HURLEY: Members of the public should be kept informed about what is happening and the sort of advice that is flowing. They should be able to have some sort of input. If that is too burdensome for the Minister, I am afraid that that is just too bad.

The Hon. D.C. WOTTON: Again, I find it hard to know where the honourable member is coming from. When did I say that it was burdensome to consult? For Pete's sake, for the last 15 minutes I have talked about the need for consultation. I referred to that with respect to the previous amendment we disagreed to in that we could not introduce it without appropriate consultation. If there is an issue of concern, we can establish a committee. That committee can seek advice or consult with whomever it wants. I hope that that would be the case as that is what we want the situation to be. These committees would do just that. But they are advisory committees to the Minister and to the Government. We would hold up the situation even more by ensuring that this information coming from the advisory committees should go to the ERDC.

As the member for Ridley said earlier, it is a political stunt. There is nothing to be gained from it. I have given commitment after commitment that these advisory committees will be open and that people will know what is taking place. To suggest that, every time one of these committees meets, the findings should be relayed to the ERDC is ridiculous. The members of the committee all have an interest in a wide range of activities within the State, but they are certainly not specialists on conservation. What will happen if there is a group of five or six people who are specialists in a particular area and whom I or the advisory council call in to give the Government advice on an issue? What will happen if that advice is forthcoming and we send it off to the ERDC? Does the Opposition suggest that the ERDC then turn around and say, 'We do not approve of this; we do not support it. We do not believe it was necessary to do this'? Surely, to start off, that is not the role of the ERDC. It never has been the role of that committee to take that responsibility. I fail to see why we would want to do this, other than to make the legislation more complicated and to introduce more red tape.

Motion carried.

Amendments Nos 9 to 24:

The Hon. D.C. WOTTON: I move:

That the Legislative Council's amendments Nos 9 to 24 be agreed to.

Motion carried.

Amendment No. 25:

The Hon. D.C. WOTTON: I move:

That the Legislative Council's amendment No. 25 be disagreed to.

This amendment relates to the harvesting clause and to a sunset clause which members in another place suggest is necessary. Certainly, a sunset clause is one way to perform a review, but it is only one option and I do not believe that it is necessarily the best option. If the sunset clause is there for the second year, it means the review must occur well before the second year. I query the need for that to happen and whether this provides sufficient time, if this is the correct method to be followed, in which to achieve the review. I do not see that it is; I do not see that it is necessary to move in that way.

The amendment also relates to the taking of certain protected animals; that is what it is all about. The Bill, as it left this place, provided that the Minister could declare by a *Gazette* notice that a protected animal species causing damage to crops and so on could be taken without a permit subject to conditions set out in the *Gazette*. The Government agreed to restrict the issue of such notices to no more than 12 months in total—so there was a significant compromise—and required the notice to specify the period for which it is current. A number of compromises were reached following discussions that took place among the Government, the Opposition and the Democrats. We oppose this amendment.

Ms HURLEY: The Opposition appreciates whatever compromises have been made but is adamant that, given the wide-ranging nature of changes proposed in this Bill, we need fairly early on to review the operation and to make sure that no detrimental effects result from the Bill. The Opposition continues to support that sunset clause.

Motion carried.

Amendment No. 26:

The Hon. D.C. WOTTON: I move:

That the Legislative Council's amendment No. 26 be agreed to.

Motion carried.

Amendment No. 27:

The Hon. D.C. WOTTON: I move:

That the Legislative Council's amendment No. 27 be disagreed to.

This area deals with trial farming. I will spend a little time on this area, because the Government feels strongly about it. We recognise the opportunities and the potential under this clause. We submit that trial farming can take place through gazettal: the Opposition and the Democrats submit that it can occur only via regulation.

This is an essential section of the Bill as far as the Government is concerned. The Government intends to declare by gazettal species for trial farming. As a compromise, prior to these amendments being moved in another place, the Government had agreed to amend the trial farming provisions, which originally were to be done purely by gazettal, to, first, declaring the conditions to which trial farming species will be subject at times of gazettal; and, secondly, reducing from six to four years the preparation of management plans. This amendment effectively removes the flexibility of the Government to enact trial farming of a species in a simple, practical and very public manner. The Government recognises the need for controls, checks and balances—and I made that point at a very early stage. We recognise that we cannot exploit. We believe that the Act in general and our outlined compromises provide appropriate checks and balances—and we believe that very strongly.

I want to look at some national and international trends relating to trial farming. As I have said, trial farming is a key provision in this legislation as far as the Government is

concerned. The Government's amendments in the Bill as it left this place are very much in line with national and international trends. I refer to a couple of documents that relate specifically to trial farming. I refer, first, to the Rio Convention on Biodiversity of 1992, which recognised the need to preserve, conserve and make use of wildlife. The International Union for Conservation of Nature (IUCN) is at the forefront of developing the idea of and guidelines for the sustainable use of wildlife. Article 1 of the Biodiversity Convention states that the objectives of this convention, to be pursued in accordance with its relevant positions, are the conservation of biological diversity, sustainable use of its components, and the fair and equitable sharing of the benefits arising out of the utilisation of genetic resources. Article 10 relates to the sustainable use of components of biological diversity, and states:

> The IUCN is devoting considerable effort to developing the concepts of sustainable use of the components of biological diversity, particularly the sustainable use of wild species.

The foundation of this work is a set of guidelines for the ecological sustainability and consumptive uses of wildlife. I make the point that this is, of course, still in draft form. I move on to the national strategy for the conservation of Australian biological diversity prepared by ANZECC and endorsed by the Commonwealth, States and Territories, which also supports sustainable use of wildlife. The national strategy seeks, at objective 2.7, to achieve the conservation of biological diversity through the adoption of other ecologically sustainable wildlife management practices. The national strategy also recognises that harvesting occurs. It notes that any harvesting of native species should take place in accordance with a management plan incorporating provisions for continuing research, monitoring and public scrutiny.

One of the important things about trial farming is the opportunity it creates for much more research into different species. That can only help the situation. In accordance with the World Conservation Union's resolution of sustainable use, it seeks to develop wildlife utilisation programs to create economic and other incentives for the retention and rehabilitation management of natural habitats. The Bill as it left this place was totally consistent with the recommendations of the second interim report of the Joint Committee on Living Resources. Again, I make the point that this was a tripartisan agreement. This report was brought down without one vote having to be taken. The members of the three major Parties who sat around the table (the Liberal Party, the Labor Party and the Democrats) agreed with the recommendations. Recommendation 10 states clearly:

> The joint committee recognises the development potential of the State's living resources and strongly recommends that all avenues for advancing any commercial ventures based on a sustainable utilisation of native flora and fauna be actively pursued, including appropriate legislative and administrative frameworks.

That is exactly what we are doing. We believe there is significant opportunity for this State. We believe it is important that there be adequate research—and that can be provided. For example, a lot more information is known now about the trial farming of emus. Much more research is occurring into emus now than has ever occurred before. We are aware of the health factors. Kangaroo and emu, with very low cholesterol levels, are two of the healthiest meats that we can consume. If we look at the harm done to our environment by introduced species in comparison with our native species, we see there is no comparison. There are many advantages in working towards the trial farming of these particular species. I cannot say any more than that. There are so many positives as far as this issue is concerned. Many reports indicate strong support for the direction the Government is taking. I find totally unacceptable the Opposition's indication that it will not support this matter or that it will support it only if the matter is to be dealt with by way of regulation so that it will have to come back to the House every time a different species is to be considered. The Government opposes this amendment.

Ms HURLEY: The Opposition supports this amendment. As the Minister correctly pointed out, this is perhaps the key issue of the Bill. As he also correctly pointed out, the issue of the trial farming of native species has strong bipartisan support. We would like to see it go ahead under the sorts of terms and conditions that the Minister discussed. We would like to see it done, and we would like to see it done properly so that it works and does not create any unnecessary problems. We are fairly close in terms of the outcomes we want to see for the trial farming of native species. There is good potential in the trial farming of native species to introduce another ecologically sustainable and environmentally friendly branch of farming in this State. The Opposition would like to see that happen with as little difficulty as possible and certainly not bogged down with unnecessary regulation.

On the other hand, as I said before, the Opposition wants to see it go ahead in such a way that it does not bring the whole industry into disrepute. We feel that regulation and scrutiny by Parliament, species by species, of proposed trial farming will ensure that it is done in a controlled way and with the sorts of conditions that will ensure that it works properly. If it does not work there will be no unintended consequences. We do not believe that having the trial farming declared by regulation will unnecessarily hold up this industry, provided the Government brings forward regulations that are acceptable to the Parliament and the community. We are not being obstructive about this amendment but simply being cautious, which is consistent with our views on a number of other issues, namely, that Parliament should be allowed scrutiny of these important changes we will see from the way that things have been run previously.

The Hon. D.C. WOTTON: I appreciate the comments being made by the Opposition spokesperson in this regard. We recognise the importance of trial farming, and that certainly has been recognised in the interim report brought down on living resources. That was an opportunity for all of us to sit around the table, and I have referred to the specific recommendation that came out of that second interim report of the Joint Committee on Living Resources.

It is obvious that this Bill will need to go to a conference. I am hopeful that, when we sit around the table and consider some of these matters rationally, we may be able to sort out something. In this area it is so important for South Australia that we do it properly and that we do it right. As the amendment stands presently, the Government has to disagree with it.

Motion carried.

Amendments Nos 28 to 36:

The Hon. D.C. WOTTON: I move:

That the Legislative Council's amendments Nos 28 to 36 be agreed to.

Motion carried.

EDUCATION (TEACHING SERVICE) AMENDMENT BILL

Received from the Legislative Council and read a first time.

LEGAL PRACTITIONERS (MISCELLANEOUS) AMENDMENT BILL

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

RACING (MISCELLANEOUS) AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 27 March. Page 1281.)

Mr FOLEY (Hart): The Opposition supports the Government in its endeavours to restructure the racing industry. As the racing spokesperson, I have been calling for some time for significant change to the racing industry. It would appear that in my short tenure of two years as racing spokesperson this is the third or fourth occasion on which I have had reason to rise and speak on a Government Bill that has addressed problems associated with the racing industry. In this Bill we have a genuine attempt by the Government to address what I consider to be a less than satisfactory situation.

The Opposition has been calling for the Government to take on the tough decisions that are necessary to provide a better structure for racing in this State. I have been critical of previous decisions of Governments—perhaps Governments of both persuasions, and certainly of recent decisions by this Government—to provide funding to the racing industry without putting on it certain terms and conditions as to what it should do to receive that funding. You cannot go on with a racing industry or any industry sector that has been bleeding to the extent that the racing codes have been in this State without putting in place some measures to restructure those industries.

The Government has come up with this Bill with an approach that goes some distance in putting into place a better framework from which the community—the Government in company with the individual racing codes—can better manage the industries. It is an indisputable fact that the performance at the greyhound, harness and thoroughbred levels has not been satisfactory in the context of their ability to operate those industries at a profit.

The racing codes have come forward and made the point that they have had some real difficulties and have had to face unforeseen pressures in terms of having to deal with their codes. We have said in this place many times before that, be it the advent of the poker machines, competition from other entertainments, general economic fluctuations, or the advent of pay TV and other technology, all have put pressure on the racing industry, and there is no dispute about that. However, the reality is that every other industry sector in this nation has had similar unforeseen circumstances prevail upon it on and has had to develop policies and structures accordingly. I point to no better example than perhaps the car industry, the textile industry or a number of other major manufacturing industries in this nation that have faced substantial competition from other forces. It has meant that they have had to redevelop to better deliver their product.

The racing industry is not any different. The Minister proposes that we put in place a structure that gives the industry some guidance, better expertise, better levels of skills and a level of accountability within the racing industry that I believe is critical. In recent times there have been a number of reviews in respect of the racing industry, and I acknowledge the former Minister for Recreation, Sport and Racing's role in the Inns report into greyhound racing and the Delaney report into harness racing.

Briefly, both reports said that one of the critical issues is the administration of those codes and that we need to put in place an authority or commission appointed by the Government different from the old boards, which were dominated by sectional interest groups within the respective codes administering those codes. We need an injection of commercial expertise, and that is widely acknowledged as the correct way to go. This is by no means a reflection on Mr Delaney or Mr Inns, but one did not need to be a rocket scientist to see that that was something that had to occur. Those reports are to be commended, but I have to say that it was becoming clear to most observers that the Harness Racing Board and the Greyhound Racing Board were not appropriate or best suited to lead those codes into the future.

In no way is that a direct reflection on any member of the Harness Racing Board or the Greyhound Racing Board, because board members have done their job to the best of their ability. They have done their job well. However, there is an acknowledgment that these are trying, different and dynamic times and these boards need to have a greater level of skill and expertise than perhaps the old structures were able to deliver. Of course, stuck out there with about 75 per cent of the clout is the thoroughbred industry. While the greyhound and harness industries have been going through their own problems, it is fair to say that they make up only one-quarter to one-third of the entire racing industry in South Australia.

Issues at SAJC or thoroughbred level have to be addressed, and I have commented in this place and in the media on this aspect. I am only a new person in this area, but I have been saying consistently that there seems to have been less than satisfactory control on expenditure across the industry, whether it be through the Racecourses Development Fund, country race venues or metropolitan venues. To me, there did not appear to be a strategic plan or a plan adaptable and flexible for the future that was capable of addressing the dangers on the horizon for the thoroughbred industry. We have had less than satisfactory controls on the way thoroughbred racing has been managed.

Again, that is no reflection on the SAJC which, in recent times, has gone through a process of reforming the way its organisation operates. It is to be commended for that. I can say it until I am almost blue in the face, and I am not sure that the former Chairman is ever convinced by it, but I do acknowledge the work of the SAJC Chairman, Mr Rob Hodge, who has been forthcoming in his endeavours to address issues at SAJC level. He is to be commended, and the efforts and work put in by all members of the SAJC board are to be commended. Certainly, they do a lot of work for which they receive little or no compensation and few platitudes. Their efforts must be acknowledged.

The SAJC has been busy in recent times addressing country racing and its own management structure, and it is to be commended for that. The Minister has proposed a body to sit above the Harness Racing Authority, the Greyhound Racing Authority and the new SA Thoroughbred Racing Authority, that is, the Racing Industry Development Authori-

ty. Some might call it a semi-commission or a pseudo commission.

Mr Leggett interjecting:

Mr FOLEY: I might go all night, too. I am just revving up. The Racing Industry Development Authority will have five members appointed by the Government and the Minister, and we acknowledge that they will require the relevant financial, legal, marketing, commercial and business skills and, of course, industry knowledge. Members are to be independent of any racing club or authority. That is important. It will give the Government of the day the opportunity to put in place the right people who are best suited to provide the leadership, management, direction and overall skill to ensure that we run racing in this State as well as we can. Equally important are the functions of the Racing Industry Development Authority, as the Minister said in his second reading explanation, and I do not need to repeat that in full.

It is important that the authority is not simply a toothless tiger but has some real meaning in life and has real teeth. The Minister picked up on that point to ensure that RIDA (as the authority will be called) will be in a position to provide accountability, leadership and management for racing. Of course, the various racing authorities simply will not be in a position to get their share of TAB distribution without putting forward business plans and short to medium-term plans for their respective codes. That is important because, as I have said, there has been a lack of preparedness, planning and strategic thinking about where the respective codes will be in years to come. It is important that that function is picked up.

Another issue is that the Racecourses Development Board, together with the Bookmakers Licensing Board and the Racing Appeals Tribunal, will all be rolled into the Racing Industry Development Authority. That is a good initiative. There will be a degree of harmony within the new authority with these three or four organisations sitting under one roof. Over time they will develop into one organisation, and that is important.

It is also important that the Racecourses Development Board funding will be administered by the new authority. For the first time it will give an office in Government some discretionary funding that can be used where applicable. I acknowledge that, whilst the Racecourses Development Board will have its functions in terms of distributing money for racecourse development, it is fair to note that the application of board funding has been a little diverse in recent years. We have seen RDB money being used for the funding of such things as Sky Channel, breeding schemes and loan repayments on some facilities. The roll of the Racecourses Development Fund has been a little altered over time as the racing industry, quite appropriately, has been looking for access to some discretionary funding. Because of the way the TAB operates, whereby money is channelled straight through to the codes, there has been no real discretionary funding. That is an important element.

On present figures that amount is approximately $3.3 million. I foreshadow an amendment that the Opposition will move later today to increase the discretionary money available to RIDA to $5.8 million or $6 million, but that issue will be debated in Committee. I have been critical of the racing industry for not taking the tough decisions and for not being prepared to restructure. I have also been very critical of the former Minister and the Government for providing funding to the racing industry without getting a *quid pro quo*, and without placing some demands on the racing industry.

I acknowledge that, in this instance, bitter pills are being swallowed by some people within the racing industry. There are many within the racing industry who, I am sure, do not feel as comfortable as they might have previously about this new overarching structure. I am prepared to acknowledge that, as a bitter pill has been taken by the racing code, perhaps it is time we loosen the purse strings a little. I never thought I would say that in this place, but even a financial dry such as I occasionally is prepared to loosen the purse strings a little. Perhaps the full 100 per cent of unclaimed dividends and fractions should now be made available for utilisation within the racing industry.

I am confident that RIDA is an appropriate body from which those moneys can be channelled and that those moneys can be distributed at the discretion of the authority. Previous to this structure being promoted, I would not have accepted such an amendment because I believed that that money simply would not have been used in the best possible way. The Opposition foreshadows that it is prepared to put forward a worthwhile amendment that will inject some very much needed capital into the racing industry but not, as was previously done by this Government, without a *quid pro quo*—without getting value for money.

I have said it before, and I repeat it: I do not believe the Government or this Parliament has received value for money in the context of some of the funding we have allowed to go through to the racing industry in the past 18 months, because to receive full value for its money this Government should have been saying to the racing industry, 'You show the Government how you are prepared to reform your industry before we allow further taxpayers' moneys to be paid into your industry.' Whilst I welcome the Minister's initiative today with respect to the development authority, it is now time for us to agree to an amendment that will inject capital into the racing industry. Call it a reward or whatever you like, but I believe it is a timely opportunity to make that funding available to the racing industry.

Many other critical issues are involved in relation to this Bill. The Minister has foreshowed that one of the first matters he will be asking the Racing Industry Development Authority to undertake is a review of metropolitan racing venues. I believe that will be the most critical function RIDA will undertake in the near future. I have said, quite controversially, even amongst some of my own colleagues and certainly amongst many in the industry, that I am firmly of the view that this State, or this city in particular—a city of just on one million people—cannot sustain five metropolitan racing venues.

It is a luxury that has provided our community with entertainment for many years, but clearly we can no longer afford it. Morphettville and Cheltenham, on any criteria, are fantastic racing facilities, but it seems to me that with Victoria Park, Angle Park for greyhounds, and Globe Derby catering to the harness industry we have, in hindsight, overindulged in providing this infrastructure for racing. I would rather not see money wasted on maintaining five metropolitan facilities when that money could be better utilised in the day-to-day running of the industry. It seems silly to me to go to Angle Park on a Thursday night and enjoy what is, in anyone's language, a first-class venue, watching a first-class event with about 50 other people, not to mention the availability of full dining and catering facilities.

Globe Derby, although it is a little older, has similar facilities. People can pop down to Cheltenham on a Saturday and then go to Morphettville the following Saturday, which

seems to be a great duplication of facilities that could be shared amongst all codes. That matter will not be the responsibility of the Minister or the shadow Minister, but it will certainly be the responsibility of RIDA. Why does the State need five facilities when some of the events could be collocated? In hindsight, in this day and age one simply would not build a Globe Derby and an Angle Park. Two facilities which are so similar should not have been built, especially as they have cost the industry tens of millions of dollars over time, and when both codes could have been accommodated at one venue.

I am on the record as saying—and again it is not to the pleasure of all people, including one or two of my own Party—that I believe the future of Globe Derby is something that will have to be addressed. Clearly Globe Derby is in need of significant capital expenditure, and I am advised that in excess of $10 million could be expended on it over the next five years, or so. I question whether the racing codes can support that level of expenditure on a venue when the facilities at Angle Park could easily cater to the trotting industry or, a little closer to my electorate and the electorate of my colleague, the member for Price, the Cheltenham racecourse which, in anyone's language, is a great facility.

It may be that in the future trotting could be located at Cheltenham, or at Angle Park, or the development authority might come up with the view that Globe Derby should be upgraded. It is not for me to say what should remain and what should go. I say simply that they are the sorts of tough decisions that need to be taken by Governments, and the structure put in place by the Minister is probably the best way to go about that. When I had my initial briefing I told the Minister that the structure as proposed, to which we as an Opposition will agree, is a little more complicated than I would have liked.

It is fair to say that, if my Party were in Government, we would attempt to streamline that structure a little. Perhaps I am foreshadowing future Opposition policy, but the structure is a little more complicated than I would have liked. I acknowledge that this is a big step and that the Minister must deal with many difficulties. I can understand why a more complicated structure has been put in place, and perhaps in the same position I would have done the same, but over time there is room to further streamline the structure so that we can minimise the amount of bureaucracy and the amount of administrative duplication amongst all the codes.

I acknowledge that there are issues involving the principal club status, issues related to the outcome of the Temby report in New South Wales, and other issues being addressed at a national level. Those sorts of issues will have to be dealt with over time, and perhaps when they have been a slightly different structure will result. All the discussion in this place today, as important as it is, will not mean a lot at the end of the day unless the Government appoints the right people to the authorities, and a fair number of positions are going begging. We could spend quite some time in trying to attract the right people.

If we include the TAB, we are looking at the appointment of 20 people, all with the same sort of criteria and level of expertise, and that poses a challenge for the Minister. However, now that we have taken the decision to put in place a new authority with real powers, the Government must appoint the right people. We must not make the mistake of appointing to these boards people who are simply not up to the task. If we do that, we simply fail the industry, and we fail in our duty to put in place the proper structure for racing in this State.

I am sure that the Minister will consult with me on the appointments to these boards. I am happy to sit down with him and talk through a few people who could be considered for appointment. I know that the Minister has offered to consult with the Opposition on this matter, and I am sure that he will be prepared to do so. I simply make the appeal that—as tempting as it may be—let us try to avoid political appointments and appointments that are perhaps slightly swayed towards patronage as against ability. The industry's future is too important for us to fall for that.

I cannot make a speech in this Parliament and not comment on the TAB. Clearly, the performance and future of the TAB are critical to the health of the racing industry. I acknowledge that the Minister has put in place a new Chair and a new board of the TAB, and the Government is in the process of looking for a suitable appointment to the position of General Manager of the TAB. However, it is critically important that the TAB perform. There has been much controversy and debate about the performance of and certain decisions taken at the TAB. I do not necessarily want to revisit those issues except to say that there is an expectation that the TAB's performance will improve. A new board is in place and a new manager will be in place. The Government will then have put in place the necessary ingredients for a good business. The Government really needs to stand away from that a little in terms of decision making.

I use this opportunity to yet again say to the Government, 'Give the new TAB board and its management an opportunity to perform.' Of course, the Government has all the ability and powers to scrutinise properly the management and financial performance. However, let us not have not too many decisions of the TAB taken by the Government or Government Ministers and relayed to the board. On this occasion, the TAB board has to be allowed to get on and do its business without the prospect of Government interference. I have covered most of the major points. It is uncommon for me to get up and support the Government almost unconditionally.

Mr Bass interjecting:

Mr FOLEY: Don't get used to it Sam; this is not a change of style. It is important that in some areas where there is agreement amongst Parties, where the future of an industry is more important than the politics of this place, the Opposition supports the Government. I continually hear the Premier of this State say, 'We have nothing but a negative and critical Opposition—an Opposition that continually blocks the Government.' Of course, that is not true. I am not suggesting for one moment that the Premier would tell anything but the truth. It is political licence to suggest that this Opposition is anything less than a constructive Opposition. On major issues of reform in this State, the Opposition has been very responsible.

Regarding the racing industry, for the past two years the Opposition has led the debate in wanting action. The Opposition has taken the peculiar position of saying, 'We need to make radical change.' Over the past two years, I have been criticised for that, and I would be criticised even by those within the industry who felt that my calls for direct action and more responsibility by industry were nothing more than naive comments from a fresh and green shadow Minister for Racing. Perhaps after two years the Government has finally listened to my good counsel, and why not? I certainly understand why the Minister has done that. As I have said in this place before, the Minister is very fortunate because, when

I become the Minister for Racing, I suspect that I will not have the same sort of obliging Opposition as the Minister. But it is important that in this instance—

Members interjecting:

Mr FOLEY: I am trying to get a bite from somewhere around the Chamber, but it is clearly not working.

Mr Becker interjecting:

Mr FOLEY: Stay there, Heini. The Opposition has supported the Government on this Bill: it is a Bill worthy of support. It is not a perfect Bill. Some improvement needs to be made, and that will happen over time. I have foreshadowed my amendment, which I will move in Committee. I simply say to all members in the House that it is time we all got behind the racing industry and ensured that it was better placed to manage what will be difficult times, but some issues can be adequately addressed if we put in place the proper structure. The Minister is to be commended for his work on this Bill. It is only a beginning, and I always reserve my right to be critical of the Racing Minister where he has erred. Where he has done the right thing, I am prepared to acknowledge that. The Opposition supports the Bill.

Ms GREIG (Reynell): I would like to speak briefly in support of the amendments to the Racing Act. In doing so, I would like to congratulate the Minister and his staff for bringing about these changes. I acknowledge the work of the former Minister, the member for Morphett, in initiating change within the industry. Last, but by no means least, I congratulate members of all sectors of the racing industry for their input into these changes. All here acknowledge that this is probably the most testing of times in the history of our racing codes. The harness and greyhound racing codes are hurting as they have never hurt before. Stake money, on-course attendances and TAB turnover are stagnant and, as the traditional night-time codes, harness racing and greyhounds have felt the real impact of gaming machines. Numerous reports have forecast disaster in both these codes unless significant changes are made in administration structures, a rationalisation of meetings and tracks, and a boost in funding.

The gallops, which represent 75 per cent of the industry, is also struggling. The South Australian Jockey Club incurred a deficit of $1 million last financial year just to keep city stake money at a minimum of $15 000, while Victoria, for example, continues to roll ahead, seemingly flushed with money from a corporatised TAB, with major involvement of poker machine profits. I also point out that it is not the intention of this legislation to take away the control of the racing industry from the industry: it seeks to create a structure that will allow the industry to make major decisions in the knowledge that this Parliament has established a structure that will facilitate the effective implementation of such decisions.

I point out that the 1992 ACIL report, which looked at the contribution of the racing industry to the economy of this State, acknowledges the significance of the industry as second only to the contribution of the motor vehicle and petroleum industries to gross domestic product. In 1990-91, the racing industry employed more than 11 000 people. It contributed more than $175 million to GDP and paid more than $25 million in direct racing taxes to the State.

The three racing codes realise that the TAB will not cure all their woes. The time is right for action within. On 14 February this year, Mr Peter Marshall, President of the South Australian Harness Racing Club, stated in his report to the committee of BOTRA, following his meeting with the Minister to discuss issues relevant to the harness racing industry:

> Without question this was the most positive meeting that I have had with any Minister regarding racing. Minister Ingerson has made it quite clear to me that changes in the whole racing industry will be implemented in the future. He explained that the TAB changes are currently before Parliament and the controlling authorities' changes will be initiated in June or July of this year. He stated that he is no longer prepared to allow clubs to run in a loss situation and that our industry must look at its general operations, including the matter of racing dates.
>
> He considered that our harness racing venues usage must be maximised and rationalised, and also intends for there to be changes in the membership of the controlling board which will enable independent membership with the appropriate expertise to treat this industry as a business of sport.

The report went on to talk about maximising profits and the changes to the operations of the TAB and the clubs. Mr Marshall endorsed these remarks. In finishing his report, he stated:

> We can no longer operate in the way we have and expect handouts from other areas. These handouts have been of little use to the industry in the past where they have been absorbed in unnecessary operational costs within the codes. Once again I support the idea that the industry is looked upon as a business and we have to acknowledge that there needs to be a professional approach taken. I believe this can only be done by having the right professional people involved with a mix of people with knowledge of the industry.

Industry reports mentioned to date are a stepping stone. The gallops has implemented a restructuring of its administration processes, and it is very clear that in all the codes at all levels of administration changes are needed. Our codes need to look at quality versus quantity. Do we have too many tracks? Do we have too many meetings? We should be concentrating on a quality product rather than running programs with quantity but little else. Our three codes must address these issues head on.

This legislation should be viewed as an investment in the future of racing in this State. The breeding industry, which has become totally disenchanted after once being a national pace setter, needs an incentive scheme to entice owners to race their horses here, and stake money, including moneys for feature races at carnival time, must be raised to an acceptable level so that owners and trainers are content to remain in the industry.

We accept that one of the keys to revitalising this industry is increasing the amount of funds available to the three racing codes. However, several other major structural changes are needed to overhaul the racing industry and put it back on a sound financial footing. This legislation is the next step in revitalising the industry.

Mr OSWALD (Morphett): It is appropriate that I put a few comments on the record with regard to this legislation. I do not intend to speak at length. However, I should like to make a couple of observations so that, if the Bill comes back or if there is ongoing discussion, I can refer back to this evening. I support the Bill and will do so through its three stages.

Last year the racing industry went through a difficult period. Contrary to what we have read in some media reports, in the last couple of years this Government has made an extremely strong effort to help the industry, and I think that was appreciated by the industry. Last year, the Opposition, for political gain as much as anything else, chose to make racing a political issue. However, I think both sides of the Parliament have acknowledged that this Government has

done a lot for the industry—in fact, more so than had happened in past years.

The 55:45 TAB split, which was breaking new ground, was something which, a year or two earlier, Governments of both persuasions would never have countenanced. The transfer of money from the TAB capital account was also a very significant move by this Government to help the industry.

Last year the SAJC, with the knowledge of the Government, stepped in and carried out major reforms of its own organisation. These reforms—the additional revenue going into racing and the reorganisation of the SAJC—were carried out, with the knowledge of the Government, at a time when we were also preparing the ground for the changes which are set out in the Bill.

The Inns report and the Delaney report are referred to in the second reading explanation. I believe that the writer of the second reading explanation could have been a little more charitable towards the authors and those who were behind the reports. The Delaney report, in particular, broke new ground for harness racing. John Delaney wrote that report at my special request and as a favour to us. He is a highly respected member not only of the harness racing industry but of the galloping code. I knew that, if I could secure John Delaney to write that report, it would be read and we would have a very good chance of having it adopted. I am pleased that the philosophy that ran through the Delaney report and the Inns report has been picked up by the Government and incorporated in this legislation.

The way that the present Minister has dealt with the difficulties in the principal clubs and the SAJC is good. In particular, the formation of RIDA (the development authority which will preside over the organisation) will be very useful. I congratulate the Minister on the creation of RIDA. It will take away from the three codes some very difficult decisions on which it would be impossible to get to finality if we had to rely on the codes. A good example will be the final decision by the industry with regard to Victoria Park. Half the SAJC membership wants it to stay; the other half wants it to go. It is probably wise to have an organisation such as RIDA that can step back from the club membership, make a decision and present it to the SAJC.

There are only one or two areas which we should think through very carefully. I have discussed this with the Minister and officials in the department, but I should still like to put it on the record because it is probably an appeal not so much to the Minister for Racing as to the Treasurer to make the final commitment to release the balance of the fractions and unclaimed dividends to the three codes, particularly to RIDA.

In the second reading explanation the expectation is built up in the industry that we will create a breeder scheme, that there will be additional stake money for the three codes and that there will be money available for marketing and for administration costs to run RIDA. The pool of funds to finance RIDA initially is to come from the Racecourses Development Board. There is a very fine line between the availability of funds and the expectations of the industry. The industry has accepted this change. It is true that the administrative bodies of the three codes have said that they will go along with it, but they see many intangible benefits. At the end of the day, they want to see increased stake money, a breeder scheme and money for marketing.

For example, if we examine the amount of money that is available from the RDB, in 1996-97 we find that there is $4.4 million available to all the codes. We can do some back of the envelope figures, and they have to be back of the envelope figures at this stage because RIDA has not yet met to decide what the increase in the stake money will be. No-one knows whether we will increase stake money from $15 000 per race to $18 000 or beyond. We can only guess that they will probably aim for about $17 000, $18 000 or $19 000 per race. No-one knows how much the increased marketing will cost. If, for example, the breeder scheme is $1 million, the stake money increase is $2 million to $2.25 million and for greyhounds and harness racing there is another $300 000, excluding the stake money that is already committed, and there is to be $1 million for marketing, that adds up to $4.4 million, which is about the amount that is available to the codes in 1996-97.

I am not suggesting that the Government cannot meet its commitment: I am saying that we are still playing around with back of the envelope figures at a time when we are setting up the structure. It is essential for this scheme to be successful—and I believe it will be successful—that the Minister must know he has available to him that additional capital that is now going to the Treasurer, namely, the money from the unclaimed dividends and the fractions. The Opposition already has an amendment to transfer that money across.

Members opposite need not hold their breath or think that I will cross the floor tonight just because I have made a statement this afternoon in support of unclaimed dividends and fractions going to the code. I have had a discussion with the Minister and am satisfied that the Government will look at this matter in this year's budget process. The racing codes may not even need the money this year, but I predict that they will need it next year or the following year. It may not be necessary to transfer the money this year, as proposed by the Opposition in the amendment. I predict that, next year or the year after, the money will become quite essential. After all, it is industry money and there is no reason why it should be held in Treasury any longer.

The question of the TAB's performance is another issue to which I briefly refer. We have heard a lot about the TAB's being the worst performing TAB in Australia. Statistically, that is correct and it has been an issue of great concern to everyone in the racing industry. There are some very hard decisions to be made with respect to the future of the TAB. If the TAB comes on stream we hope that it will increase its profitability by 1 or 2 per cent. The money from that profit will then be injected into RIDA for the use of the industry. The pressure will then come off Treasury to give up the unclaimed dividends and fractions. When we compare South Australia's TAB with that in Western Australia it has to be borne in mind that Western Australia does not have poker machines in clubs and hotels: Western Australia's poker machines are in the local casino. There is not quite the same parallel here with the arrangement in Western Australia.

The authorities in Western Australia were able to reduce their agencies by over 100. I know that they made quite substantial inroads into agencies. Last year, we bit the bullet as best we could. We had the problem of a no retrenchment policy. We reduced the number of agencies by about 20 and all hell broke loose. We closed about 20 agencies by identifying the 20 agencies not making money. It is not an easy job for any Government to start knocking off 100 agencies around the place.

There is a political impact from closing uneconomic agencies that people use regularly, but there is still an expectation that we do it. The alternative is to close the agencies and, instead of retrenching people, to utilise targeted

or voluntary separation packages, but it will not be easy to close 100 agencies in South Australia either now or in the not too distant future. I trust that the reorganisation of the TAB Board will bring about some major changes in administration and that we will pick up 1 or 2 per cent; if we do not, the industry will not benefit.

In summary, I support the Bill. The harness racing and greyhound codes have reached the point in their history where they have no option but to comply with this type of proposal. In his response, I would ask the Minister to indicate why there is no clause in the Bill which would allow the harness racing authority or the greyhound racing authority to step in and take over a club if it demonstrates that it is in dire financial trouble and cannot proceed. I understand that there is a legal issue which may come back to Parliament at a later stage and that the Minister is keen (and I support him in this area) to get this structure in place. A few people will ask why there is no provision in the legislation to allow an authority to step in and take over a non-performing club.

The industry is ready for change—there is no question about that. In saying that we must have change and that we must demand change, let us not pass the Bill without recognising that there are some very fine racing administrators who have worked under very difficult conditions. I do not think anyone on the Government side has suggested otherwise. These racing administrators are dedicated people who have worked for nothing and who have put years of their life into their respective industries. We have an opportunity to provide a breath of fresh air. It is a change which started six to nine months ago. The change has been slow and tortuous. I believe that we had to go through the inquiry stage first to allow people within the industry to feel that they had control of the change. That was the beauty of getting people such as the John Delaneys of this world to write the report, because people such as he are from the grassroots of the industry.

Once the report was written the industry responded to it and knew that change was on the way. In this case, the first two codes were up and ready for change to be written into the statute books late last year or early this year. I congratulate the Minister on RIDA. RIDA is a very useful authority—whether it be for three or five years is something down the track for people to decide. Some people have complained that there was an attempt to socialise the racing industry. One cannot argue about the way in which the Minister set up the authority, in particular, the South Australian thoroughbred racing industry. The dire necessity of getting some strong financial management and direction into the three codes was behind the Minister's new proposal. I congratulate the Minister on the Bill and wish him luck in the reorganisation of the industry.

Mrs HALL (Coles): It was Anthony Trollope, when writing of the Australian passion for sports, who once remarked, 'There is hardly a town to be called a town which has not its racecourse—and there are many racecourses where there are no towns.' Some 100 years later in South Australia, horse racing, the sport of kings, is teetering on the brink, and so, too, are its cousins, harness and greyhound racing. This Government, under Minister Ingerson, is providing the racing industry with urgently needed reform and restructure to ensure its long-term viability—reforms that will revitalise the industry and put it back onto a sound financial footing. Handicapping is a system familiar to all racing connections and punters. It is a sad fact that the entire racing industry in South Australia has been handicapped by neglect and a failure to meet the demands of new marketplace realities.

The Racing (Miscellaneous) Amendment Bill aims to arrest the decline that has beset the racing codes in this State. It aims to rejuvenate an industry that provides a great deal of entertainment, enjoyment and employment for thousands of people. I suspect that all of us, whether devotees of racing or not, retain a memory or two of winning a sweep, backing a winner or having had a great day or night at the track. Perhaps you remember, Mr Deputy Speaker, as I do, those Saturday afternoons of a bygone day when Adelaide radio brought into the family home a seemingly endless stream of race broadcasts. Racing has been a part of our Australian popular culture for a very long time. Arguing about, watching, or listening to a sporting contest is as Australian as anything I can bring to mind.

While Australians are animal lovers—and horses and dogs are at the forefront of most animal lovers' lists—I suspect that the long affinity we have with racing is not derived of our love of beast but rather of the opportunity it has long provided for people to back their judgment and gamble with some of their hard-earned pounds, shillings and pence. I say that because, although we moved into decimal currency 30 years ago, it had little effect on Australian punters. But at about the same time Australians were introduced to a new phenomenon: off-track betting and the introduction of lotteries. Off-track betting, long the domain of illegal SP bookies, was now conducted and able to be conducted legally through the TAB, opening up legal punting opportunities for those who did not want to or could not attend the track. Of course, if one's only reason for attending the track was to bet, there was no longer a necessity to go.

So, with the introduction of lotteries, the racing codes no longer enjoyed their monopoly on gaming. Australians in most States were given the opportunity to buy some numbers, cross their fingers and hope for a miracle. But that was in the 1960s, and Australians did not choose between racing and the lottery; rather, they put their hand into their pocket and shelled out more. As we now know, gambling opportunities have expanded somewhat since those early days but, still, as late as 1985 the racing industry's share of legal gambling was 75.46 per cent, with gaming sitting at just 24.54 per cent. Just 10 years later, those figures have been reversed with X-Lotto, Keno, poker machines and the Casino accounting for three-quarters of the gambling and the three racing codes combined falling just below a one-quarter share. The TAB, which initially provided a great financial boon for the racing industry, is now under severe assault from other forms of gambling.

While racing fans now enjoy the advantages of placing a bet right up until starting time and can watch live gallops, trots and dogs from city and country tracks, this has further eroded the attendance at racing venues throughout this State. What does it matter to the off-track punter if the events are held at Globe Derby, Gosford, Doomben or Dapto? They can still see it live and back their fancied runner. But it certainly makes a difference to those whose livelihood depends on racing here in South Australia. In this regard, racing is no different from other sports. Television, more particularly live television coverage, has seen the emergence of the AFL as the premier football competition. It has had quite an effect on attendances at SANFL games, while the saturation of international cricket has produced dwindling attendances at first-class and grade cricket games. Fans like to see the best, no matter the sport they choose. Increasingly, the best appear

to be on view in Melbourne and Sydney. This is just one of the many challenges facing South Australian racing.

This legislation will bring into existence the Racing Industry Development Authority (RIDA). This new body will research a new corporate image, provide assistance for the marketing and promotion of the industry, and develop a racing awareness campaign in conjunction with the TAB and the industry itself. The Racing Industry Development Authority will act independently of race clubs and statutory bodies to discover solutions to the critical dilemmas facing racing codes. In addition, it will assume responsibilities now performed by the Bookmakers' Licensing Board, the Racecourses Development Board and the Racing Appeals Tribunal. The authority will also address specific areas that have been identified as problems—among them, breeding, stake money and venue rationalisation.

The Australian racing industry as a whole has been threatened by the onslaught of other gambling enterprises and declining attendances. However, the industry in other States has thus far met the challenge of the new realities far better than we have done in South Australia. Our breeding industry, once recognised as the national leader, has fallen behind other States that have instituted breeding schemes. Our low stake money does nothing to aid the industry's plight. While it is more profitable for owners to breed and race in other States, a better calibre of horses will be on show across the border. Naturally, successful trainers will join the exodus. Punters will stay away from our tracks and employment will suffer, as we know it has. It seems a vicious circle, which indeed it is. This restructure will, we believe, provide the catalyst that the industry needs.

RIDA faces a really tough assignment. It will no doubt tread on some toes during its mission to save racing in our State. One of the more controversial issues that it must face is venue rationalisation. Other sports began to go down that path long before falling attendances demanded that they do so. The Adelaide City Soccer Club, for example, moved to the Hindmarsh Stadium not because the fans would not go to the Olympic Sports Field but because Adelaide City took the long-term view that its supporters would be better served by joining their arch rival, West Adelaide, and the South Australian Soccer Federation in developing one venue of which they could all be proud. The AFL utilises the MCG for as many games as possible, maximising attendance and spectator comfort levels.

Our racing codes may have to break with years of tradition and rationalise as well. Can the industry afford three city tracks plus Globe Derby and Angle Park or would we all be better served with a reduction in that number if facilities were improved? The SANFL recently spent $680 000 on new toilet facilities at Football Park. The vast majority of that sum, just over $500 000, went to build 44 new toilets for women. As we know, the Adelaide Crows sell out every home game, and I suspect that Port Power will do likewise when admitted to the AFL. The SANFL did not need to install more toilets to sell tickets, but they have protected their investment by improving comfort levels at West Lakes and have reached out in a small but significant and important way to female patrons, in both the present and the future. That is a nice gesture from a traditionally male dominated bastion, but no-one expects an organisation to spend that kind of money as a gesture. The league's marketing department obviously did its homework and learnt that football fans, female fans in particular, were seeking better restroom facilities.

I trust that RIDA will recognise the need for such a public service by looking at the expectations of current patrons and finding ways to attract legions of new fans. It can be done. The Melbourne spring carnival and the autumn carnival in Sydney are thriving, and it would provide a great boost to racing here if we could develop a short but similarly successful season. We have the venues in South Australia. There is no-one over the age of 10 who has not had a ball at Oakbank, but could we not also make use of some of our more picturesque rural venues for well-marketed, well-promoted and well-attended race meetings? Minister Ingerson has already pointed out that racing should do more to attract the patronage and support of women. I cannot but strongly endorse those sentiments. The industry does need to embrace women at all levels and of most ages within its organisation, its management boards and its committees. When women are achieving such great things in all aspects of Australian life, it is sensible to conclude that women can and should be equal partners in the resurrection of the racing industry.

Gone are the days when our State Government will simply throw good money after bad in an attempt to help an enterprise which did not appear to want to help itself. There is no money left to throw, because of the well-documented activities of the Bannon years, but the racing authorities in South Australia seem to have acknowledged that there are problems that will not be solved overnight by just money alone. Support for the Minister's initiatives to restore the viability of racing has come from many industry figures including our own pre-eminent horse trainer, Colin Hayes; Peter Marshall, the Chairman of the South Australian Harness Racing Club; and the South Australian Jockey Club Chairman, Rob Hodge, who has welcomed and supported the changes. This legislation also provides for the establishment of the Thoroughbred Racing Authority, which will manage the galloping code in this State. The South Australian Jockey Club will appoint members to this body based on qualifications and experience in a number of professional areas.

The Australian rules of racing do not allow Government appointees or nominees on principal club committees. Because it will be the South Australian Jockey Club appointing the members of a thoroughbred racing authority, it will retain its status and voice in national racing. The common thread running through this legislation and through the proposed changes it seeks is to enact one of consultation. In his short time overseeing the industry, Racing Minister Ingerson has widely and often consulted with the relevant codes. Many recommendations have come from the industry and many have been incorporated in this new Bill. The Minister is deserving of our congratulations, as are racing industry leaders who are willing to face the challenges ahead.

The Government certainly has a role to play in protecting and preserving the racing industry and allowing it to prosper. It has been and still is an important contributor to our economy. It provides a living for trainers and handlers, breeders, jockeys, drivers and a service for racing club members, race goers and punters. Just over 160 years ago John Dunmore Lang said:

> The three never failing accompaniments of advancing civilisation are a racecourse, a public house and a gaol.

I suppose that a gaol is sadly inevitable, a public house eminently desirable and a racecourse extremely vital. I commend the Bill to the House.

Debate adjourned.

EXPIATION OF OFFENCES BILL

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

RAIL SAFETY BILL

Received from the Legislative Council and read a first time.

ROAD TRAFFIC (DIRECTIONS AT LEVEL CROSSINGS) AMENDMENT BILL

Received from the Legislative Council and read a first time.

CIVIL AVIATION (CARRIERS' LIABILITY)(MANDATORY INSURANCE AND ADMINISTRATION) AMENDMENT BILL

Received from the Legislative Council and read a first time.

SUPPLY BILL

Returned from the Legislative Council without amendment.

NATIONAL PARKS AND WILDLIFE (MISCELLANEOUS) AMENDMENT BILL

The Legislative Council intimated that it insisted on its amendments Nos 1, 6 to 8, 25 and 27 to which the House of Assembly had disagreed.

Consideration in Committee.

The Hon. D.C. WOTTON: I move:

That the House of Assembly insist on its disagreement to the Legislative Council's amendments Nos 1, 6 to 8, 25 and 27.

Motion carried.

A message was sent to the Legislative Council requesting a conference at which the House of Assembly would be represented by Messrs Blevins and Brokenshire, Ms Hurley and Messrs Lewis and Wotton.

RACING (MISCELLANEOUS) AMENDMENT BILL

Second reading debate resumed on motion.

(Continued from page 1350.)

Mr BASS (Florey): I rise to support the Bill introduced by the Minister. I am pleased that it is a bipartisan approach to rectify problems occurring in the industry. The Bill seeks to improve the operation and management of the South Australian racing industry. People within the industry are acknowledging and accepting the need for industry reform as provided in this Bill. However, several issues are central to the reform process. The best people must be appointed to the new structures. Additional revenue sources must be identified to flow through to the industry. For example, if State money is to be increased, breeders incentives are to be introduced and effective marketing programs initiated, it will all come at a cost. These costs will not totally be met through efficiencies such as racecourse rationalisation and adjustments to the number of racing days. New revenue must be found. One of the keys to successfully revitalising the industry is increasing the amount of funds available to the three racing codes, which cannot be achieved by improving the profitability of the TAB.

Already Parliament has passed legislation to reform the TAB. The legislation allows for a new board to comprise members with wide business, commercial and legal experience. The board will function in a more contemporary business manner with the goals of maximisation of profit and modernisation of the service system and to develop a more relevant marketing profile for the TAB.

The Government will not and should not increase industry funds until better accountability provisions are put in place. The Bill seeks to improve accountability within the industry, and this task will be one of the important aims of the proposed new Racing Industry Development Authority (RIDA), which will provide leadership and direction to the industry. It will implement a system of improved financial accountability of both the controlling authorities and the racing clubs. RIDA will work with the controlling authorities to develop and implement appropriate financial and business plans and strategies. A key issue is that RIDA will ask the industry to address the viability of individual clubs. In the long term it is unsustainable that any club should continue to run at a loss and, therefore, any club in that situation will be asked by its controlling authority to provide a plan showing how it intends to become profitable.

To enable it to carry out these tasks, RIDA will be empowered to request a controlling authority to furnish a yearly business plan, including a financial program, on behalf of the industry sector. As well, it will be a requirement that the controlling authorities submit plans for the proposed distribution of funds to clubs within codes for approval by RIDA. If government is going to put new funds into the industry, it will need an assurance from the industry that proper accountability provisions have been put in place. It has been a constant concern to the Government that all three of the principal metropolitan clubs recorded significant losses last financial year. Indications are that this trend is continuing. Having said that, there is no suggestion that there has been mismanagement on the part of the controlling authorities or the clubs, but the industry must make a more global approach, introduce stronger accountability measures and take on a more commercial focus if any additional funds are to be put into the industry.

This legislation is not intended to take away the control of the racing industry. The legislation seeks to create a structure to allow the industry to make major decisions in the knowledge that Parliament has established a structure which will facilitate effective implementation of decisions. The legislation should be viewed as an important investment in the future of the racing industry in this State. I am pleased to hear the member for Hart, as the shadow Minister, give an undertaking that he will work in a bipartisan manner with the Minister, and I also hope that, as Parliamentary Secretary responsible for racing, I may also be able to play some small part. I have had quite an experience with racing: I was bitten by a greyhound when I was only 10; I was kicked by a racehorse when I was four; and I was run over at the Klemzig Gaza track by a sulky when I was about 12, so I have had quite a lot to do with all three codes.

The Hon. G.A. Ingerson interjecting:

Mr BASS: That's right. As a speed cop at Elizabeth, I attended the Gawler trots and racing, the Kapunda trots and Eudunda racing, and I recall on two successive Wednesdays pulling over a Mercedes for speeding through Elizabeth. It was driven by none other than the late Noel Mifflen. On the first occasion he told me that he was late for a race. I cautioned him for speeding and let him go. The following

week it was the same Mercedes doing the same speed and, would you believe, the same jockey driving with the same excuse. I cautioned him strongly and he told me that he thought he would win the race for which he was late. I raced to the course quickly and I think he did win.

I look forward to working with the Minister and the member for Hart to resurrect this important South Australian industry. I refer to not only the thoroughbred racing area—although that seems to have the highest profile of all the codes—because certainly many people are involved with harness racing, which generates a lot of employment, as do the dogs. We need to concentrate not just on the thoroughbred industry, which takes up the majority of attention and gets most coverage in the media and on television; we must not forget racing's cousins, harness racing and the dogs. I look forward to the future with this legislation and I support the Bill.

Mr CLARKE (Deputy Leader of the Opposition): This will be the shortest speech I have ever made.

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

Mr CLARKE: My second reading contribution will be relatively brief. Most of the points I want to make are more by way of questions, which are more appropriately dealt with in Committee. A fair amount of work has obviously gone into this Bill, and some tribute ought to be paid to the immediate past Minister for Recreation, Sport and Racing. Certainly former Minister Crafter did an excellent job in this area, but credit where credit is due, because the member for Morphett, as he now is, has always had a keen eye on and interest in horse racing and the development of the racing industry in general.

Quite clearly, that Minister had an enormous workload on his shoulders, because we now see that the current Minister needs the assistance of two parliamentary secretaries to help him carry out the task of Racing Minister. Unfortunately, all past Recreation, Sport and Racing Ministers have never had the advantage of parliamentary secretaries: they have somehow managed to shoulder huge burdens not only with their own immediate portfolio but it was often doubled up with emergency services, education, or other very important and pressing ministries. This Minister has asked the Premier for two parliamentary secretaries to assist him in his onerous tasks.

Nonetheless, in supporting the comments of our lead speaker, the member for Hart and shadow Minister, I believe some tribute ought to be paid to the current Minister, because we are finally on the right track with respect to the racing industry generally. My one regret—and I realise why we cannot do it at this stage—is that we cannot establish, in a fully fledged way, a racing commission. This Bill goes only halfway towards it, and I understand the reasons behind it, namely, the exceptionally efficient closed shop of the principal racing clubs in Australia. If any principal club has any Government appointments to their bodies, they are excluded from this exclusive club.

It is the sort of closed shop of which the Builders' Labourers Federation would be proud. I would hope that this Minister would be as vigorous in his pursuit of breaking up that exclusive racing industry cartel as he has been in the industrial relations scene with respect to bringing in his so-called freedom of association legislation to eliminate what was, in his view, compulsory trade unionism. I trust that, when the Racing Ministers meet on a collective basis in the not too distant future, he will be just as vigorous in support of breaking up that principal club cartel as he has been with respect to the trade union movement generally.

I do not believe that this Bill will achieve what the Minister hopes it will achieve until such time as there is a fully-fledged racing commission, which will control all the codes. It seems somewhat unwieldy and cumbersome to have a Racing Industry Development Authority as well as three separate authorities, one of which is the Thoroughbred Racing Authority—which is really another name for the SAJC—to run the thoroughbred racing industry. I do not knock the SAJC or its committee members who, I know, have put a lot of personal time into the development of the racing industry in this State, and due recognition must be given to the enormous amount of work those people have done on a voluntary basis.

The racing industry is an important industry; it is a significant employer of labour and a significant generator of economic wealth in this State, and it would be more appropriate for it to be dealt with on a professional basis, such as occurs with respect to the other codes. It is only a matter of time before the SAJC—even though this Thoroughbred Racing Authority is to be imported—will lose its status as the governing body of that code. As I said, I understand the practical reasons why it cannot go the whole hog at this stage, but I believe it is an issue that cannot be left for too much longer.

Some years ago, in 1987, I was a member of the Nelson Committee of Inquiry into the racing industry. About a year previous to that time some debate had taken place within the ALP at its State convention as to the establishment of a racing commission. It was pointed out that the SAJC had experienced financial difficulties with respect to stake monies for owners, trainers, and the like and, lo and behold, within a couple of years the circumstances changed. I cannot remember exactly why but the punters were spending more money, the SAJC recouped from its financial difficulties and it was then able to say to the Nelson Committee of Inquiry, 'You do not need a racing commission because look how healthy financially we are. Our stake money has increased and everything is wonderful in the garden once again.'

Unfortunately, whether or not we liked it—and I accept my share of responsibility for being on that committee at that time—we did not recommend a fully-fledged racing commission, because it seemed easier not to tackle the SAJC establishment. It seemed far too difficult a body to tackle. I am pleased to see that this Minister has decided to tackle the issue at least to the extent that he is able, and I think that ultimately both sides of the political fence will agree that a fully-fledged racing commission will be established.

In Committee I will refer in more detail to the issue of the Thoroughbred Racing Authority, who appoints whom to the committee and what emoluments are paid to those people. There are also issues dealing with the employment conditions of people who are transferred from the Department for Recreation, Sport and Racing to these new bodies. I indicate my support for the shadow Minister's proposed amendment, and I will deal with a number of issues once we reach the Committee stage. With respect to the Racing Industry Development Authority and the controlling authorities that are being established, I note that the Minister has included the same provisions as applies to the South Australian TAB with respect to the removal from office of members of the board,

which is basically at the Minister's whim whereas, under the existing Act, in each of the controlling authorities members of those boards can be removed by the Governor only under certain circumstances: mental illness, negligence, wilful misconduct and the like.

The Government has followed the same line as with respect to the South Australian TAB, and that means that, at any time a board member objects to something the Minister of the day is proposing, or whatever, the Minister can remove that person. That issue is really debated with respect to the composition of the South Australian TAB board. I have some reservations about it, although they are not sufficient to seek an amendment to delete that clause and to reinstate the existing provisions. It is really a question of waiting and seeing.

If Ministers of the day act capriciously and simply do not want to hear independent courageous advice from their advisers (and obviously political decisions as to whether or not they accept that advice are made by the Ministers of the day), if Ministers want to sack people because they express a view or to demote them from the board because they are not compliant to the Minister's own will, irrespective of the interests of the body of which they are a member or the interests of that code—whether it be harness racing, greyhounds or whatever—ultimately there will be a cry from the general community that the Act will need amending. That will not be the case, certainly not with respect to this Minister. As much as I have proffered him good advice in the past on a whole range of issues and he has not accepted it, at least he has not gone doggo on me and sought to have me sacked—although I have noted that he has voted to remove me from this Chamber at times.

The SPEAKER: That was justice.

Mr CLARKE: Under Standing Orders, Sir, I am not allowed to disagree with your rulings, or I might be walking again. In conclusion, that is still an element of concern for me. Most Ministers, of whatever political persuasion, will treat it with some caution and not act capriciously towards those board members who are sincere in and hold to their views. I accept the general principle that, at the end of the day, these authorities are administrative units of the Government. The Government and the Minister of the day have to accept responsibility for the success or failure of those authorities.

If the Minister of the day has to wear it as part of his or her responsibilities and if the Minister loses his or her job over their decisions, at least they should have the right to make sure that, if they are to be blamed, they are properly blamed. They should have total control over those board members, and at the end of the day there should be no excuse: if there is a failure, the Minister of the day has to own up to it and accept ultimate responsibility. With those concluding remarks, I support the second reading and look with interest to the Minister's answers in Committee.

The Hon. G.A. INGERSON (Minister for Tourism): I thank all members for their contribution to this debate; it is an important change in the racing industry. It is the first time that a Government has decided that we need to have a significant and overall change to the structures of the industry. I am happy to acknowledge the bipartisan support of the Opposition. I want to make a few comments about each of the speakers, and I will start with the lead speaker for the Opposition, the member for Hart. He made some comments in relation to RIDA having real teeth. Members of the industry have not read the Bill in detail or they would realise how many teeth it really has. That is an important issue that the member for Hart has picked up.

It is my strong view that unless RIDA works the whole process we have set up becomes irrelevant. We have recognised that there are three authorities for the industry—the galloping code, the trotting code and the greyhounds. In essence, that was in place prior to this change. As a Government, we have made the decision that we need to establish an overall policy group that will look at the bigger issues. The member for Hart rightly pointed them out.

The first issue is accountability. When I, as Minister, had the privilege of taking over, I was absolutely staggered to find out that there were no major plans for the industry. When I asked each one of the codes and the clubs what was their five-year plan and where did they expect to be in five years, they said that they had no plans. If an industry or a business has an annual turnover in excess of $2 billion to $3 billion and it does not have a five-year plan, it has some fundamental problems. One of RIDA's major roles is to start to demand accountability in terms of the authorities and, just as importantly, the clubs that relate to the industry.

The member for Hart referred to the overall direction of new money. The Government recognises—and has recognised for some time—that the industry needs more money put into it. I accept that, but I have a very strong view that, if you throw money into any industry, if you do not target where it is to go and if you are not involved in that targeting (and history reflects this; all you have to do is to look at all the IDC grants nationally and internationally), the only certain thing is that it will come down the drain hole and, on the way through, you will not see any pluses in it. One of the prime roles of RIDA will be to manage new money coming into the industry. It is absolutely critical that, in managing that new money, it is not seen as being the be all and end all. It should have a strong consultation role with the industry to work out the priorities today and what the priorities should be in the next five years. As that new money comes into the industry, the direction, control and involvement in the spending of that money is very critical.

The member for Hart also commented on the bringing together of the bodies. As I was shadow Minister some eight to 10 years ago, I have been fascinated by the lack of discussion and talk among the three codes. One has to be involved for only five minutes to know that the racing code believes it is superior to everybody else; it believes it is superior to trotting; and trotting believes it is superior to greyhounds; and so on. As a consequence of that, true harmonisation or working together on an industry perspective is not part of the industry in South Australia, and I hope that RIDA will be able to have some influence in that regard.

The member for Hart referred to discretional funds, mentioning $3 million, and it is unfortunate that that is wrong. It is wrong and, if the member for Hart had looked at the RDB funds, he would have found that it is not $3 million but $4.5 million and, when you add on the interest, it is about $4.732 million, to be precise. The reason for that—and there is a lot of confusion as to where these funds come from—is that the funds come from the fractions and dividends, from multiple bets in doubles and also from bets in trifectas, and so forth. The extra money above the $3 million is from multiple betting. On a yearly basis, in the RDB there are discretional funds of some $4.732 million.

We have had a look at the opportunity to redirect those funds. I thank the member for Hart for his support in

recognising that a large sum of money is there and it has been used traditionally for venues. However, as he also pointed out, it started to waiver in terms of where it went over the past couple of years.

Debate adjourned.

NATIONAL PARKS AND WILDLIFE (MISCELLANEOUS) AMENDMENT BILL

A message was received from the Legislative Council agreeing to a conference, to be held in the Legislative Council conference room at 8 p.m. on Tuesday 2 April.

The Hon. D.C. WOTTON (Minister for the Environment and Natural Resources): I move:

That the sitting of the House be continued during the conference.

Motion carried.

RACING (MISCELLANEOUS) AMENDMENT BILL

Second reading debate resumed.

The Hon. G.A. INGERSON: There has been some confusion about the funds that will go into the Racecourses Development Board: $2.9 million a year on current turnover comes from fractions and unclaimed dividends, $1.6 million will come from 1 per cent of all double betting and 1.4 per cent of all multiple betting, plus interest of $160 000, making a total of $4.732 million being available on a yearly basis. The assumption is that the TAB will continue to turn over what it is turning over now and that that figure would be available for redistribution.

Clearly a couple of areas have been committed long term: $1 million for stake money for the Jockey Club or the galloping code and $200 000 for Sky Channel for trotting. That may change depending on what happens to pay TV. In addition, $100 000 has been committed to the size of the stake which is for the trotting industry. Every year about $1.3 million is fixed out of that sum.

We have worked out that, with some commitments that we have already made in the project area at Naracoorte and Port Lincoln, about $1.46 million is available for the next three months; $1.9 million is available for 1996-97; and about $3 million is available for 1997-98. That means that a total of $6.742 million is available for redistribution, and that is on top of the $1.3 million already committed.

Of the $10 million in that fund, over the next 2¼ years about $6.5 million is available for redistribution. That is important, because one of the things that we have attempted to do, in the short time since I have been Minister, is to look at how we can recycle or push this money in different directions. There are many major priorities in the industry, so how can I go to the Government and get more new money put into the industry? Obviously this is one way to do it. There is a very large sum available for redistribution over 2½ years.

My strong view is that we do not need three venues in Adelaide in the galloping code. Do we need three race tracks? That sort of configuration has to be looked at again. We have a problem at Globe Derby and also at Angle Park and it has to be looked at. I do not have the answers. I believe that this new board should look at whatever the configuration is and ensure that it is the best for the industry. The question is not what historically has been the case which is what is best for each code, but what is best for the industry so that we can use the minimum amount of money to the maximum advantage for the industry in regard to venues. For me that is the number one priority behind stake money to sort out in the next two to three years.

The member for Hart mentioned TAB performance. We have to accept that some of his comments were traditionally political. I understand that he should make those comments, but I think he will see and welcome some significant change in the performance of the TAB over the next two years. I thank the member for Hart for his bipartisan approach. It is important that we make this change as quickly and simply as possible, and it is crucial that we have an Opposition which is prepared to help us to make this change. I hope that over the next 18 months, when there will be some difficult times, we shall get the same bipartisan approach as we have had at this time.

I thank the member for Reynell for her comments. She took up the issue on behalf of the harness racing industry in which she has a particular interest. She was very concerned about breeding and stake money, which are major priorities which RIDA will have to take up. The member for Morphett cited some issues which were absolutely factual. I take this opportunity to acknowledge the effort that he, as Minister, made in attempting to change a very traditional industry during the time in which he was involved.

The 55:45 per cent change was the first time that a large amount of money had been transferred from the TAB or the Government to the racing industry. That has been and will continue to be a very important change. The 100 per cent transfer of the capital account into the racing industry means that about $4 million a year has been transferred from the Government to the industry.

I publicly correct the comment that was made in the second reading explanation in relation to the Delaney report. It was not intended: it was a mistake. There is no doubt that the Minister was involved in making sure that we had people like John Delaney and Graham Inns involved in reporting on the industry. John Delaney's report to the Minister is the fundamental basis of the whole direction for harness racing, greyhounds and galloping.

There is no doubt that the changes commenced by the former Minister have enabled me to pick up and make many more structural changes than I could have made if that had not been put in place. I publicly place on record my appreciation of the time and effort that the former Minister put into this industry to ensure that we had a sound policy as a Liberal Party, but, more importantly, a sound base upon which the industry could grow.

The member for Morphett also commented on the expectations regarding new money. Part of my negotiation with the Government in the budget process is to encourage it to put more money into the industry. As the member for Hart will know, when we get to the Committee stage I shall be making clear the Government's position as it relates to new money. I am very excited about that. The member for Morphett pointed to the expectations regarding money. My strong view is that there will be a significant amount of new money available for the industry in the budget which will be brought down in a couple of months.

There is no doubt that increased stake money is most important if we are to keep the racing industry in this State. We cannot get owners to stay in the industry if they have very low stake money. That applies to all the codes, whether galloping, trotting or greyhounds. The point made by the member for Morphett is valid. Along with venues, I see that

as the most important issue in terms of the redistribution of RDB funds and, more importantly, a boost for any of the new funds that might come into the industry.

I also pick up the comment made by the member for Morphett about not having very strong powers to take over clubs. At this stage we have attempted to deal with the structures that we believe need to be put in place. The point that he made is important, particularly as it relates to the trotting and greyhound codes. The Inns and Delaney reports have recommended significant changes. At this point we have not made any changes primarily because I believe there is much to be done in working with both the codes to put any club ownership or change in place. My strong view is that we will come back to this in the budget session once we have had time for the new authorities to work with the clubs to give a new direction to harness and greyhound racing.

I thank the member for Coles for her contribution to the debate. She recognised the need to upgrade the marketing role. In examining the amount of money spent on marketing, I found it quite amazing that only the TAB spent money. Of the $500 million turnover, only a very small amount (about $.5 million) is spent on marketing the industry in a general sense. Of course, marketing money is spent by the codes, but some of that money is not very well targeted and could be better targeted. I hope that RIDA will work with the industry for a better outcome in terms of the marketing industry. Clearly, the breeding industry is a major concern, but it will receive a big boost by a change in stake money and the introduction of a scheme. I cannot recall which member said this, but the current proposal for breeding is a requirement of $200 000 in 1996-97. The major amount of money will be in 1997-98 and 1998-99, and that is estimated to be $1 million a year. So, with any commencement of a breeding scheme there is a very small initial up-front cost; but a long-term commitment to the breeding industry is required.

In terms of stake money, the member for Coles pointed out that it is very low at the moment and that it needs a significant change. That is consistent with all the comments made. Finally, I refer to the member for Coles' comment in relation to women's involvement. I found it absolutely staggering that the very group of people we are competing with—the poker machine industry—has the best position within the hotels while the TAB is in the front bar. Whilst I am not sexist—and I know that there are not too many women who visit the front bar—the placement of the TAB in hotels is totally sexist. It virtually removes a huge opportunity for women to bet in the TAB and the hotels, whereas pokers machines are in the best place, with the best food in the cleanest part of the premises. As everyone knows, a significant number of women play the pokies. If we are to encourage women to be part of the racing industry, we must encourage the hotels to have at least part of their TAB service within the same area as the poker machines. That is a major issue which we need to take up.

The member for Florey, recently appointed as my parliamentary secretary, referred to investment in the future. Clearly, there is a need for that in the racing industry, which, as the Deputy leader pointed out, is a big industry employing in excess of 1 100 people. A very large number of those employed work part-time and there is a growing number of women in that area. As a Government we need to ensure that our commitment and the industry's commitment in terms of investment in the future is very positive. I note with interest the knowledge of the industry demonstrated by the member for Florey, most of that knowledge having been gained on a motor cycle when he was a police officer. I thank him for his contribution.

Finally, I note that the Deputy Leader, unlike the star Opposition member who contributed—the member for Hart—could not help himself. The Deputy Leader had to make a totally political contribution, totally off the point, when all the negotiations I have had with the member for Hart have been totally bipartisan and very supportive. However, the Deputy Leader was right in one area: there is absolutely no doubt that the principal club issue on a national basis is one that every Minister of Racing and every principal club in this country has to examine. It is a closed shop exercise. The Deputy Leader is exactly correct. The problem with all closed shop exercises is that those within the closed shop start to believe that they are the only people who know anything about the industry, where it must go and what has to be done for it. Unfortunately, like all closed shops—whether it is in an industrial or an association sense—they do need a major shake. We have attempted the first step by telling the principal club in South Australia (involving the galloping code) that it needs significant change.

Having referred to the closed shop and to the need to shake it up, I have been encouraged by the support and understanding that has come from the principal club in recognising that change has to take place and that it wants to be part of it. That is a huge step forward in helping us change what only yesterday was one of the worst single attributes of the entire racing industry. The structures of this industry are cumbersome, and this new structure is not as simple as it ought to be. It reminds me very much of a comment made by a very old friend of mine who was a member of this place for a long time: he said that if you ever want to achieve anything in politics you want to remember one symbol—

Mr Clarke interjecting:

The Hon. G.A. INGERSON: Being in Government is obviously the first point. If there is a creek, say, four metres wide to cross, there is virtually no-one in this Parliament (or, indeed, in this country) who can jump it consistently, but if you put a couple of steps in the middle it is surprising how much easier it is to cross that creek every time. In this instance we seek to recognise that on the other side of the creek there are some very important changes we have to make and that we must make them one step at a time. You must make sure that when you put your feet in the water you do not get wet or drown. Whilst the changes in a structural sense may be a little cumbersome, they are a change in direction that will allow us at some time in the future a much more efficient structure in the best interests of everyone concerned. The Government, which is a partner in the industry, and the industry itself need a lot of support.

Finally, I refer to the removal of officials in statutory authorities. I have always had a strong view (which is obviously demonstrated in this legislation) that, if I ask and appoint someone to do a job which they do not carry out, I ought to have the opportunity (since I will wear the consequence) to say, 'I am sorry, you are not doing your job; it is time you go.' Along with that is the very important issue of accountability. If I appoint someone and then at a whim of pique or anger I sack that person on one single issue, you can bet your life that issue will come back and bite me. There is a lot of accountability placed on me as Minister to appoint people who will make the effort initially to do the best job. It is also important that, if I make a mistake and the wrong person is appointed, we have the opportunity to dismiss that person. That is not a political comment: it is purely and

simply a comment about accountability. As the Deputy Leader would know, every single day I come into this House I am accountable for what I do. If I do not perform it is up to the Opposition to ensure that I am put on the spot.

Mr Clarke interjecting:

The Hon. G.A. INGERSON: But you always made mistakes.

Mr Clarke interjecting:

The Hon. G.A. INGERSON: As you see, I have accepted the responsibility for change. I will drive the change to ensure it happens. On the issue of accountability, I will accept the responsibility for suggesting that anyone we appoint, or who is given a fair go but does not do the job, should stand down. I also accept in this place that, if I were to do that unfairly, a good Opposition will make sure that I am accountable. If the current Opposition is around we will not have to worry about pressure being put on us.

Bill read a second time.

In Committee.

Clauses 1 to 3 passed.

Clause 4—'Substitution of part 2.'

Mr CLARKE: I refer to new section 9. The Government will determine the amount of remuneration, allowances or expenses to be paid to the members of RIDA. Has the Minister received advice regarding the quantum of remuneration or allowances that should be paid to members of the authority?

The Hon. G.A. INGERSON: The Government anticipates that the total amount of remuneration, allowances and expenses will be about $100 000 (about $20 000 per member). That does not mean that every member will be paid $20 000, but the Government has budgeted for about $100 000.

Mr CLARKE: How does that compare with the existing level of remuneration paid to members of the other boards which are being collapsed into this one authority in terms of the total amount?

The Hon. G.A. INGERSON: A member of the BLB advised me the other day that he was being paid about $5 000. He suggested that, if he were to be a member of the RIDA board and take up extra responsibilities, the remuneration ought to be significantly higher. It is my understanding that a member of the BLB receives about $5 000, and the Chairman informs me that a member of the RDB receives $14 an hour.

Mr CLARKE: I refer to the establishment of the Racing Industry Development Authority under new section 6. Can the members of this authority be members of any other board, such as the various other authorities that are to be established under this Bill?

The Hon. G.A. INGERSON: It is intended that RIDA be totally independent. If a person is a member of another authority, that person cannot be a member of RIDA. If a person is a member of a committee attached to any of the clubs involved with the Racing Industry Development Authority, that person cannot be a member of RIDA. Obviously, any member of a club can be a member of RIDA but, if a person is a member of any committee or authority, the answer is 'No.'

Mr CLARKE: It does not appear that that is legislatively provided for. Is the Minister giving an undertaking that, when making appointments to this authority, the criteria that he has just set out will apply?

The Hon. G.A. INGERSON: It is my intention that RIDA be totally independent of any club, committee or authority. I assure the honourable member that the first members of RIDA will not be members of any of the authorities.

Mr FOLEY: I refer to the resources provided for the running of the Racing Industry Development Authority. I would like to know what its administrative cost will be. The budget of the Office of Racing within the department will be transferred and, obviously, the budgets of the respective boards will be combined. Does the Minister envisage increasing the amount of money available for that organisation? I allude to the fact that, whilst certain resources are being put into RIDA, I would have thought that the Minister would want to be able to supplement those resources with other expertise. I ask the Minister how he envisages doing that.

The Hon. G.A. INGERSON: As I explained, the board itself will cost about $100 000. We expect to pay between $100 000 and $150 000 over and above that amount, giving a total of about $250 000 at the most for the overall running of RIDA. That will be on top of any funds for the management and staff that come from the Betting Licensing Board or the Office of Racing. All those people are currently paid for within a budget. We have estimated—and I make clear that it is only an estimate—that we will not need to spend any more than about $250 000.

I will work very hard with the Chairman of the board to arrive at a figure less than that. About 12 staff from the Betting Licensing Board and five from the Office of Racing will be brought together, and we will work with them to ascertain the best structure for the new office of RIDA. All those people are funded. If any of them leave or are made redundant, obviously there are funds within the existing bodies to pick up that cost. When I say 'redundant', I mean TSPs or any reduction in numbers.

Mr FOLEY: I consider the position of General Manager of RIDA to be very important, but arguably the position of the Chair of RIDA will be the most important position in terms of getting the right person to do the job. What will be the powers of the General Manager of RIDA? He or she will administer a small but effective and powerful small business unit, and I am interested to know a bit more about the roles and functions of the new CEO of that agency.

The Hon. G.A. INGERSON: The first requirement is to be able to walk on water.

Mr Clarke: Are you applying for the job?

The Hon. G.A. INGERSON: I don't normally do that sort of thing. It is my view that four very important appointments are to be made: the Chairman of the TAB; the new General Manager of the TAB; the Chairman of RIDA; and the General Manager of RIDA. We have not resolved that issue. Many people are very interested and we have a lot of talented staff who are coming across. The management issue will be put in the hands of the new board and, clearly, that is how it ought to be. Whilst I will have some involvement in that, clearly it ought to be a decision of the new board. As part of the process, we have also set up a steering committee, which involves the Director of Racing (Dennis Harvey), the General Manager of the Betting Licensing Board (John Barrett) and the CEO of my Office of Racing, Recreation and Sport (Michael Scott), to look at all establishment costs and report to me within the next two or three weeks on what they should be.

We have estimated that, when we bring everything together, $250 000 will be required to set it up. That estimate is at the extreme end of the scale. The racing industry will be

concerned about that. Clearly, if you are to have a new development board you have to spend some money initially. In fact, some $6.5 million will come from the RDB, and some of that money will be used to set up the new board. It is critical that this new board is not a bureaucracy and does not develop into one. It is a group that sets policy for the racing industry and then passes its implementation on to the authorities to carry out what ought to be done. It is not a big bureaucracy, so it should occur at minimal cost.

The CHAIRMAN: I point out to the Committee that this is a large clause containing various new sections. Members are going backwards and forwards as they ask questions. Under Standing Order 248, I now propose to put the new sections individually rather than dealing with the clause as a whole. The Minister has just responded to a question on new section 6, so we will begin from there.

New section 6 agreed to.

New sections 7 to 13 agreed to.

New section 14—'Functions and powers of RIDA.'

Mr FOLEY: I refer to new subsection (3) on page 6 which provides:

> RIDA may, for the purpose of performing its functions and discharging its duties under this Act—
> (c) make grants to, or provide subsidies for, any person or body; and
> (d) make a loan, which may be free of any interest, to any person or body; and
> (e) enter into any contract or arrangement with any person, or body of persons with respect to the performance of. . .
> (f) acquire, hold, deal and dispose of any interest in real or personal property;

I understand that that may be how it reads under the Racecourses Development Board. Whilst I acknowledge that that may have been a long-standing statute, with any Government enterprise that has the capacity to make grants or loans I get nervous about the prudential management of that organisation and what the constraints will be. In the spirit of bipartisanship, I know the Minister will not use this issue as an opportunity to score cheap political points because the Minister has been constructive throughout the process and has resisted the temptation that so often confronts him during Question Time to go over the top in wanting to be sidetracked. This is a genuine question from the Labor Party, which has learnt a little about prudential financial management through an extremely bitter experience.

The Hon. G.A. INGERSON: In a truly bipartisan way, I recognise that the Opposition at last understands that we need to have accountability, we need prudential accounting and we need to understand that any board that is given the authority to purchase, to loan, to on-sell or contract out must have some ministerial control. Members will see further on in new section 15 that we have deliberately provided that the Minister has general control and direction over this board. The very issues the honourable member is talking about, of making sure that it is accountable, will be one of the major roles I have as Minister, and it will be spelt out clearly to the development board that we are not prepared to accept Labor Party type Bank SA exercises. We are not prepared to allow that to occur.

In a bipartisan way, I will make one or two general comments. History will not repeat itself, if I have anything to do with it. If it does, members know what occurs in respect of ministerial responsibility, and the following new section sets that out. There will be no-one to blame in this instance because the next new section clearly provides that I have ministerial direction.

Mr FOLEY: I knew that the Minister could not avoid the temptation to have a little soft touch. I will excuse him for that.

The Hon. G.M. Gunn interjecting:

Mr FOLEY: Mr Chairman, I ask you to call the member for Eyre to order as he is out of place. Perhaps you could warn him, Mr Chairman. What function will Treasury have? Will RIDA provide information to Treasury, and what will be Treasury's supervisory role?

The Hon. G.A. INGERSON: I am informed that RIDA has to get approval from Treasury to make borrowings. The accounts RIDA has are all Treasury accounts. There is a general involvement with Treasury, as there is in all portfolios in which I am involved. We have an excellent relationship with the Treasurer, and I am sure that in this instance it will be no different.

New section agreed to.

New section 15 agreed to.

New section 16—'RIDA may require information from controlling authorities.'

Mr FOLEY: Although it is a small clause, I suspect that it has a real punch. It provides:

> RIDA may, by notice in writing to a controlling authority, require the controlling authority to furnish RIDA with information relating to the racing code for which it is the controlling authority, including financial information or business plans of any racing club within that code.

My understanding of the Bill is that TAB dividends will be channelled through RIDA to the racing codes. RIDA will not have the power to stop that money flowing through but, from my understanding, it will require each of the racing codes to provide business plans and the like to RIDA. Will the Minister expand on the position? Clearly, for RIDA to have those teeth it will need more than just a two-way flow of information. What power will RIDA have if it is not happy with the financial or business plans put forward by the respective codes? What power will it have in terms of holding back money or demanding, directing or having direct input in the financial or business plans put forward by the codes?

The Hon. G.A. INGERSON: This new section has to be read in conjunction with new section 24, which enables RIDA to collect information as it relates particularly to financial or any matters relating to the controlling authority. New section 24 has the teeth, and new subsection (3) provides:

> The. . . fund must be applied for the benefit of the. . . code in accordance with plans from time to time prepared by [the authority] and approved by RIDA.

If new sections 16 and 24 are considered together, there is the requirement that information is to be given to RIDA. If the information about financial controlling and planning is not agreed to, RIDA does not approve it. That is the ultimate sanction in the Bill because, if there is no approval by RIDA, funds do not flow. That applies under new section 24, because the fund must be applied with the approval of RIDA. There is the position where, first, RIDA gets the information and, secondly, if the information is not fair and reasonable in relation to the code, it will not be approved.

Mr FOLEY: I acknowledge that, because of the nature of the Bill, we are marrying new sections together. I appreciate that new sections 16 and 24 need to be read in conjunction and so I will ask questions about section 24 as well at this stage. If a code puts its business plan to RIDA and it is deemed unacceptable by it, the Minister is saying that RIDA can withhold TAB moneys. What can RIDA do? Can it send the business plan back to the authority for further work? Does

RIDA have the power to direct the authority as to how it would wish the business plan to be formulated?

The Hon. G.A. INGERSON: New section 14(2) provides that RIDA in performing its functions has to consult with the relevant authorities and clubs. Before RIDA can make the final decision to approve or not to approve, it has to consult with the authorities and/or the clubs. If the authority's business plan is seen to be unfair or unreasonable by any of the clubs as part of this consultation process, RIDA can either approve or not approve it. Just because the clubs complain, it does not mean that the plans should not be approved, but it is an opportunity for RIDA as the overall planning and policy making group to consult with everyone—the clubs and the authorities—before it gives its approval.

For example, it has been put to me on many occasions by country clubs in particular in the galloping code that the Jockey Club does not consult with anyone. They say, 'It is seen as God and does what it wants to do.' That has been put to me and it is not necessarily my opinion. If that is the case and the controlling authority is really an arm of the Jockey Club, if it makes an unfair decision, it will be picked up by RIDA and can be checked out with the clubs. There are checks and balances in the process but, at the end of the day, those funds will not flow unless it is approved by RIDA. RIDA is placed in a powerful position, but it is my view that that needed to occur because there is so much criticism of the controlling authorities in all the codes coming principally from country areas. We need at least to remove that situation to the best of our ability and this change will enable us to do so.

Mr FOLEY: As the next Minister responsible for racing in this State, I want to think about how this will affect me in the administration of my portfolio.

The CHAIRMAN: I remind the honourable member that hypothetical questions are not within the ambit of the Committee's consideration.

Mr FOLEY: If there is an impasse between the authority and RIDA, I can see that the authority or the respective club will come knocking on the door of the Minister. While I do not expect a formal appeals process—and I am not advocating that, but I have had a bit of experience working with a Minister who had nothing to do with the State Bank, I might add—I can see the industry now coming and knocking on the door of the Minister of the day saying, 'RIDA will not allow our business plan to come through or it is putting unrealistic expectations or demands on us.' How will the Minister or future Ministers be able to remove themselves from that process, because the whole plan will be defeated if there is a back door appeals process to the Minister of the day with the full weight of political power or lobbying that can be applied to the Minister? RIDA could be deemed to be somewhat ineffective if that was allowed to occur.

The Hon. G.A. INGERSON: One thing I have done in my short time as Minister for Racing is to say to the boards, 'You are in charge. I do not want anything coming to me that requires your decision.' They have delegated powers and they have to get on with the job. We have already had three or four instances where the boards have wanted the Minister to make a decision, but I have pushed it back because the decision is their baby. At the end of the day there is a sign above my head saying 'the buck stops here'. This legislation enables the Minister to have general and specific control and, if for some reason the board cannot or will not make a decision, the Minister will.

It is also important to remember that that is exactly the position now in regard to the approval of funds. They are all subject to approval by the Minister. We are not changing the position much, but we are spelling it out a bit more specifically so that RIDA knows the situation, which is no different from that with regard to WorkCover, where I have a general direction for WorkCover. In my two years of involvement that direction has never been called upon. There have been many discussions at ministerial and board level, but my decision has never been called upon. I do not believe it will be called upon in this situation. I can tell the Committee for sure that, if I am required to, I will make the decision.

New section agreed to.

New sections 17 and 18 agreed to.

New section 19—'Investment by RIDA.'

Mr FOLEY: I am sticking to my theme of prudential management of RIDA. I assume, Minister, that any surplus funds would be placed with SAFA for investment? I would not envisage that the Government would be looking at any other forms of investment?

The Hon. G.A. INGERSON: Any surplus funds—and it does occur from time to time in the RDB—are invested by SAFA, and interest earned on that will return to this RIDA fund for general use.

New section agreed to.

New section 20—'Accounts and audit.'

Mr FOLEY: I know that a number of references are made to it, but I assume there will be an annual report and that the Auditor-General will report on it in his yearly report.

The Hon. G.A. INGERSON: Yes.

New section agreed to.

New section 21 agreed to.

New section 22—'Review of RIDA's operations.'

Mr FOLEY: This is clearly the sunset provision. I assume this new section is putting in place a mechanism by which the performance of RIDA will be reconsidered at no more than a maximum of five years. Will the Minister expand a little on that? The Minister mentioned earlier in his reply to my second reading contribution that RIDA will very much be under the hammer, first, to perform but, secondly, other changes will have a consequential effect on RIDA in terms of what happens with principal club status at a national level. The Bill provides a period of five years, but are we likely to be revisiting this issue sooner than the five year period?

The Hon. G.A. INGERSON: No.

New section agreed to.

New section 23—'Establishment of funds for racing industry.'

Mr FOLEY: New section 23(2)(e) refers to 'any other money received by RIDA that the Minister directs be paid into the fund'. Will the Minister give me an example of other money that could be flowing into RIDA?

The Hon. G.A. INGERSON: If the Treasurer is very generous, we will get extra funds.

New section agreed to.

New section 24—'Application of funds.'

Mr FOLEY: New section 24(2) provides:

> The RIDA Fund must be applied—
> (a) towards the administrative costs of RIDA (including the remuneration, allowances and expenses of its members), but subject to limits from time to time determined by the Minister; and

I know the Minister touched on some of these issues earlier, but what are the limits? We need to ensure that precious funds are not soaked up by administrative costs. Will the

Minister make any further comment as to what the limits might be?

The Hon. G.A. INGERSON: I want the most efficient, least staffed and most effective body possible. It is a policy-making body, not a doing-body. The final numbers have not been established but, once the board, the General Manager and the staff sit down together, that question will be more easily answered. I have said to the industry that it will not be an expensive exercise and I stick by that because, if it becomes an expensive exercise, the whole process defeats itself.

New section agreed to.

New section 25—'Establishment of South Australian Thoroughbred Racing Authority.'

Mr FOLEY: The South Australian Thoroughbred Racing Authority will be a little different from the other two authorities in that members of that body will be appointed not by the Government but by the SAJC. I am interested in the relationship between this body and RIDA. Whilst the other two authorities clearly include Government appointments, it might be that the Government of the day can, through RIDA, exert a little more pressure on the greyhound and harness racing codes. I would be interested to hear the Minister's comments on the relationship he expects to be developed between SATRA and RIDA, and will the Minister assure the Committee that SATRA will have to meet exactly the same requirements as the other two authorities?

The Hon. G.A. INGERSON: SATRA is one of the three authorities and will have exactly the same expectation from RIDA as have the other two authorities. The appointment of members is the only difference. Some other principal club issues relate specifically to thoroughbred racing, but the relationship between RIDA and the harness and greyhound racing codes is exactly the same and there are the same expectations of information flow and accountability. I can assure members that RIDA will be making sure that not one of the authorities has any special advantage.

New section agreed to.

New section 26—'Constitution of SATRA.'

Mr CLARKE: In the interests of time, my questions relating to new section 26 pick up some of my concerns with respect to new sections 27 and 28 because, in many respects, they follow sequentially. With respect to new section 26, the issue is that the five members can be appointed by the committee of the South Australian Jockey Club and must meet certain qualifications. Is it a requirement that those five members be members of the SAJC in order to be appointed? I do not think they need to be, but it is important to clarify that the SAJC can appoint people who are not members of the SAJC, provided they meet the relevant criteria. This issue then flows onto new section 27(5), which provides:

> The SAJC committee may remove a member from office on any ground that the SAJC committee considers sufficient.

It is one thing to have the Minister, through the Governor, remove any member of the board of the other two authorities and of RIDA itself, because the Minister is responsible to this House and can be held accountable and questioned on that, but to have a private club acting as the controlling authority with the sole right to appoint people to this racing authority, and having the right to dismiss people for any grounds whatsoever without any reference to the Minister or to the Governor in Council, seems to me to be an excessive amount of authority given to a privileged few who happen to be members of the SAJC committee. I believe that could cause real problems for the Minister of the day and his objectives for this whole Bill, with which I agree.

That also raises the point under new section 28 about the SAJC committee setting remuneration, allowances and expenses for SATRA members as determined by the SAJC committee. That committee is, in effect, using taxpayers' funds in the sense that it is moneys that they receive through the TAB, RIDA, and so on, to carry on its functions, yet we have this private monopolistic club, through its committee, being able to set allowances and remuneration for its members on SATRA, and I do not think that is good public policy.

The Hon. G.A. INGERSON: In the first instance, in relation to the Jockey Club committee, it is able to appoint anybody. Following discussions with the Jockey Club committee, it is my view that a range of people who are not necessarily on the committee will be on this authority. I accept that there is no guarantee for that, and I will come to that in a minute. In good faith that has been agreed and, if it does not happen, as I mentioned earlier, this whole issue of principal club status around the nation might need to be discussed somewhere down the track.

In this instance, it has been done in good faith and basically is in line with the principal club issue. As I stated in my reply to the second reading debate, the principal club status issue is one with which we have to work to enable us to begin restructuring the industry. It is an issue with which all Ministers in all States have to deal, and we believe that this is the best way in the circumstances. It is not the ultimate way because, as the honourable member rightly pointed out, unlike the Minister having the responsibility to come into this place and justify his actions, this club does not necessarily have to do it. At the end of the day, any of the plans in the financial sense that this authority carries out must be approved by RIDA, and that might be just once a year.

If any issues, particularly with respect to remuneration or in any other area, are seemingly out of line with all the other authorities, in essence, RIDA will not approve any future funding. That very powerful tool, enabling RIDA to approve the plans, really comes right through this fine detail. It is my hope that, following discussions with the Jockey Club, in appointing this committee and picking up these terms and conditions, it will act in good faith in relation to the Act. I have absolutely no evidence to suggest that it will not do that. Although the honourable member's question is legitimate, it is more of a question in the future to see whether in fact the process that we have here has worked.

Mr CLARKE: I understand what the Minister is saying, but he has not addressed the issue of the SAJC committee being able to remove one of its members, which is quite important, at the whim of the SAJC rather than by the Governor in Council. Whilst I appreciate what the Minister has said with respect to the level of remuneration and allowances, I fear that, at the end of the day, RIDA will say, 'Hang on, 12 months ago you all paid yourself double or treble the allowances compared with the other authorities under the Minister's responsibility. We will now bring you back to the field because we will not approve your future plans unless you come back to the same level that the other authorities are paying their people.' That is after the event, and we will not get the money back retrospectively. Will the Minister consider tightening up that area or issuing guidelines? Although I know they can be broken by the SAJC, at least it is put on notice that the Minister has indicated this will be an acceptable upper limit of remuneration, because it

is on par with what is paid in other authorities and as approved by the Governor in Council, rather than just simply waiting 12 months and saying in retrospect, 'Hang on, you are a bit too generous with yourself.'

The Hon. G.A. INGERSON: The RIDA will approve funds at the beginning of the year for the authority for the next year. When that approval is given things such as remuneration and general expenses—in the Jockey Club they call it first charges—now will all be part of the general thrust of payments to the authority. In the other two authorities, it is just part of general expenses. Clearly, if there is any abuse, I can assure the honourable member, the Jockey Club in its appointment and the other two authorities that I will be back in here very quickly to have the Act amended to sort out any particular abuse, if I cannot already do it.

Mr CLARKE: On removal from office?

The Hon. G.A. INGERSON: That is part of this principal club issue. The Government has accepted the fact that it is a difficult issue. We believe that principal club status is very important and is part of the goodwill in making this whole process work. If it does not work, the Jockey Club has been advised by me that we will have to come back. I do not believe we will have to come back but, if we do, I assure the honourable member that we will do so.

New section agreed to.

New sections 27 to 37 agreed to.

New section 38—'Prohibition of certain race meetings.'

The Hon. G.M. GUNN: This provision gives the new authority the power, as I understand it, to make life difficult for the small picnic race meetings.

Mr Clarke: A bit like Speakers!

The Hon. G.M. GUNN: Being a most charitable character, I shall proceed, because my total interest in this matter is those hard working people in the isolated parts of the State who have been particularly good to me, and it is my responsibility to look after their interests. For virtually ever since South Australia has existed, we have had a large number of small country picnic race meetings, normally once a year, in places like Tarcoola, Yunta, Coober Pedy, William Creek, and so I could go on. These organisations have provided a great deal of entertainment for those local communities, and raised a lot of money for worthwhile organisations such as the Royal Flying Doctor Service.

Members interjecting:

The Hon. G.M. GUNN: And have provided a great venue for the local member to meet his constituents. I am quite happy to admit that. However, in its wisdom, the South Australian Jockey Club has now decreed that, if this isolated group of people (which consisted mainly of people from the Eastern States, most of whom have never been to Outback South Australia), went there and drove off the road, as they would be quite capable of doing, they would need the Royal Flying Doctor Service to look after them. I raised my concern with the now member for Morphett, and he kindly spoke to the South Australian Jockey Club, which I understand was not pleased with me—even though I regarded the Chairman as a friend. I had known him and his good wife for many years. He has done a good job for racing in South Australia. He is dedicated to that industry, and he has been successful. After the Minister's intervention, the matter was raised at a meeting with the South Australian Jockey Club. In its wisdom, it decided that it would not agree to the reasonable request these hard working people had made, namely, that registered horses could continue to participate in these small picnic race meetings.

That is why we have this draconian measure which provides that, if a registered horse, without the authority of the controlling body, participates, these people can be fined up to $5 000. Many of these people would not make $5 000. For many years these small picnic race meetings have been a training ground for registered horses. Small trainers have been able to take their horses to these races, give them a trial run, and it has been an acceptable part of the outback racing fraternity. That has also made for better fields. But now, under the decree that has been issued, these people have been forbidden. I know of only one case of recent times where any person has badly transgressed, and that was at Innamincka, and we are all aware of the case. The controlling authority at Innamincka came down on that individual and made an example of him.

I raise this matter with the Minister today, because I would like it brought to the attention of the Racing Ministers when they next have their annual get together. It is the most discriminatory course of action. It is unfair, unreasonable and there is no commonsense in relation to it. I could be uncharitable and say that when the august old boys' club, the South Australian Jockey Club—and it may well be dedicated—considered this perhaps its members had too many drinks in the committee room, but that would be unfair. My colleagues, the people in Outback South Australia and I feel so strongly because they have badly discriminated against these hard-working people, and there are fewer people today in these country regions than there used to be. Therefore, fewer people have to carry a bigger load. A lot of work is involved in running one of these picnic race meetings. Therefore, those people should be supported by allowing people with registered horses to participate. Many of the trainers in the country want to participate. On every New Year's Day, for the past 50 or 60 years, there has been a small picnic race meeting in Streaky Bay, yet those people will not be permitted to participate.

Mr CLARKE: I rise on a point of order, Mr Chairman. Is this a second reading speech or a question?

The CHAIRMAN: Order! Under Standing Orders, the honourable member has up to 15 minutes—and he has been speaking for about five now—in which to explain and put his question. The member for Eyre is within his rights.

The Hon. G.M. GUNN: I have the opportunity to speak three times, for 15 minutes, if I desire. I do not make many speeches in this House. And I am quite happy—

Members interjecting:

The Hon. G.M. GUNN: The honourable member will hear a lot more, if he is not careful. I am normally a man of few words, but I have a responsibility to these people who are involved and who have been involved for generations. I have no alternative. I would not be acting in the best interests of my constituents if I did not raise the matter. I request the Minister to raise this issue. I have deliberately been provocative—

Mr Clarke interjecting:

The Hon. G.M. GUNN: I understand the difficulty the Minister has. There is a need, and I think that—

Mr Clarke: You're having two bob each way.

The Hon. G.M. GUNN: No, I'm not having two bob each way, because I understand that Ministers around Australia are looking very closely at these controlling clubs. The pressure is now coming from the general racing fraternity that this large important industry in every State of Australia has to be put on a professional basis. However, that is no reason to penalise those people in the isolated parts of South Australia.

The difference in other States is that all or most of the meetings are registered. These small clubs, in which generations of people have been involved, have now had impediments put in their way which are not only unfair but unreasonable. In my view—and this is the view of my constituents—they are doing no harm to the racing industry. They are doing a lot of good. I ask the Minister to ask those controlling bodies to reconsider their blinkered approach to this matter, because they do not have logic or commonsense on their side.

Mr Clarke interjecting:

The Hon. G.M. GUNN: I do not mind what the Deputy Leader thinks or says, but I am right on this matter. If the Deputy Leader wants to come up and enjoy himself at Yunta, as charitable and reasonable people they would make him welcome. But I am not concerned about the Deputy Leader or anyone else in relation this matter: I am concerned about the discrimination against my constituents whose lives are being made more difficult. The purpose of these race meetings is for people to have a good time, enjoy themselves, get together and raise money for a most worthwhile organisation.

The Hon. G.A. INGERSON: I thank the member for Eyre for his question. I intend to take up the matter at the Ministers' meeting. It seems to me that it is a bit of an old boys' club decision. It will give me a great deal of pleasure to raise the matter at the meeting. I understand from discussions with Ministers that it will probably be agreed to.

The next point is 'Where do we go from here?', and that is probably the most important issue. I understand that the South Australian Jockey Club is seriously considering the issue of how it can be looked at and what compromise can be worked out. I will attend the Ministers' meeting and meet the Jockey Club to see whether a simple solution can be worked out for country racing and, in particular, outback country racing.

The Hon. G.M. GUNN: I thank the Minister for the approach he has taken and my constituents will be pleased to hear that. My family has had a long association with the racing industry and I have some little knowledge of that industry, although I do not participate these days myself. I have grown up with horses and I know what is involved. I know that the small country trainers like to give their horses the opportunity to have a few trials and there are no better places than the country picnic race meetings. If members want to have a good weekend, they should go to the Coober Pedy races on the long weekend in October: I guarantee that it is a good weekend.

New section agreed to.

New sections 39 to 41 agreed to; clause passed.

Clauses 5 and 6 passed.

Clause 7—'Functions and powers of TAB.'

Mr FOLEY: This is a very important clause concerning the functions and powers of the TAB as it relates to RIDA. The clause provides:

> TAB must consult with RIDA with respect to any activity to be undertaken by TAB for the promotion or marketing of racing or the promotion or marketing of betting on racing.

I understand why that clause is there: it is clearly trying to ensure that there is a synergy between what the TAB is attempting to do and what RIDA thinks is appropriate. However, there is room for conflict because the TAB has its own marketing and sales function. I am interested to know how we will obtain that agreement.

We shall have the board of the TAB with its management and the board of RIDA with its management and we shall have marketing functions within the TAB. However, this clause suggests to me that the marketing and promotion has to be a joint exercise or that at least there should be some joint approval. I should like some further comment on how that potential for conflict can be avoided.

The Hon. G.A. INGERSON: We are trying to make sure that the development board, which is primarily involved with policy for the whole industry, is working with all the component parts of the industry to get the best outcome. Obviously the TAB is part of that, and we want to make sure in a general sense that the marketing and promotion are carried out in consultation. The second reading explanation talked about the core business of the TAB not being involved with RIDA, and that is how I see it happening. It really involves promotion and marketing overall. That is an important aspect if RIDA is to be the policy developer for the industry.

Clause passed.

Clauses 8 to 10 passed.

Clause 11—'Application of amount deducted under section 68.'

Mr CLARKE: The point I want to make with respect to this clause relates to the split up that is paid to the various funds. I know that it is from the former Racecourses Development Board, but this raises a general issue involving the distribution of funds to the racing industry as a whole. I probably should have made these points in my second reading speech. It seems to me that much of the money generated through the TAB to the various codes is from races conducted outside this State. Overwhelmingly, the SAJC has absolutely nothing to do with the generation of that income, yet it is receiving 73.5 per cent of those funds through the TAB and the Racecourses Development Board.

I am interested to know whether the Minister will take this on board and whether RIDA will deal with it. It seems to me that we have to give an incentive to entrepreneurial organisations which market themselves in such a fashion as to attract crowds or some form of new revenue. At the moment there is no such incentive, for example, with the gallopers, because the SAJC gets the lion's share of the money in any event through distribution from the TAB. Overwhelmingly, the money that is generated comes from outside this State where the SAJC has had nothing to do with the organisation, creativity or ideas behind various marketing efforts in those places. A fairer method of distribution ultimately would be for the SAJC to get a proportion of the money that is generated outside South Australia, but that it should receive a greater share than is currently allocated to the particular codes where the money that is generated is due to its own entrepreneurial spirit, efforts and ideas which have been successful within South Australia. It might keep 100 per cent of the money that it generates in South Australia as a result of its own efforts and creativity, but a smaller amount should flow back to it from moneys generated interstate where it cannot claim to have put one ounce of effort into it.

The Hon. G.A. INGERSON: There are some controversial issues that I am prepared to take on, but I think that this one should be left for another day. RIDA will be reviewing the whole process, part of which will be how the funds should fall out, whether by way of a service contract or how it creates the money.

This argument has been in this House dozens and dozens of times, and these percentages fluctuate virtually on a weekly basis. Sometimes they are accurate and the next week they are miles out. But they are a pretty fair reflection of the

overall money spent by the South Australian TAB on the codes. If you look at turnover, at the moment the code that is worst off under this formula is that of the greyhounds, which is running at about 12 per cent, while the galloping codes are at about 71 per cent. But that fluctuates throughout the season and, whilst the original decision was *ad hoc*, it is pretty close. But RIDA will look at this; we will look at review. It is not our priority to do it, but it will be done over the next couple of years.

Clause passed.

Clause 12 passed.

Clause 13—'Application of fractions by TAB.'

Mr FOLEY: I move:

Page 26, lines 19 to 22—Leave out all words in these lines and insert:

Section 76 of the principal Act is amended by striking out subsection (2) and substituting the following subsection:

(2) TAB must pay to the RIDA Fund the amount of fractions retained by TAB under section 73(4) or, if subsection (1)(a) applies, the balance referred to in subsection (1)(b).

This has been canvassed. The Opposition tonight acknowledges the acceptance, albeit in some part reluctantly, for substantial change, and we compliment the Government on that. I am prepared for the first time actually to acknowledge that it is time to pay a reward dividend to the racing industry for the restructuring that is about to occur. It is only appropriate that the Minister and the Government—and particularly the Treasurer—acknowledge that and make available 100 per cent of the fractions and unclaimed dividends instead of the 50 per cent formula that currently applies. I acknowledge that earlier tonight I got my numbers a little wrong and think I even interjected that that is what I was advised. I was wrong. Unlike the Treasurer, I know how to say the word 'wrong'. In fact, it was $4.5 million.

Clearly, the number is not the important fact; it is that 100 per cent should be shown across. I urge the Government to support the Opposition on this important issue, given that we have offered such significant bipartisan support for the bulk of the Bill. Let us stand together here tonight and inject some money into the racing industry. The Treasurer is clearly in the House now to intimidate the Minister. Let him not be intimidated: let him be prepared to support the Opposition. Let us put it in legislation, because we know how Treasurers operate. What might be a wink or a nod from any Treasurer—and I am not being Stephen Baker-specific—really is not good enough. I would rather have it enshrined in legislation so that that is just one little number that the Treasury is not able to get its hands on. Let us accept significant restructuring and give them a reward dividend in the form of 100 per cent of unclaimed dividends and fractions. I urge the Minister and the Government to support the Opposition's amendment.

The Hon. G.A. INGERSON: I am sorry to disappoint the honourable member opposite but the Government is not prepared to accept this. I said in reply to the second reading debate that the Government is considering more funds for the racing industry. The Government is of the view that that ought to be done in the budgetary process. As I said in my comments at that stage, I am reasonably confident that the argument we have put forward will turn out to be in the best interests of the racing industry. I do not think we need to make these sorts of changes, because the Treasurer might happen to give us more, and I would hate to be restricted to the fact that we could have only the unclaimed fractions and dividends. On that basis, the Government wants to be in control of any new funds that go to any industry and, as a consequence, we are not prepared to support this amendment.

Mr FOLEY: I am disappointed to hear that from the Minister. I hoped that he would be prepared to come forward. We are now in the very early part of April with a budget due in a couple of months. Having been involved in budget processes, I know that they have not even finalised the numbers in respect of the budget process. I know what Treasurers will do as they arrive at that final budget round and have to crunch out a few million dollars. With respect to this issue, it will be a matter of, 'Sorry, Graham, I can't deliver on that little promise I gave you a couple of months ago.' It is important to put it in legislation. This is in no way meant to denigrate the performance of the Treasurer; but Treasurers are known to be somewhat miserly. We cannot afford to risk this important amount of funds to the racing industry to the whims of a Treasurer in a budget round. With all due respect, the Minister does not win everything in a budget round—no Minister does. I do not want to see this issue jettisoned out the back door. Again, I simply appeal to the Minister's good character and better judgment to support the Opposition in this funding move for racing.

Amendment negatived; clause passed.

Remaining clauses (14 to 46) passed.

Schedule 1.

Mr FOLEY: Schedule 2, clause 1 (3) provides:

An employee transferred to the employment of RIDA under this clause will have rights and liabilities. . . .

It has been put to me by employees, through their union, the PSA, that they would expect that that would also include salary and conditions. Will the Minister confirm in *Hansard* that that clause will by implication mean that employees will have rights, salary and conditions as provided for under this clause?

The Hon. G.A. INGERSON: I have been advised that 'rights and liabilities' legally covers wages and conditions. That was the advice we got in drawing up the whole thing. Clearly, that is meant to be the case, and we would confirm that anyone who comes across who is an existing employee of the Bookmakers Licensing Board, the offices of my department and the Racecourses Development Board would all come across with all their wages, conditions, rights and liabilities intact.

Mr CLARKE: Will the Minister confirm that, with respect to employees who at the moment are public servants with the Department of Recreation and Sport and who come across to RIDA, if they choose to go across they can but that, if they choose, they can go to the Public Service proper because under RIDA they will not be covered under the Public Sector Management Act of 1995? If present employees go across to RIDA and wish to go back into to the Public Service they will retain that right; if they are offered a position with RIDA but wish to stay within the Public Service proper they will have the right to do so and will not have to go across as an employee of RIDA.

The Hon. G.A. INGERSON: In relation to my office, the Office for Recreation, Sport and Racing, as I read it they will all go across. In other words, unless I misinterpret that, there is no option.

Schedule passed.

Schedule 2 and title passed.

Bill read a third time and passed.

PUBLIC AND ENVIRONMENTAL HEALTH (NOTIFICATION OF DISEASES) AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 21 March. Page 1214.)

Mr CLARKE (Deputy Leader of the Opposition): I am the Opposition's lead speaker on this matter this evening. Although this is a short Bill, it is quite interesting, and some significance attaches to it. Basically, as I understand it from reading the second reading explanation and from my appreciation of the reports given on that by our shadow Minister for Health, the member for Elizabeth, this has arisen as a result of the Coroner's report into the death of Nikki Robinson that was tabled on 28 September 1995. As we all recall with regret, Nikki Robinson was the young child who died as a result of the HUS epidemic early last year. Twelve recommendations arose from the Coroner's report, and a group of these recommendations have dealt with the need for better communications and better procedures to enable the process of detection to be as fast as possible.

This Bill addresses recommendation 9 of the Coroner's report, which states:

> That the Minister for Health consider amendments to section 30 of the Public and Environmental Health Act—to make notification mandatory when a medical practitioner believes a person may be suffering from a notifiable disease, to review the five day limit for notification, to make HUS and TTP notifiable diseases.

I will not say what TTP stands for because I do not want to embarrass the Deputy Premier by his having to emulate me and pronouncing that term. So, out of deference to him, I will not show off my ability to wrap my tongue around those words. The Opposition notes that, despite the passage of six months since the Coroner's report, there has been no definite information on what has happened specifically in relation to all the Coroner's recommendations.

There are many important matters in this Bill, as well as the one before us, that need speedy resolution. For example, when will the Parliament deal with the review of the Food Act, and what is happening with the reviews across agencies involving the National Food Authority and the Local Government Association? In his report, the Coroner said that local government resources in the process of enforcing the State Food Act must be enforced.

It would seem that the Coroner believes there are real problems with health inspections of food handling, processing and manufacturing plants in South Australia. The major problems relate to the fact that it is not unusual for companies to be forewarned of a visit by health inspectors and the lack of inspectors to carry out such work. The Opposition believes that the Minister for Health owes it to the whole community to reassess the Food Act and to ensure that proper systems for inspecting food processing and manufacturing plants are put in place. We said this in November when we called on the Minister: he has a duty of care to the community to conduct this review of the Act as a matter of priority and release the terms of reference for that review.

Since the Garibaldi tragedy early last year, the community at large has had a heightened awareness of all these issues. It has the right to know what stage the Government has reached in the implementation of all the recommendations. Unfortunately, it is our experience that getting information from the Minister and the Health Commission with respect to this matter is like getting blood from a stone or a bit like trying to get money out of a Treasurer.

The Hon. S.J. Baker interjecting:

Mr CLARKE: As the Deputy Premier and Treasurer points out, it is like getting money from Tim Marcus Clark. One would hope that, regarding such an important issue as public health, the Minister for Health would ensure that the Coroner's recommendations are implemented promptly.

Another point that the Opposition wishes to raise concerns the question of consultation on this amendment. We found to our amazement that the Australian Medical Association (South Australian Branch) knew nothing about this amendment and had not been consulted in any way by the Government. That is our information. I must say that we found this unbelievable, as that is the representative organisation whose members this legislation will affect. The Doctors' Reform Society and other health professionals with an interest in this matter were also not consulted. These are pertinent questions regarding who, if anyone, was consulted and whether the Minister for Health knows the answers. Has he sent them a fax and does he intend to consult these interest groups?

The Bill, in addressing recommendation 9 from the Coroner's report, contains a number of points: first, that reporting is mandatory on suspicion of a relevant disease, that is, without waiting for laboratory confirmation, a second opinion or evolution to certain diagnosis; secondly, the maximum time for report has been shortened to three days; thirdly, the current provision that a medical practitioner is not required to report a notifiable disease if the practitioner knows that a report has already been made to the Health Commission; and, fourthly, HUS and TTP are included in the list of notifiable diseases to be dealt with by regulation after consultation with the communicable diseases network of Australia and New Zealand. I have a few points to make on those issues.

Obviously we agree with any changes to make the procedures more effective, but we need to ensure that all links in the chain are equally effective, or the benefit of this Bill will be lost. This is where the implementation of the Coroner's other recommendations is critical. We have a number of questions that we will pursue in Committee, which I do not believe will be very long. However, I make the point that has been made on this and other issues in relation to the South Australian Health Commission, namely, that communication is a problem which needs to be improved across the board. One person commented to our shadow Minister that it was not the amount of data but effectively managing its transfer that is critical to an improvement in performance.

A number of issues need to be addressed. For example, what is the time frame for the resolution by the communicable diseases network of Australia and New Zealand to decide whether HUS and TTP will be made notifiable diseases? With respect to the Bill as a whole, there are further questions that I will need to ask, but that can be done in Committee.

The Hon. S.J. BAKER (Deputy Premier): I thank the Deputy Leader for his contribution to the debate. The issue of when particular diseases occur and the extent of the problems they cause is a matter that will be with us for as long as the Deputy Leader and I live. Frankly, if we look at medical research, we see that are serious suggestions that with the various antibiotics that we take and the various means that we use to keep disease at bay the immunity to super bugs is decreasing rapidly. There are two issues: first,

the diseases and how we control them (and I feel sorry for generations coming on in that regard); and, secondly, what are communicable diseases and the extent to which the health authorities need to know about these things immediately.

There was an unfortunate death in the Garibaldi case, and the Coroner has now suggested two things: first, that the speed of communication should be increased and, secondly, we should be more able to put more of these diseases on the communication chart. HUS is haemolytic uraemic syndrome and TTP is thrombotic thrombocytopaenic purpura. The matter of the circumstances involved has been well canvassed in this House, just as it was well canvassed by the Coroner. The health professionals reacted strongly and quickly in the circumstances with which they were faced and in the light of the fact that they had no data streams previously on which to act and react.

Hindsight is something we all possess after the event and we can all be very wise, but these were unusual and difficult circumstances. I believe the health professionals did a magnificent job under the circumstances, although, that did not save one child or save some others from serious illness. From my understanding of the situation, everyone did their utmost to not only analyse the problem but also to take such action as was necessary once it had been analysed; that is, once the source of the infection had been isolated to then pursue that source to the point where it would not cause any further damage. Some criticisms have been made of that procedure. The Coroner criticised that, but perhaps when there is a review by professionals another finding may be handed down.

However, the point is readily made. We had an unusual situation. I do not know that it will be a unique situation. As I said, the medical journals suggest that we are in for some very strange viruses and diseases as a result of the immunity that is built up by various bugs. If that is the case, we suggest that this is not the first nor will it be the last difficult case that will arise in this State or any other State in Australia.

The member for Elizabeth seems to have this penchant for not getting it quite right. In relation to the gratuitous statement about non-contact with the AMA, I have just seen a fax which says that the AMA responded to a draft of the Bill on 6 February. I do not know who rings whom, but I have a copy of an AMA fax, which I am more than happy to show the Deputy Leader. It states that this organisation was consulted, as were a number of other organisations. I do not know whether the honourable member rings the switchboard or some other person, but again I would ask the member for Elizabeth to get her facts right because it does not reflect well on anyone to make those statements and therefore imply that the Minister, or his or her officers, have made a mistake, they have not done this or they have not done that when indeed they have. The Bill is straightforward. The issue of whether HUS and TTP should be on the—

Mr Clarke: Pronounce it.

The Hon. S.J. BAKER: I have already done so. I did a fantastic job of pronouncing 'haemolytic uraemic syndrome' and 'thrombotic thrombocytopaenic purpura'. Whether they should be added to the register and to the list of communicable diseases is a matter under discussion; and whether that leads to further items that need to be added to the register is currently being examined. From the Deputy Leader's point of view, this matter is in response to the Coroner's request for speedier notification, and the issue of whether these belong to communicable diseases is yet to be confirmed. I thank the Deputy Leader for his support for the Bill.

Bill read a second time.

In Committee.

Clause 1 passed.

Clause 2—'Notification.'

Mr CLARKE: First, has the Minister any advice for the Committee as to when the other recommendations in the Coroner's report will be brought into the House either as further amendments to the Public Food Act or relating to the various matters raised in my second reading speech? Secondly, will not the provisions in this clause cause the Health Commission to be swamped with notifications? For example, people with diarrhoea may be suspected of having HUS. What are the resource implications in the handling of such a potential increase in notifications? What is the current staff of the section, and will there be a need for more epidemiologists?

The Hon. S.J. BAKER: A number of recommendations were made by the Coroner. Some have already been implemented or were implemented before the Coroner's findings were made. As the Deputy Leader would recognise, in terms of what we are doing, it involves taking up another of the Coroner's recommendations. The State Food Act is currently under consideration as a matter of urgency. Certainly, I will endeavour to provide for the Deputy Leader or the member for Elizabeth an update on the status of those recommendations so that everyone is clear.

As to notification on suspicion and the extent to which the commission will be overcome, requiring more staff and epidemiologists to assist in the analysis of material resulting from such notifications, I cannot answer that question. That will be gauged only once we have put the legislation in place and we have the capacity to analyse the responses. I suspect that the number of notifications will rise because the clause talks about suspicion, so doctors may be more careful and not take matters for granted or make a limited diagnosis to determine particular matters.

The Deputy Leader will understand the importance of having a timeframe within which to report. It means that, if something is discovered in five minutes, it does not have to be reported immediately. There is a three day time period for forming a suspicion. So, there is an appropriate timeframe within which a doctor can make up his or her mind whether it is a disease that needs to be notified to the commission as a matter of urgency. As the Deputy Leader would recognise, there are many situations and they happen in our own families where the first and second visits to the doctor do not reveal anything and it is only that the child or the family member is sick. It is only after further examination, reading books and checking various diagnoses and reports, that the doctor has a capacity to reduce the probabilities and make a report on the basis of suspicion. Additional staff are being appointed to the Communicable Diseases Control Branch. Five additional positions have been advertised, and some are just about to commence.

Action is being taken on that front. We do not know where this legislation will lead us, but it is in response to the Coroner saying, 'We must be more alert. Even if it is a suspicion, we expect you to feed that information through as quickly as possible.'

Mr CLARKE: One matter that will cause an increase in the number of notifications will be, as I understand it, the penalty under the Act for failure to report a suspicion of a disease. If a penalty is to apply to failure to report a suspicion, there is every likelihood that a doctor, just to cover his or her own backside, will automatically make notifications

to the Health Commission. In light of the Garibaldi incident that occurred early last year, consideration must be given to the very real question of adequate resources within the Health Commission to ensure that effect can be given to this Bill. If resources are not available, it makes a mockery of the legislation.

Will confidentiality provisions be applied to the same degree, and how does this affect section 30(3) of the principal Act, which provides that the Health Commission must immediately on receipt of a report communicate the contents to the local council? Under this amendment the report may not be a confirmed case. Is there not a possibility that undue alarm may be caused in the community generally by a report, not of a confirmed case but of a suspicion, going straight from the Health Commission to the local council? Should there not be a change to this provision so that immediate notification to councils occurs only after confirmation?

The Hon. S.J. BAKER: The issue of resources has already been answered, as the Deputy Leader would recognise. Whether the matter should go further than that is another issue and will be looked at by the Health Commission. Confidentiality provisions already exist and do not change under these provisions. A penalty already applies under the Act for non-notification, and those things have not altered under this change.

Mr Clarke interjecting:

The Hon. S.J. BAKER: I think we have all admitted that.

Mr CLARKE: What about the potential for panic?

The Hon. S.J. BAKER: The Deputy Leader would understand that that is a difficult area and the public health officials will have to make up their mind about that. If we have a large number of reports of suspicion without adequate evidence, that would be one matter, and only by follow up could it be ascertained whether there was any truth to the suspicion. The potential is already there under existing provisions if doctors are doing their jobs. I have not seen too many panic situations in my lifetime, with public authorities suddenly making statements or taking action with their constituent councils or health officers to remove or quarantine material. We have not seen those sorts of instances, unlike the days when we had a number of diseases, such as cholera, typhoid and various other exotic diseases. The removal of subsection (4) requires laboratory notification as well, to confirm the suspicion. There is a process in train where mere suspicion is not enough. It then has to go through the laboratory process.

Mr CLARKE: My last question relates to paragraph (b) of clause 2 regarding the reduction in the number of days of notification from five to three. What is the basis for the three day limit? Why not make it two days or 24 hours?

The Hon. S.J. BAKER: We are really talking about practicality, where matters can drag on over weekends. This is the end point, and we know that some communicable diseases are less debilitating or less life threatening than others. I am sure the honourable member will understand that. We are dealing with a whole range of diseases, some of which have an absolute imperative upon them and others which have a lower level of urgency. There is a need for a doctor to reach a point where he has a reasonable suspicion and cannot say, 'It could be one of 15 diseases; if two of those are communicable, I will talk to the public health authority.' The whole system would break down if that occurred.

I suspect that the doctors are very sensitive about those sorts of diseases that can cause awful harm and must be taken into account immediately and therefore immediate notifications can be further assessed or held until the circumstances are propitious before they report. In these circumstances, we are dealing with such a range of diseases that we would expect the action of the medical fraternity, if it had a reasonable suspicion of something that was going to cause some widespread problems within our community, to be much swifter. Unfortunately, you cannot put a time frame on each disease, and you cannot say, as soon as someone has seen some symptom, that that is the disease that is causing it. I believe we have tried to achieve a practical result, and that has been discussed with the various bodies concerned.

Clause passed.

Title passed.

Bill read a third time and passed.

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

That the time for moving the adjournment of the House be extended beyond 10 p.m.

Motion carried.

SOUTH AUSTRALIAN MEAT CORPORATION (SALE OF ASSETS) BILL

Adjourned debate on second reading.

(Continued from 20 March. Page 1175.)

Mr QUIRKE (Playford): Before I get into the main thrust of this Bill, I would like to read into the record a communication which I received this afternoon. Under the heading 'SAMCOR (Sale of Assets) Bill 1996', it states:

We understand that the above Bill will be debated before the House of Assembly this afternoon.

They got that bit wrong: it is now fairly late in the evening. It continues:

The South Australian Farmers Federation would be very grateful if you would consider and, if appropriate, place the following information before the Parliament.

I always do things for the Farmers Federation, as it, the MTA and one or two other organisations are my favourite organisations, as this House knows. The letter continues:

The SAMCOR facility at Gepps Cross is an important component in the livestock production, processing and export industry in South Australia. SAMCOR has been a major provider of service skill facilities and, in addition, is the only multi-species abattoir in the State, killing not only sheep and cattle, but also pigs, goats and deer.

SAMCOR has been critical to South Australian industry because of its independent service kill facilities which have enabled wholesale butchers and exporters to have their stock killed and directly exported from South Australia for foreign markets. Other abattoirs are owned by companies which directly contract for the supply of meat, both domestically and for export; therefore independent meat export companies are reluctant to use these facilities.

Thus, the loss of SAMCOR if it is not sold as a going concern will remove service kill options for South Australia, as well as have a significant effect upon competition in the meat processing industry in South Australia. The loss of a service kill facility will mean that stock which currently comes from the Northern Territory and many parts of South Australia will now be diverted interstate for processing and export. This will have the obvious consequences on jobs in South Australia and the development of the South Australian economy, in particular seaports and airports.

The South Australian Farmers Federation does not support the continued use of public money to support SAMCOR—

and here comes the crucial bit—

but we believe that the sale of SAMCOR has not, to date, been handled satisfactorily, or with understanding or consideration for the livestock industry in this State. We urge the Parliament to take a

great deal more interest in this asset sale with a view to wider consultation with the industry about its future.

Should you have any further questions about this matter, please contact the undersigned, Michael Deare, Chief Executive Officer.

I do not think I have ever read out a letter from the Farmers Federation before, but I could not have put the arguments better. In essence, the future of the facility at Gepps Cross is integral to a satisfactory sale and, to that extent, the Opposition largely supports this legislation. I use the word 'largely' as we need to address a couple of residual issues. Before I do that, we want to make abundantly clear to everyone in this House and in the community that we recognise that, over the past 25 or 30 years, few profits have flowed from this public enterprise. In fact, in recent years, there has been only one year in which this enterprise was profitable.

We also recognise that an injection of money is necessary in this facility, particularly since its delisting last week as a result of the Australian Quarantine Inspection Service report into its facility for export. I am aware that much of the work done at SAMCOR is for the domestic market here and is not affected by the AQIS decision. Of course, the reality is that that AQIS decision will flow through, will cost SAMCOR some money and, one would hope, will not jeopardise its future.

The Opposition has a couple of things to put on record. First, as I understand from discussions I have had with the AMIEU and its Secretary, Mr Warren, most of the outstanding problems in relation to the work force have been sorted out. I have been told that the question of redundancy pay has now been satisfactorily resolved. We also understand that most of the other questions have been resolved between the Asset Management Task Force and the union that represents the work force.

However, the Meat Workers Union has advised us that two attendant issues have not yet been resolved. I have communicated these issues, both orally and in writing, to the Asset Management Task Force and the Deputy Premier. The first issue is the question of redundancy for injured workers who are on a WorkCover order. We say that a person who is injured in the line of their employment ought not be disadvantaged as a result of these changes. Indeed, we will demand that between here and the other place that issue be discharged; that a satisfactory arrangement be put in place so that workers who have been injured on the job and are under a WorkCover order are not disadvantaged. We included the same provisions for the pipeline sale, the State Bank, SGIC and all the asset sales that have occurred. We are not asking for anything new: we know that this is not a great money spinner, but we are saying that these issues must be resolved.

The other issue is the question of sick leave. Many of the workers at SAMCOR have spent most, if not all, of their working life, in this enterprise. Many workers are in their 50s and have been there for 25 or 30 years. They have accumulated a great deal of sick leave under their award. Sick leave is one of those things that you save for a rainy day; it is one of those things you save for when you may need it, those occasions that happen later in life. A person may have cancer or some other illness that may require more than the usual number of sick days that are provided in a year. I notice that the parliamentary secretary is looking a bit strange at that suggestion and, given his supposed industrial relations background, I find that surprising. In his case, he has been on the sick list since the day he arrived here.

I make it quite clear that the Opposition wants this issue resolved. Our Caucus has debated this matter and the position we put forward to the Government—and the one we shall be demanding before it goes to the other end of the corridor—is that satisfactory provisions should be put in place to resolve this problem along the lines of what happened in the pipeline sale and the other asset sales. We want to be satisfied that those conditions have been signed off. I have not yet received that advice. Indeed, I asked the Asset Management Task Force to advise me of settlement of this and all issues when they were signed off before this Bill was debated in this House. But we can raise that matter in the other place. I have not yet been given that advice; I have not been told what the situation is.

My understanding was that all these issues were to be sorted out last week. That has not yet happened. I am a little disappointed because we want the abattoir to continue and to provide employment in that area. We want the work that is done there to continue, we want employment to continue and we want investment in South Australia. Above all, we want to ensure that all the issues now outstanding, including the two that I have mentioned, are discharged and finished before the Bill is dealt with in the other place. We will support the legislation, but we strongly believe that the Government ought to take what I have said very seriously, including what has been put in written form to the asset management task force, so that we can discharge this item.

Mr VENNING (Custance): I support the Bill. I commend the member for Playford on his contribution. Indeed, I agree with about 75 per cent of what he said, particularly in relation to the abattoir, the services that it provides, and the loyal workers who have been there for many years, several of whom I have met. In recent times, the abattoir has been relatively incident free.

It is important to stress that SAMCOR is the only truly independent abattoir in South Australia. It does not own stock; it kills only on contract. It is known as a service works. That is probably why it has had its financial ups and downs. I was speaking to the Hon. Ted Chapman just a few minutes ago and I understand that when he was Minister for Agriculture in 1981 and 1982 the works actually made a profit. Of course, being a service works, the employment level also went up and down with demand. As demand in abattoirs fluctuates so much there must have been some difficult years. However, in the years to which I have referred the abattoir made a profit.

SAMCOR has been critical to the South Australian industry because its independent service kill facilities have enabled wholesale butchers and exporters to have their stock killed and exported from South Australia to foreign markets. Other abattoirs are directly owned by companies which contract for the supply of meat both for the domestic and export markets. Independent meat export companies are reluctant to use these facilities, because those companies will put their own meat through first and others will come second. That is why it has always been great to have an independent service works in South Australia that killed to order.

If SAMCOR is not sold as a going concern, it will remove service kill options as well as having a significant effect on competition in the meat processing industry in South Australia. The loss of an independent service kill facility will mean that the stock which currently comes from the Northern Territory and many parts of South Australia will now be diverted interstate for processing and export. Indeed, much of it already is because of the doubt that is hanging over the SAMCOR works. This will have consequences for jobs and

the development of the South Australian economy, in particular for our seaports and airports.

The new SAMCOR facilities are very good. The Farmers Federation, as the member for Playford said, believes that SAMCOR's General Manager, Des Lillee, and the board have been doing a very good job. I would also add that the work force in recent years has been loyal, hard working and diligent. Although the abattoir was making a loss, the Farmers Federation believed that things were starting to turn around and that there had been a dramatic change in attitude in the work force generally. Unfortunately, with the news that SAMCOR was to be sold, and with the sale now taking a little longer than we would like, many of its customers have already gone elsewhere, often interstate, and others are planning to do the same.

The customers are covering their own backs so that they do not suddenly find themselves without suitable abattoir facilities. We really cannot blame them for that, so I hope that the whole thing happens as quickly as possible. It is most important to stress that SAMCOR is the only independent multispecies abattoir in South Australia. Apart from slaughtering sheep and cattle it slaughters goats, pigs, deer, sometimes horses, and other species as well, yet most other abattoirs in the State will kill only sheep or cattle. It is quite probable that there is no other abattoir in South Australia that kills pigs, and it is vital that South Australia have this facility, or we will have yet another drain to the Eastern States. The sale is taking too long, and I hope that the Treasurer and Asset Management will address the problem as quickly as possible.

The problem of the delisting of the export market is making it even worse for the SAMCOR works, and the outlook is grim at the moment. There will need to be a major marketing strategy to revitalise SAMCOR's profile, and I am quite confident that will happen. While the South Australian Farmers Federation does not support the continued use of public money to support SAMCOR, it does believe that it would be an enormous loss to the State if the facility were closed altogether. The federation is most anxious for the SAMCOR abattoir facility to keep operating, whether Government or privately owned. I add my full support to that comment, because as a user of SAMCOR and attending over many years, I think that the State would be totally lost without the works.

The SAFF urges this Parliament to take a great deal more interest in this asset sale with a view to wider consultation with the industry about its future. I want to assure the Farmers Federation that we will be keeping a very close watch on this. As a farmer and user of SAMCOR's facilities I want to assure it that I will be doing just that, making sure that the Government proceeds as quickly as possible with the sale. Livestock markets are a separate company from the abattoir, so I want to be sure that all members realise that there is no conflict between the two as there used to be. The stock markets are quite separate from the killing works.

I am very concerned about the loss of SAMCOR's export licence. It is often said, 'If the Yanks don't want our meat, they always seem to find a way around it.' I know that is a very inflammatory comment. Their usual way is to set even higher standards to be adhered to, usually much higher than those in their abattoirs in America. AQIS could close any abattoir in Australia if it had a desire to do so, and the Americans seem to have some influence. That is an accusation that I make, and many will disagree with that, but it seems to be the case. SAMCOR employs some very high cost AQIS veterinary inspectors, who have walked past these latest so-called problems for one or two years. The question is: why did they not bring it to the attention of management before now, before this cross-review happened when we lost the export licence?

What are these gentlemen doing out there on this high pay? Why did they not warn the management? The question needs to be asked time and again. The question is: was SAMCOR singled out? I do not think so. People need to be reminded that there is no consistency of inspection and interpretation of the rules. That is a problem that I have heard about for years and years, and it is still going on. In the end, the producer cops it in the neck with cheaper prices, and I often question whether this is some sort of price control.

As a producer yourself, Sir, you would be aware of what happens when we have strife at the abattoirs, particularly at SAMCOR, with its being the critical works. It reflects on all the producers, who are certainly loyal to the SAMCOR works. SAMCOR has been trading with its hand behind its back because, as I said earlier, it is only a service works with no chance to buy and process its own stock. SAMCOR has been operating way under capacity and at under-efficient production levels. Because of the wool prices and dry seasons, the stock are not out there, and we have 50 per cent overcapacity in our State meatworks. Noarlunga is closed at the moment, and for how long we do not know. Many questions could be asked at this time. I am tempted to be very controversial about that, although I will not be.

Metro Meat International Ltd, which owns Noarlunga, also owns Murray Bridge and Naracoorte; and Conroys own Port Pirie, which is running very well. Angaston's future is also at the crossroads. The future of the two abattoirs, Angaston and SAMCOR, will be linked in the future. I hope that the abattoir will be purchased by a private company and continue to operate as a serviced and private abattoir. My second option is for a private operator to take over but eventually to relocate the works to the north of the city. The third option—by far the least preferable—is for the Government to assist in building a new abattoir and then to sell or lease it to a private operator. My fourth option is for the current situation to continue. The last option, which is not an option, is for the abattoir to close.

Strategically, SAMCOR is well placed to serve both the stockowners and butchers of South Australia. I am confident that it will have a long and viable future under private management. We have seen that in Port Pirie. The Port Pirie abattoir was making a big loss and there were big concerns about keeping it. Now, under Conroys, it is a model abattoir. There is no reason why SAMCOR should not go the same way. I sincerely hope that the Treasurer does not exercise his right to close it down, but it is his right under the provisions of this Act. SAMCOR has a future in South Australia. It is vital to the primary producers of South Australia, to the meat industry it serves and to the meat industry workers who work there. I support this Bill and will watch it very carefully as it develops in the near future.

Mr CLARKE (Deputy Leader of the Opposition): I will be fairly brief on this matter, because the member for Playford has already canvassed well many of the points that I share with him. I have a number of constituents who have worked for SAMCOR for a number of years. A number of these constituents are in a difficult age bracket and suffer injuries as a result of their employment. Their age bracket, in

particular, is over the age of 45, with many over the age of 50.

The Hon. S.J. Baker: Some are over the age of 60.

Mr CLARKE: Some, as the Deputy Premier points out, are over the age of 60. With respect to the sale of SAMCOR, I am particularly interested to ensure that SAMCOR workers who have been injured during the course of their employment and who are in receipt of WorkCover benefits are entitled to receive termination payouts on the same basis as able bodied workers. This applies particularly to those workers who have been injured in the meat industry and whose trade, skills and work experience involve working in an abattoir. Basically, they will not get another job in another abattoir because of their WorkCover injury. It is difficult enough in any industry for an injured worker to switch from their former employment to another job when they front up to a new employer and say, 'By the way, I have a pre-existing injury and I have been in receipt of WorkCover benefits.' The fact is that the new employer runs a million miles from that potential employee.

That is even more marked in the abattoir game where heavy, physical work is involved and where there are limits to the amount of light duty available to such injured employees, particularly those with back injuries. There are a number of dangers in the job because of the nature of the industry and the type of implements used in carrying out the job. Once SAMCOR is sold (if it is sold) the new employer is unlikely to take on persons with any long-term injuries. Those employees will not be able to gain employment in another industry. It is the only industry they know in many instances and the only industry that they have been trained for. A number of them are in an age bracket in relation to which we know, not only anecdotally but from labour market statistics put out by the ABS and departments of employment, training, etc., that their chances of obtaining any future employment, whether it be in the meat industry or in any other industry, are effectively zilch.

I do not want to see those workers who have given so much of their own time and personal commitment to SAMCOR over so many years left high and dry and receiving an inferior package to those of an able-bodied person. It is hard enough for an able-bodied person to find a job, but at least they have a chance, because they are able-bodied. Once you have a WorkCover injury in this industry you are finished in terms of your employability with a prospective new employer. These people should not be left on the scrap heap.

Another issue is the pay-out of sick leave entitlements. Ordinarily as a general principle I do not support the pay-out of sick leave, only on the basis that the person is not sick and is able to turn up for work; they are the lucky person, because they are not ill or need to take time off from work. Therefore, they should save up their sick leave for use in the unfortunate circumstance where they may be laid low with a major injury or illness. However, in the case of redundancy, it is not unusual, indeed it is becoming more frequent in a whole range of redundancy cases, that in those circumstances where employees have accumulated significant amounts of sick leave they ought to be paid out their accumulated sick leave, either in whole or in part. Often in the past, private sector employers in particular have sought to encourage their employees to attend work by rewarding those workers who do not use their sick leave by paying out their sick leave entitlements at the end of each year. I do not support that principle, for the reasons I have already stated. However, in cases of redundancy, in most of the private sector industries that I covered as a union secretary it is a regular occurrence that, when confronted with retrenchments, workers are entitled to seek redundancy pay-outs in accordance with their accumulated sick leave.

With respect to that matter, there is no conflict of interest between the general principle that people should not be paid out for sick leave if they are fortunate enough not to be ill and the principle that when people are retrenched they ought to get some recognition for that entitlement; and the way we recognise it is through a pay-out. If employees are offered alternative employment, are able to take it up and are able to take over all their accumulated sick leave with their new employer, they should be able to do so. In fact, they should be required to do so under our State legislation. I do not think this Government has amended the Industrial and Employee Relations Act; when it introduced it, I do not think it took away the rights that the Labor Government established under the old Industrial Relations Act, which provided that, on the transmission of business, sick leave was transferred from one employer to the new employer without loss of benefit.

Not so long ago, that did not apply. Not so long ago, if an employee went from one employer to the next, even though it was the same business but it was a transmission of business to a new owner, the worker lost all their sick leave entitlements. That anomaly was overcome through progressive amendments to the then Industrial Relations Act by the then State Labor Government. So, in those circumstances where an employee transfers over to a new employer and takes all their sick leave entitlements with them, certainly, I do not have an argument with not allowing that person to double dip by not only having a transfer of their sick leave but also being paid out at the same time.

However, I suspect that a number will not go across to the new employer, if there is one—which we all sincerely trust. Such workers might well lose a number of years' accumulated sick leave or be long-term injured workers on WorkCover who might not even be offered the same redundancy payout as able-bodied persons. For those reasons, it is important that the support for this Bill, qualified to the extent outlined by the member for Playford, be looked at seriously and acted upon by the Government before this Bill goes to another place for further debate.

The final point I want to make relates to the briefing paper put out by the South Australian Farmers Federation. In particular, I refer to the comment of the Chief Executive Officer, who states:

> The sale of SAMCOR has not to date been handled satisfactorily or with understanding or consideration for the livestock industry in this State.

The points made by the Chief Executive Officer are good ones. The member for Custance also addressed in his contribution the importance of SAMCOR's being of ongoing concern to livestock producers in this State. I agree with the honourable member with respect to that matter. Indeed, his extensive knowledge of the agricultural industry is such that there is no doubt in my mind that he should have been the Minister for Primary Industries under this Government. I, for one, am more than happy to write to his constituents and his electoral council in fulsome praise of his knowledge of this area and the fact that he should have had the pre-eminent position in primary industries rather than being the Parliamentary Secretary for Mines and Energy. His talents are wasted in that area—

The Hon. G.M. Gunn interjecting:

Mr CLARKE: I am quite happy to put that in the Bill. However, referring to the South Australian Farmers Federation and its complaints in respect of this matter, I think it should look at itself, because over the years it has been only too quick—

Mr Atkinson interjecting:

Mr CLARKE: I'm just about finished. The Farmers Federation was only too quick to defend the Liberal Party both in Government and in Opposition, to fall into step with the Liberal Government (or Opposition as it then was in State and Federal Parliament) and adopt a traditionally antagonistic attitude towards the trade union movement and the meatworkers' union, in particular, yet on matters such as this the Farmers Federation wants the support of the Labor Party and the trade union movement. We do not mind giving the Farmers Federation that type of support, but it is a two-way street. I would have thought that if the Farmers Federation wanted to maximise its influence in the community and with this Government, it would actually urge its members to adopt a bit more of an independent political line of thought.

Mr Atkinson interjecting:

Mr CLARKE: I don't know whether it would go so far as to affiliate with the Labor Party. I simply advise the Farmers Federation to urge its members to become more politically independent and, when it comes to election time, not automatically to lock into step behind the Liberal Party, which overwhelmingly ignores its wishes because of its urban based majority in Adelaide. I would have thought that, in the light of what it has witnessed in the city of Mildura where an Independent has won that seat—a conservative Independent, I might add—from the Liberal Party, the Farmers Federation would do well to emulate the rural districts of South Australia, because for far too long the farmers have been ignored and taken for granted by conservative Governments, who have always assumed that because they have a 30 per cent margin in their electorate they can do anything they like and the farmers will fall meekly into step.

In conclusion, I urge the South Australian Farmers Federation to adopt a more realistic independent point of view and, in its dealings with the Labor Party, not to treat us as political enemies, because often we are on the side of the battler, the small person, the small farmer, and the small businessman or businesswoman. Therefore, it should treat us equally with the Liberal Party, and in that way it will maximise its political advantage.

One only has to see how we have been accused of neglecting our traditional blue collar base and how as a political Party we are seeking to address that issue at the State and Federal levels, which will be to the benefit of blue collar workers in the long-term, to realise the true position. I urge the Farmers Federation to act independently and parley with us on the same basis as it would the Liberal Party, and it will do immeasurably better for its members by so doing.

The Hon. S.J. BAKER (Deputy Premier): I will not thank members for their contributions but will address some of the matters raised in the debate. To make a few things clear—

Mr Atkinson: You never do.

The Hon. S.J. BAKER: Indeed I do. Sometimes other members are a bit thick.

The SPEAKER: At this time of night the Treasurer may be wise to take a more cautious line.

The Hon. S.J. BAKER: The South Australian Farmers Federation has been raised by Opposition members, who have received a letter. They are not sure what the letter means and I am not sure what it means; it merely says that members should take an interest in this matter. I assume that members would take an interest in it, anyway. I assume that Michael Deare, the President, or someone from the Farmers Federation will spell out their problem. I am not aware of any difficulty. I know that there have been some discussions about the stock paddocks and the holding and use of those paddocks, the terms and conditions of those paddocks and the ultimate transfer away from Gepps Cross. However, I would not have thought that was a matter of great concern. I have seen one piece of correspondence on that matter and that is all, so I would not image that that would be the reason for any difficulty felt by the Farmers Federation.

On the issue of the future of the meatworks, the facts of life are these: if we do not sell the meatworks they close—end of section, no debate. Members opposite are making their best effort to ensure that there is not a sale. They are making their best effort to ensure that no deal is done that will be to the benefit of the farming community, the meat workers or anybody else in South Australia. The antics involved in this transaction are quite extraordinary.

Whilst I recognise that members would want to represent what they class as their natural constituency—although that is debatable, given the swings that took place here at the last election, in the Federal election and in the Victorian election—I can understand that they want to parley and stand up for particular elements of the union movement, depending on whose votes were shifting across which floor at which convention. However, that is not the issue. The issue is the future of the meatworks in South Australia. We are not selling a pristine asset. We are not selling an asset that stands tall in the marketplace either in South Australia or across Australia. Rather, we are selling an asset that has some potential, if sold to the right people, to do a great service to this State. In its current form it cannot survive. Clearly we are trying not to close it down but to find a buyer that can enhance its capacity.

I make a number of speeches in various venues about the issues facing Australia and South Australia in terms of quality of produce. In the meat industry we have not even got close to meeting international demands, yet if we can get some person or organisation other than Government with the right attitude, the capacity and the requisite vision to provide best quality meat on the open international market, this State will do particularly well. I do not think anyone will argue about that. We have a capacity within the works to be able to do that, because there is nothing wrong with the meatworks that some re-engineering will not fix. They are all present. The member for Custance outlined some of the history and the capacity of SAMCOR.

All I hear from the union movement and members opposite is, 'Let us stuff the whole process up. Let us just dog it with problems. Let us not even negotiate on a realistic basis. Let us load the cost penalties to the point where we cannot sell this asset.' I am becoming very tired of it. The benefits that prevail in these circumstances far outweigh anything that is given in the private sector. Members opposite clearly understand that, yet they seem to be intent on ramping up the cost to the point where it will be non-viable. I can close down the meatworks, and we can then go right back to the award and there will be nothing for anyone, including all those jobs that I am trying to save. If the Deputy Leader thinks he is doing the workers a favour by saying, 'A little bit here and a little bit there', he is wrong. We have had phone

calls saying, 'Get on with it. Don't listen to the people who are saying we want all these benefits. We want to have a job and a future.'

Certain people are saying, 'Look at the top end at all these people who have given faithful service.' Those people who have given faithful service have come at a cost, and the State has been willing to pay that cost over a long period for the benefit of the farming community and for the benefit of the employees. One has to ask whether we can get a better result from a private meatworks providing the service, and indeed someone with the right vision to take on export markets in the way in which I think is possible. I hear members opposite and the union movement saying, 'You should be a bit fairer here' or 'You should load it a little more here'. I point out that I will not load anything. I have reached the point where I am saying, 'Enough is enough.'

Some of the suggestions made by the Deputy Leader of the Opposition and the member for Playford are not tenable. If I took up every suggestion made by members opposite in this debate, I would achieve a far better economic result by closing down the meatworks tomorrow—and I do not want to do that. I expect some cooperation from the Deputy Leader. In relation to sick leave, the production workers, as the Deputy Leader would recognise, are paid out at the end of each year in terms of unused sick leave. The honourable member suggests that everyone else should be paid out the full tote odds for any sick leave accumulation. That is not on.

An honourable member interjecting:

The Hon. S.J. BAKER: We want redundancy payments, then we want sick leave payments. What does the honourable member think this is? Does the honourable member think this is a Christmas party? When we go into Committee, I ask the Deputy Leader, if he has the guts to do so, to explain, if a deal has been done on the issue of sick leave, why he has now ramped up the price again. I would like to know who the Deputy Leader is dealing for in this place because I understood we had a verbal agreement on the issue of sick leave.

Mr Atkinson: Oral.

The Hon. S.J. BAKER: An oral agreement. If the Deputy Leader is saying, 'This is the new deal' he should tell me now that that is the point of impasse and I will close the joint tomorrow. I would like to know who is following whose instructions in these circumstances. I am sick and tired of this. Presumably, people talk to each other, but I can say—

Mr Atkinson: Do you ever get sick without being tired?

The Hon. S.J. BAKER: At the same time—I am multidisciplinary. I want to know who is sending what messages and who is pulling whose chain because I am reaching the point of no return on this issue. I want a meatworks that is saleable. We have some young people in the meatworks who want to work and who will achieve the production standards that will meet the productivity that is required. Over 100 workers are not capable of meeting the throughput that is required for this enterprise to be a productive establishment.

We all recognise that, and they would know that themselves. Members opposite had better decide what outcome they want. I am not going to stand in this place and say we have to do a deal before it leaves this place, but we are trying to do our best. It is not as if we are overwhelmed with hundreds of offers for people to take over the meatworks. From that point of view I will not tolerate further bargaining. The AMTF has been doing the best job possible but it has been getting mixed messages from various parts of the union movement, which cannot appoint one spokesman who has passage and carriage. It has been clearly explained under what conditions the Government will operate, yet there seem to be other people pulling other strings to the extent that we cannot deal with them. The union should say, 'Close the joint down and we will go right back to the minimum award redundancy arrangement.' We would then see who is to blame for that debacle. I remind the Committee that production workers—

The Hon. H. Allison: SAMCOR has lost $40 million in the past 15 years, which is no small thing.

The Hon. S.J. BAKER: Yes, there has been a $40 million loss in the past 15 years, yet it is capable of performing. That is the tragedy that besets us today. I have already explained that production workers get paid out for sick leave at the end of each year, so they are not the issue. In terms of other workers, we do not pay out on sick leave and we never have and we never will. As to the deal done in terms of allowing those people to transfer to the new employer, I hope like hell that we do have a new employer, because members opposite have not helped the situation and neither have some of their mates down there. If we have a situation where employees transfer over, there is a sick leave bank arrangement which I understand has already been verbally agreed. If the honourable member is saying that he does not want that, he had better find out who wants what so I can make some decisions tomorrow.

All workers will receive a redundancy payment following the sale, and it is a very generous payment. It is far better than the award. By rights, the Government should go back to the agreement that was in place. As to the last issue, which I am going to take on, I hate being blackmailed. Someone got the smart idea that we should be paying out for redundancy and workers compensation. They had a terrific idea and said, 'Let's get the whole lot; let's get on the lolly train.' The Government does not do that, as members recognise. Worse than that, what did the union do? It said, 'We want to have every workers compensation claim ever made in this joint so we can ramp up the price.' Talk about lack of faith. The union said, 'We want everyone's file and we want to make sure we can put in any claim whatever and wherever in order to get on the gravy train.'

That does not fill me with a great deal of enthusiasm or comfort. I am not sure that, if a new employer comes in, we will have employees focused on producing, rather than going back to a file to see whether they can find a fault and claim for X number of years by saying, 'Back then I did have a claim and now I am going to reinstate it.' We have not been treated properly in this process. I thought the Opposition would be constructive in this process. If, from the Government's point of view, what the Deputy Leader said is right, then please tell the South Australian Farmers Federation and SAMCOR workers that they want the joint closed. They should come clean on that. The Government and the AMTF have negotiated in good faith. I believe there has been some level of satisfaction despite the difficulties, and there is still one outstanding issue which I have mentioned and which we will not move on; until there is some reasonable dialogue, we will not move on that issue. The fact is that we are paying a huge price, a price that is getting to the point of no return.

I hope that I have made the Government's view on this matter very clear. Do we want jobs in this State? Do we want a meatworks in this State that can perform to international standards? Do we want to be dogged by AQIS and the Americans, who seem to have enormous power when it comes to inspecting meatworks? I have seen the AQIS reports; I do not know who is providing the influence but

independent assessments are not consistent with those AQIS reports. It is a clean plant; it operates as a clean plant, unlike the suggestions made by AQIS. The member for Custance is quite right in his diagnosis of the underlying problem.

I hope we will have no more of this, that this Bill will pass this House and that we will get on with the job. If we do not want to do that, I will ask Dr Sexton not to proceed any further and we will close down the SAMCOR works.

Bill read a second time.

In Committee.

Clause 1 passed.

Clause 2—'Commencement.'

Mr QUIRKE: I take this opportunity to clarify a couple of remarks that have been made so that the position is clear. I want to make the Opposition's position crystal clear, because the Government seems to be getting some confused messages as a result of my remarks and those of the Deputy Leader. The reality is that we support this Bill. It will go down the corridor. We have had discussions with all necessary parties, including the Deputy Premier, the Asset Management Task Force and the meatworkers' union. I have been told there is only one outstanding issue but, from my understanding, there are two.

I want to deal with the issues so that we get it clear. It is not our Caucus position that sick pay will be paid out, and if any member is saying otherwise it is without the sanction of our Caucus. I want to make that point abundantly clear: that is not our position. Our position is that we want the same sick pay provisions for persons working in this enterprise as applies to those people working in other assets that have been sold over the past couple of years—no more, no less. Dr Sexton was told to supply to me—before my Caucus meeting this morning, but I can wait until next week—written communication of that offer—that the same provisions are to apply as those which apply to other assets that have been sold. That covers the issue of sick pay. If anyone is saying that our position is that sick pay must be paid out, that is not our position and it is not the position of the Labor Caucus. We had better make that clear immediately.

We want to see a satisfactory resolution for those people on WorkCover orders, and we will make those demands whenever we deal with an asset sale. They are the two outstanding issues. I understand from both sides that the others are sorted out. I have some written correspondence indicating that fact. We are not asking for any special deal. We are saying that we want the same deal as applied in all the other asset sales. We are going no further than that. That is the position we adopted with the other sales, and that is our position now. As far as I am concerned, that is the last issue I want to put on the table.

The Hon. S.J. BAKER: I understand that the issue of sick leave was sorted out. There has not been a written confirmation on that, but the provisions are better than for the other sales. If they want more than that, my patience has run out. I hope that people can actually find out what was on offer, what was agreed and why the hell there has not been a communication on that matter.

In terms of the workers' compensation issue, we are not allowed by law to pay out redundancy when a person is on workers' compensation. We have not done it with any other asset sale. Members opposite should know that. The Deputy Leader should know it as a matter of first principle when dealing with the Workers' Compensation Act. I am saying that the Government cannot pay out redundancy if there is a workers' compensation claim. What has happened in other instances is that there has been a negotiation at a particular point to ask, 'What are you going to do?' and it has happened on a number of occasions.

Mr Clarke: The workers' comp claim was fixed.

The Hon. S.J. BAKER: Quite often you will find they are fixed concurrently, as the honourable member would understand. I will not say, 'You can get all you want from workers' comp' when the unions are finding new ways to get people onto the scheme and regurgitating old wounds that were cleared up years ago.

Mr Clarke interjecting:

The Hon. S.J. BAKER: I know that is happening. At the same time, you say you want a full redundancy pay-out.

Mr Atkinson: Regurgitating?

The Hon. S.J. BAKER: Regurgitating, whatever. I said I am not in that and we cannot do it legally. That issue will have to remain unresolved.

Clause passed.

Remaining clauses (3 to 16), schedule and title passed.

Bill read a third time and passed.

TRAVEL AGENTS (MISCELLANEOUS) AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 21 March. Page 1213.)

Mr ATKINSON (Spence): The Bill has been well canvassed by the Opposition in another place. The Bill follows a pattern of consumer legislation introduced by the Attorney-General and supported by the Opposition after agreement had been reached about the initial Bills in a deadlock conference. Licensing of travel agents is transferred from the Commercial Tribunal to the Commissioner for Consumer Affairs. The administrative and disciplinary division of the District Court handles appeals from decisions of the Commissioner. Industry and consumer assessors may sit with a District Court judge to hear these matters. The Commissioner for Consumer Affairs may delegate certain functions under the Act to trade associations, in this case the Australian Federation of Travel Agents (AFTA). The State Government does not have much room in which to move on the law of travel agents, because it is a signatory, together with the other States, to the cooperative scheme for the uniform regulation of travel agents.

The Bill tries to lift the standard of credentials required of travel agents. The Bill increases the fines for breaches of the Act. The differing sizes of the increases have no pattern that is discernible to the Opposition. The maximum penalty for failure to keep accounts has increased 2½ times; the maximum for breach of supervision requirements is up four times; the maximum for being involved in a travel agency in breach of a court order is up seven times; the maximum for improperly obtaining a licence is up eight times; and the maximum for breaching the condition of a licence is up 10 times. The Opposition would like some explanation of the discrepancies. The Bill broadens the products and services for which aggrieved customers can claim compensation from the travel compensation fund to include holiday accommodation, car rental and travellers' cheques. The one aspect of the Bill about which AFTA complained to the Opposition is its proposal to increase the licensing exemption threshold from $3 000 to $100 000 of business annually. Below that threshold of business a travel agency need not be licensed.

The Government points out that, of the 272 licensed travel agents in this State, only four have a turnover between $30 000 and $100 000. The Government's argument is, 'Why slug four small operators with a licence fee?' AFTA's argument is that the lift in the threshold will move us into a new area of consumer vulnerability as new entrants to the market take advantage of the lifted threshold and bring with them unprofessional and untrained officers. The Opposition acquiesces in the Bill but asks the Minister to respond to AFTA's worry.

The Hon. S.J. BAKER (Deputy Premier): I thank the honourable member for his contribution. This matter has hit the headlines on a number of occasions over the past 20 years such that travel agents have failed, either because of their bad management, circumstance beyond their control or in some cases sheer criminal activity—but these are rare. The travel industry now has a far more professional group of people involved in the provision of travel arrangements. The honourable member has answered his question about raising the threshold before he has asked it. Basically, the raising of the threshold would mean that we would not get anyone who is a professional travel agent. Some travel agents are more in the family travel agency type arrangements than those who hold themselves out publicly as registered travel agents.

Mr Atkinson interjecting:

The Hon. S.J. BAKER: *Reductio ad absurdum* is quite often a useful way of looking at it. It means that if $1 worth of business under the member for Spence's—

Mr Atkinson: That's not what I am arguing.

The Hon. S.J. BAKER: The member for Spence is arguing that there has to be a level at which people say it is reasonable to have a set of regulations that prevail over that industry.

Mr Atkinson interjecting:

The Hon. S.J. BAKER: In terms of the sum determined, that was done by looking at the structure of the industry and asking, 'Who are those who are doing business, holding themselves out as commercial travel agents, and the extent to which that holding out as a travel agent effects their capacity to raise money by service provision?'

It is the issue of where people get cheated in the process. While AFTA had a point of view, the Government's point of view was that $30 000 was far too low. We are dealing with a family operation and nothing but that. From the Government's point of view it was recognised that the lower end of the market did not impose real risk and did not change the premise upon which this Bill was drafted in any substantial way. The issue was how does the industry have a set of regulations which are consistent with modern practice and which recognise those that do command public patronage and the extent to which those people can suffer if a travel agent does not do the right thing.

The industry has come a long way and most people in South Australia could feel satisfied with the changes that have been imposed not only by Government but also by the industry on itself over a period. From that point of view it has been very productive. I am not aware of any major travel agency which has gone into bankruptcy in recent times to the detriment of consumers, but there will always be one or two that do not make the grade and do affect customers. That is the nature of the industry, but there has been remarkable improvement during the past 10 years.

In relation to the question raised by the honourable member about anomalies, I am advised that there are two influences: one is the updating of the fees which has not occurred for some time; the other is that there are uniform fees across Australia. The combination of those two matters leads to the observation regarding anomalies made by the member for Spence.

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

WILLS (WILLS FOR PERSONS LACKING TESTAMENTARY CAPACITY) AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 21 March. Page 1214.)

Mr ATKINSON (Spence): The Opposition has studied and pondered the Bill which allows the making of what is called a statutory will on behalf of someone who is not capable of making a will. Statutory wills have been executed in the United Kingdom for 25 years, so we have a generation of experience in a similar jurisdiction on which to draw.

The New South Wales Law Reform Commission suggested in 1992 that a scheme of statutory will making be started in Australia. The Deputy Premier tells us that when the Bill is passed South Australia will the first State in the Commonwealth to have such a law. Under the Bill, the Supreme Court is to make the statutory will for a person who cannot make his or her own will owing to a lack of testamentary capacity. That is an appropriate court because the Supreme Court is our probate court in South Australia.

This lack of capacity might be caused by a congenital defect, mental illness or physical injury. The purpose of the Bill is to try to have a new will made for the person lacking capacity where the rules of intestacy or the current will would distribute the estate in a manner that would be a travesty of the testator's or testatrix's intention had he or she been restored to capacity.

Mr Venning interjecting:

Mr ATKINSON: Yes indeed. The member for Custance is right; he heard correctly. The proposed statutory will or codicil must accurately reflect the likely intentions of the person if he or she had testamentary capacity.

A typical example might be a child who is badly injured in a car accident and is compensated by a huge damages payout designed to enable the child to buy care for himself for the rest of his expected life. A child may not make a will unless he approaches the Supreme Court for permission to do so. Thus, if the child dies without making a will, his estate would be distributed according to the rules of intestacy and be given to his mother and father. In many cases that will be appropriate; in others it will not. One of the parents may have deserted the family and be owed nothing by the child. In this case, a statutory will might leave the estate to the remaining parent or to the brothers and sisters or to any relative who has helped the child, such as grandparents, an uncle or an aunt. The child might live into his twenties, leave home and be cared for by someone who is not a family member and that person might be more deserving of the estate or a share of the estate than any relative of the person lacking testamentary capacity.

The Supreme Court must try to make a will that a disabled person might make if he had a lucid interval of capacity. Persons who might apply to the Supreme Court for a statutory will to be made might include a solicitor, a guardian, the Public Advocate or the donee of an enduring power of

attorney from the disabled person. The person in relation to whom the order is proposed to be made may appear before the court about the will.

I suppose that at first glance this is another Bill in which the State interferes with the independence of individuals. I thought that the law of intestacy would be sufficient to cover this problem, but, from the example that I gave, it is not. Then I thought that the testator's family maintenance provisions might solve the problem. Testator's family maintenance is a statutory provision whereby relatives of the deceased who are left out of the will or given less than they thought was their due can apply to the court for a more generous provision if their relationship with the deceased is such as would justify it. I do not think that testator's family maintenance can do the job as well as a statutory will might, so I shall be supporting the Bill.

I have one question to ask of the Government. If a statutory will is made and, upon the testator's death, a family member contests the statutory will under the testator's family maintenance provisions, arguing that the will does not make fair provision for him or if he seeks to set aside the will on the ground that the will was made under the undue influence of a particular person, must the Supreme Court judge who made the statutory will give evidence in the action as to the weight he gave to different submissions on the making of the statutory will?

Mr VENNING (Custance): This is becoming a little monotonous, following members of the Opposition. What they have had to say is heartening! We heard quite an intelligent speech from the member for Spence. Indeed, there was not a thing in it with which I could disagree. I do not know whether it is because it is late at night or the member for Spence is rising to the occasion, but—

Mr Atkinson interjecting:

Mr VENNING: I certainly congratulate him on his contribution. No doubt he is a man of great intelligence. I wonder how he became a member of the Labor Party, because he obviously has the mental capacity to speak and give great thought to matters like this. I support the Bill. However, I had some reservations about it when I first looked upon it.

I was very cynical as to why we were moving a Bill like this: whether it was just another Bill for the sake of it, or laws for the sake of making laws. I have been suspicious for many years, since becoming a member of this place, as to whether we need to make many of our laws. Looking at this Bill one could well ask: why should the Supreme Court have the power to make a will on behalf of a person who lacks testamentary capacity? I wondered who was to judge whether that person lacked that capacity, but on a closer examination of the Bill I can see merit in its intentions. I am reassured by the statement that it is not a power to review the reasonableness of earlier wills made by a person then having testamentary capacity on the grounds that a person now lacks that capacity; rather, it is a power to be exercised only in situations where a will or a new will is necessary to avoid a person's property being distributed in a manner contrary to his or her intentions, or contrary to what those intentions would have been if he or she had testamentary capacity.

As the member for Spence said, we all know of situations where this action would assist, such as a young or middle aged person who was severely injured mentally and/or physically—at the worst, a paraplegic with mental problems. The person concerned will have to be looked after by friends or relatives, so it is reasonable that a will be made for that person to provide for his or her caregivers. This type of legislation has been working well in England since 1969, and South Australia will become the first State in Australia to incorporate provisions for statutory wills. I commend the Bill to the House.

The Hon. S.J. BAKER (Deputy Premier): I thank both the member for Spence and the member for Custance for their contributions. It is a rather vexing issue and I must admit that, when it was first brought to my attention, I tried to gauge the benefits from this provision. I could always think of good examples of where this would be a significant initiative. I also thought of bad examples where, perhaps, someone is vexatious or is deliberately misleading a court in terms of the capacity of the person concerned, to the point where they gain an advantage. On balance, I believe that this is a suitable initiative for the South Australian community because there are many situations which are left in a void, which lack a capacity for determination simply because there is nothing to guide anyone as to how moneys or estates should be disposed of in these situations.

As mentioned by both the member for Spence and the member for Custance, these are real issues; they happen every day of the week. I know from some of my dealings with the Guardianship Board a few years ago some of the matters there were very perplexing to the point of total distraction, when the Guardianship Board ruled on a basis that I could never figure out, because it seemed to change its mind all the time. But it ruled on what it believed was a fair disposition of the assets or the income of a person who did not have capacity. The Guardianship Board back in those days was an absolute disgrace. I know that at least three of my constituents were told by the Guardianship Board that they could keep paying the bills, could keep maintaining the house, could keep maintaining their spouse and then, at the end of the day, they could have what little was left from their half share of the assets or of the income. These were some of the interpretations that were placed on the role of the Guardianship Board.

There are some advantages to having independent bodies but, importantly, we are asking the Supreme Court to be the ultimate determinant of what is believed to be the will of, or in the best interests of, the person concerned in terms of what was the intention when the original money or asset was made available.

I congratulate the Attorney-General on this initiative. In most cases it will provide a better result than currently prevails. As I said, we will be the first State to take this initiative. It has worked well in the English situation. We expect it to work well in the South Australian situation. I suspect that a number of other States will pick up this initiative, because on balance it is not perfect but it is certainly better than what we have today. I thank both members for their contributions and support for the Bill.

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

COMMUNITY TITLES BILL

Adjourned debate on second reading.

(Continued from 20 March. Page 1175.)

Mr ATKINSON (Spence): The Opposition has read this Bill in its entirety, and that is a sacrifice. I have earned my salary this week. For longer than I can remember we have had a strata title law that has regulated the creation of interests in land that are not on *terra firma* but consist of a horizontal slice of air being a floor of a building or an apartment. Strata title law regulated communities of strata owners, such as the owners of all the apartments in a tall building. The law defined their obligations towards one another and how common property, such as the stairs and the electricity supply, was to be managed. Strata title was then extended to cover people who bought a unit in a block of units. Although the units might be on *terra firma* and have their own yards, they shared driveways and gardens. The strata corporation consisting of the owners of units decided matters that affected the unit owners in common.

Now, the Government has decided to update the strata title legislation by introducing this omnibus Bill. The Bill enables common property to be created within a normal subdivision. Common property will be owned and managed by a community corporation. The Bill contemplates the further subdivision of particular units or parcels of land. A developer must prepare a document called a scheme description which details the division of land and the way the division is to be developed. The scheme description must be ratified by local government. A scheme of six lots or fewer need not have a scheme description lodged in respect of it.

The scheme should have by-laws to govern it, and the Bill requires the scheme to have by-laws on certain subjects. The by-laws cannot be changed without the unit holders having a say. One virtue of the Bill is that it requires a developer to develop the scheme as promised, and the promises on amenities and landscaping shall be binding on successors in title to the developer. I congratulate the Government on proposing to Parliament that developers should be required to stay with a scheme instead of abandoning it once the units are sold.

This Bill regards the outer walls of a unit as being owned by the unit holder rather than the strata corporation. The current strata titles law deems the outer walls to be owned by the strata corporation, which sometimes leads to the corporation unreasonably withholding permission for the unit holder to tinker with his own home. It seems to me that the model by-laws proposed by the legislation are unnecessarily fussy about some matters, but perhaps that is the way society is headed. Unit holders are entitled to alter the by-laws at a corporation meeting.

My electorate covers the Hindmarsh, Croydon, Woodville and Findon areas. The city end of my electorate has seen much high and medium density housing, some of which will come up under the Community Titles Bill. Examples of high and medium density development in my electorate are: the new Brompton estate on the old Rowley Park site; the Renown Park public housing development on the eastern and northern sides of the Fitzroy Football Club oval; the private housing development on the western side of the oval; the Ridleyton estate development between Wood Avenue and Coglin Street, Brompton; the Merz Housing Cooperative opposite the Brompton Park Hotel; the splendid mudbrick Hindmarsh Housing Association development between Seventh and Eighth Streets, Bowden; and the giant Noblet Street flats at Findon. With the exception of Noblet Street, these developments are modern and attractive, the living areas are smaller, the yards tiny and the streets narrower.

These types of development have been commended month after month, year after year by Mr Peter Ward in his column in the *Adelaide Review*. Mr Ward argues that these developments utilise public infrastructure more efficiently and lead to the diverse and urbane civilisation that he appreciates. Indeed, Mr Ward regards those of us who, like me, are happy with our quarter acre block, vegetable garden, chook house, carport and garage as backward, rural, conservative family types. I think the code name for us is 'breeders'. The developments I have mentioned use small spaces cleverly and are filled with residents quickly.

My experience of these estates as a local member of Parliament is that the people who move into them do so with good intentions but carry with them the original sin of the quarter acre block mentality. The residents miss their privacy and sometimes find it hard to tolerate their neighbours at such close quarters. My electorate office receives an average of one neighbourhood dispute per working day. I suppose most members handle neighbourhood disputes by referring the combatants elsewhere, but I am a big enough mug to help constituents who call with a complaint about their neighbour.

Mr Brokenshire interjecting:

Mr ATKINSON: It sounds like the member for Mawson is also a mug. Well, he will learn soon. I warn newer members that you get no thanks for it; there is not one vote in it. The number of neighbourhood disputes arising from the medium to high-density developments I mentioned is so high as to be out of proportion with the number of constituents living in them. By all means reside in one of these developments if you must, but do not expect to live in peace. Among the complaints I have had are: cars being parked on the narrow streets thereby blocking passage of other cars; neighbours dobbing in each other's car to the council parking inspector; residents having three cars but room for only one in their small driveway; residents parking their car across a neighbour's driveway; neighbours staring into each other's living areas through windows only a couple of feet from the boundary; dog excrement left on fully concreted backyards for days and weeks; drainage problems; and first floor windows having a view of the neighbour's small backyard. The old faithfuls are: loud music; domestics between partners; fences; plants growing across the boundary; marijuana growing in the backyard; swearing; rude gestures, etc.

Mr Clarke: Is this your house?

Mr ATKINSON: No, this is the house of Atkinson in the electorate of Spence. Good luck to the Community Titles Bill and to all who try to invoke her.

In my capacity as the shadow Attorney-General, I have received a letter about the Bill from the Principal of L.J. Hooker Strata Services, Mr Gordon Russell. He proposes an education and indemnity fund for community title holders to be raised by levy on the interest earned on strata corporation bank accounts. The proposal is that $500 000 would be raised annually and would be spent on educating unit owners about the law. The fund might pay for corporation office-bearer instruction, new-owner nights, booklets, videos and a unit-living week. Mr Russell argues that 'a more educated unit community is likely to make better decisions regarding maintenance, insurance, disputes, management services and funding'. I am sorry to say that my experience of high and medium density housing is that a more educated strata title community would lead to unit holders persecuting each other more intelligently. The proposal says that the fund could also cover losses caused by the fraudulent use of corporation

funds. I would be interested to hear the Government's response to that proposal. Has it been submitted to the Government? With those remarks, the Opposition supports the Bill.

Mr VENNING (Custance): I am told that I make my best contributions at this time of night as I am a night owl. Yet again I follow the member for Spence and again have to agree with most of his comments, except where he was a little off the mark. I could not see what the omnibus had to do with the legislation. The member for Spence is often catching the bus and not knowing where he gets off, but I could not see the relevance of that comment—I think he missed the bus.

In looking at the Bill, as with all legislation you look at it and have a good think about it. It becomes obvious after a while. Why should the community hold title to land? Is this just a Bill to assist the lawyers and conveyancers to create more titles, and to settle the arguments that would and could occur between the body corporate—the lot holders. That is a cynical way of looking at the Bill.

I support the Bill, because I have always supported the right of people to own land, whether it be freehold, leasehold or whatever. One of the greatest privileges we can have in a free country is to hold title to land. In this instance there is always land in the community, whether it be a group of houses or whatever, used by all the people but not owned by anybody. In that instance nobody is directly responsible, so nobody looks after it and nobody is responsible for the weeds, for keeping dirt off it, or for the vermin, dogs, cats, animals or whatever. That is human nature. People who own things become responsible and in this instance the Bill is well targeted to address the situation of land used by everybody but not owned by everybody belonging to a group of people, and they will be directly responsible for it.

Community titles are designed to fill a vacuum between the conventional subdivision and strata subdivision. The basic effect of the Bill is to enable common property to be created with conventional subdivisions. It will permit projects ranging in size from small groups of houses clustered around a common area of open space to large communities with shared roadways and facilities based on commercial, sporting, recreation or agricultural features. As is the case with strata title development now, the common areas within a development will be owned and managed by a body corporate comprising all lot owners.

The Bill is comprehensive and covers all the things that could go right or wrong. I did not read it all because it is a comprehensive Act. Without further ado, I commend the Bill to the House and I congratulate the Attorney-General for the work and the tremendous consultation he undertook on the Bill. Certainly, most people involved in this area have had every opportunity to have their say. The Minister has consulted widely and I commend the Bill to the House.

Mr MEIER (Goyder): I support the Bill and I note the comments of the members for Custance and Spence. I believe it is a great advantage that we are dealing with specific ownership of land in this Bill rather than with the strata titles legislation, where we are dealing with ownership of part of a building. I, too, wish to compliment the Government on the level of consultation undertaken over a long period. I noted that in the second reading explanation the Minister said that more than 100 copies of the Bill had been distributed to industry groups, organisations, members of the public, statutory authorities and local government bodies. It is important to get the legislation right and I am pleased that the Opposition has given its support to the Bill. We are not the first State to be going down this track, but it appears that the other States have not had their legislation in place for that long either. It is clear that there has been a need to fill what has been described as the vacuum between conventional subdivision and strata subdivision.

I have come to appreciate the potential pitfalls of strata subdivision only since I purchased a unit in Adelaide, being a country member and therefore living from time to time in a strata title unit. I know from attending strata title meetings that an owner clearly is limited in what the owner can do in extending a building beyond its confines. This Bill seeks to overcome some of the problems that have beset strata title owners for so long. Interestingly, in addition to extending the concept of shared use of common facilities to subdivisions, which may consist of no more than vacant blocks of land, the Bill provides for the development of planned communities of any type where some of the land is shared. The types of projects that could be developed under a community titles scheme include things such as business parks, university and research parks, resorts, urban developments, rural cooperative developments—including wineries—industrial developments and even mobile home parks.

In New South Wales community titles legislation has been in place for about five years and schemes have already been registered or are in the planning stages for all the above types of development. This Bill will permit projects ranging in size from small groups of houses clustered around a common area of open space or sharing no more than a common driveway to large communities with shared roadways and facilities based on commercial, sporting, recreational or agricultural features.

When introducing this Bill, the Minister covered most areas very comprehensively. Various other points have been made, but it is quite surprising that we have had to wait so long for this Bill. I believe it will be a great asset to the State of South Australia and provide for the vacuum that currently exists. I am pleased that the Bill has bipartisan support in this House.

The Hon. S.J. BAKER (Deputy Premier): I thank members for their contributions. I admit that the member for Spence put it on the line when he said that people problems sometime dictate how we feel about a piece of legislation. I was delighted when I heard the Attorney-General talking about this legislation, but I was then appalled for another reason, and I will explain: first, I thought about the number of disputes I have heard over the years—although, due to my absence in this place and in my other role, they have not bothered me as much—involving people living under a strata title system.

People used to rush to my door asking me to mediate on issues such as someone installing venetian blinds, an awning blind or the wrong letterbox, or someone who had planted a certain shrub in the garden. I used to hear all these stupid little disputes. The fact was that people did not like each other and used to pick on each other, and the easiest thing to pick on was the appearance of a particular unit. If a person put some paint on a wall without asking his or her neighbour there would be hell to pay. All these crimes were being committed and being brought to my attention. The Community Titles Bill might not overcome these problems completely, but a lot more discretion can apply in relation to

what can be done with a particular residence a person may own.

It is a great step in the right direction. The reason I was a little concerned, but not appalled, was that as Treasurer the Community Titles Bill will diminish my revenue-raising capacity. I did not think it was necessarily a win-win situation at all. Obviously I had an interest in maintaining revenue flowing to Government through stamp duty, land tax and those areas that are important to sustain Government and to sustain the services of Government. I thank members for their contributions. I recognise that the Attorney-General has again shown great initiative. As has been clearly recognised by people in this place, strata titles are limited in their capacity to deal with a range of different situations involving medium-high density living, in conjunction with a range of other facilities or developments which might take place and which could not be accommodated under the existing rules.

Strata titles might cover industrial parks or housing developments, in conjunction with other types of development such as light industry and recreation facilities. A range of facilities can be incorporated into living areas, into learning areas such as universities or into doing areas such as industrial parks, and this legislation gives us greater capacity and flexibility than we have previously enjoyed in the State. As I said, I congratulate the Attorney. I notice that a large number of amendments have already been made to the Bill, and I will be moving one or two tonight, but I suspect that further amendments will be made as this process is finetuned. We are dealing with new legislation, and people always ask questions after the event. To the extent it has been thoroughly examined by a number of people, we now have a strong workable Bill that will assist South Australian homeowners and developers in a way that has not been possible in the past.

Bill read a second time.

In Committee.

Clauses 1 to 28 passed.

Clause 29—'Vesting of the common property.'

Mr ATKINSON: The Parliamentary Labor Party's concern about this clause is that it might be used to create a walled housing estate into which members of the public could not intrude, such that the common property—that is, roads, footpaths and parks—might be off limits to members of the public. Subclause (4) provides that members of the public are entitled to have access to those parts of the common property which are shown on the community plan as having access. What if they do not have access to any or all of the community property under the community plan?

The Opposition would not like places to be established in Adelaide which were walled and guarded and into which members of the public would not be permitted to intrude on the footpaths or roads or in the parks. There are suburbs of this kind in other cities in the world—indeed, even in Adelaide there is the Mira Monte housing estate which bears some resemblance to what the Labor Party is afraid of. Can the Deputy Premier assure the Committee that the Bill will not lead to walled suburbs?

The Hon. S.J. BAKER: My understanding is that under the current arrangements people can have such estates. In the Mira Monte development in my electorate there is a fence with a gate through which people have to pass, and a security arrangement is in place. I am not sure that this alters that arrangement. People go to live in that estate on the clear understanding that that security arrangement will not be so restrictive as to prevent their friends and other people visiting them.

I am not sure where the honourable member is dividing that line. I can imagine that he does not want a walled city or a fortress set up in the process. I will have his question examined and see whether the Attorney can bring back a reply. I know that a number of estates have restrictive security on them for reasons which the residents not only accept but which they have probably introduced. So, those conditions exist at the moment.

Mr ATKINSON: Under this Bill could a housing estate be established whereby members of Parliament out door-knocking could approach the gate of the estate and be told that they are not welcome to doorknock on the estate?

The Hon. S.J. BAKER: I do not think I should answer that question.

Clause passed.

Clauses 30 to 74 passed.

Clause 75—'Functions and powers of corporations.'

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

Page 57, line 19—Leave out 'in investments of a kind prescribed by regulation' and insert 'in the same manner and subject to the same requirements as a trustee investing trust funds under the Trustee Act 1936'.

There is a requirement that money belonging to a community corporation be invested in investments prescribed by regulations as a result of an amendment moved by the Democrats in the Legislative Council. The Government is of the view that the provisions which apply to the investment of money by trustees generally should apply in this situation and that there should not be a list of investments prescribed by regulations applicable only to community corporations.

Amendment carried; clause as amended passed.

Clause 76—'Presiding officer, treasurer and secretary.'

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

Page 58—
Line 4—Leave out 'four' and insert 'ten'.
Line 6—Leave out 'four' and insert 'ten'.

The amendments relate to the holding of office.

Amendments carried; clause as amended passed.

Clauses 77 to 93 passed.

Clause 94—'Procedure at committee meetings.'

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

Page 67—
Lines 15 and 16—Leave out 'is given to every member of the committee by the secretary' and insert 'is served on every member of the committee'.
Line 17—Leave out 'is sent' and insert 'is served on all members of the committee'.

Basically, this tidies up some inordinate wording about the giving of notice.

Amendments carried; clause as amended passed.

Clauses 95 to 132 passed.

Clause 133—'Nuisance.'

Mr ATKINSON: How will this prohibition on nuisance be enforced? We have a common law of public nuisance in South Australia. That common law of public nuisance would be most helpful sometimes in resolving otherwise intractable neighbourhood disputes. However, the law of public nuisance is rarely used to resolve neighbourhood disputes because, in order to obtain an injunction against a public nuisance, one has to approach the Supreme Court, and that will take a minimum of $3 000.

In 1990, the House of Assembly select committee on the law of privacy recommended that South Australians be given a right of privacy. Part of that was to include the ability to approach the Magistrates Court to get an injunction against

nuisance caused by a neighbour. The proposed right to privacy and the cheap injunction from the Magistrates Court was defeated by a coalition of the Liberal Party and the Democrats in another place. So, that prompts me to ask how this clause will be enforced.

The Hon. S.J. BAKER: I refer the honourable member to clause 142 of the Bill, which refers to the resolution of disputes. This is obviously one of the areas that will be under contention. Clause 142 provides a set of rules including procedures if people wish to take a matter to court. The ultimate relief is in the Magistrates Court. Under clause 142, if a matter cannot be sorted out internally, and the parties have reached the point of no return, they can have it sorted out in the Magistrates Court.

The Hon. S.J. BAKER: Mr Acting Chairman, I draw your attention to the state of the Committee.

A quorum having been formed:

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

That Standing Orders be so far suspended as to enable the House to sit beyond midnight.

Motion carried.

Mr ATKINSON: I am pleased to note that people who have the good fortune to live in a dwelling under the community titles legislation will have remedies against unruly neighbours far better and far more effective than the rest of us.

Clause passed.

Clauses 134 to 149 passed.

New clause 150—'Stamp duty not payable in certain circumstances.'

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

Page 93, after line 17—Insert new clause as follows:

Stamp duty not payable in certain circumstances

150. Duty is not payable under the Stamp Duties Act 1923—

(a) in respect of the vesting of common property on the amalgamation of community plans under Part 7 Division 2; or

(b) in respect of the vesting of property on the dissolution of a community corporation under part 7 Division 2 or 3; or

(c) in respect of the vesting of land in the owners of the community lots when the land becomes common property on its inclusion in the community parcel under section 112(2).

Note this clause replaces clause 150 (in erased type) in a modified form.

This is a money clause.

New clause inserted.

Remaining clauses (151 to 156) passed.

Schedule.

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

Page 96, after line 18—Insert paragraph as follows:

(ba) the common property vests in the owners of the lots but duty is not payable under the Stamp Duties Act 1923 in respect of that vesting.

Amendment carried; schedule as amended passed.

Title passed.

Bill read a third time and passed.

NATIONAL PARKS AND WILDLIFE (MISCELLANEOUS) AMENDMENT BILL

The Legislative Council intimated that it had agreed to the recommendations of the conference.

The following recommendations of the conference were reported to the House:

As to Amendment No. 1:

That the Legislative Council do not further insist on this amendment.

As to Amendment No. 6:

That the Legislative Council do not further insist on this amendment.

As to Amendment No. 7:

That the Legislative Council do not further insist on this amendment but make the following amendment in lieu thereof:

Page 6 (clause 6)—After line 9 insert new section as follows:

'Annual Report'

19CA. (1) The Council must on or before 30 September in each year prepare and deliver to the Minister a report on its operations during the preceding financial year.

(2) The Minister must within six sitting days after receiving a report cause copies of the report to be laid before both Houses of Parliament.

Page 8 (clause 6)—After line 12 insert new section as follows:

'Annual Report'

19JA. (1) A committee must on or before 30 September in each year prepare and deliver to the Minister a report on its operations during the preceding financial year.

(2) The Minister must within six sitting days after receiving a report cause copies of the report to be laid before both Houses of Parliament.

(3) Subsection (1) does not apply to a committee that is established on or after 1 July in a financial year and is dissolved before 30 June in the same year.

and that the House of Assembly agree thereto.

As to Amendment No. 8:

That the Legislative Council do not further insist on this amendment.

As to Amendment No. 25:

That the Legislative Council amend its amendment by leaving out 'second' and inserting 'fourth'.

and that the House of Assembly agree thereto.

As to Amendment No. 27:

That the Legislative Council amend its amendment by leaving out subsection (2) and inserting the follow subsections:

(2) The Minister must by notice published in the *Gazette* set out conditions to which a permit granted under this Division in relation to animals of the species referred to in a regulation under subsection (1) will be subject.

(2a) The notice must be published in the same issue of the *Gazette* as the regulation.

(2b) Subsection (2) does not limit the imposition of other conditions under section 60C(6).

and that the House of Assembly agree thereto.

Consideration in Committee of the recommendations of the conference.

The Hon. D.C. WOTTON: I move:

That the recommendations of the conference be agreed to.

I believe that the conference has been very successful. What has been achieved as a result of those people given the responsibility of working through the conference and sitting around the table has been very satisfactory. At this hour of the night, it is not my intention to go into detail about the legislation, but I refer to the seven amendments that were considered by the conference.

The first matter that the Legislative Council did not further insist on related to objects. Members would be aware that there was an attempt made in an another place for objects to be included in the legislation. On behalf of the Government, I expressed my concern about the objects being introduced without the opportunity for appropriate consultation. I was also concerned because I believed that, if objects were to be included in the legislation, it was essential that they be objects for the whole of the Act. I have indicated to the conference and the conference has accepted the need for objects to be included. I have given an assurance that the

objects will be introduced into the legislation after consultation with the Labor Party and the Democrats, and I have indicated that I will introduce those changes as soon as possible. I used the opportunity of the conference to indicate some of the objects that may be considered and I will refer to those briefly now because I gave an assurance to the conference that I would do so.

The following objects are typical of those that could be included: to contribute to the implementation of national or international agreements relating to the conservation of animal, plants and ecosystems; to promote community participation in the management of reserves and the conservation of wildlife; to use wildlife in the manner which is consistent with the objects of this Act and the principles of ecologically sustainable development; to ensure reserves are managed in the way which is consistent with the objects of the management of reserves under this Act; and to provide opportunities for public enjoyment, inspiration, education, recreation and tourism in a manner which is consistent with the objects of this Act and the type of reserve which is being constituted under this Act.

I also suggested that it would be appropriate to recognise the legitimate interests of the Aboriginal community as traditional owners. Certainly, we saw that the primary objective must be the preservation of biodiversity, and preservation and conservation were the two main issues that needed to be referred to in the objects that would be set down in the legislation.

With regard to amendment no. 6, it was determined that the Legislative Council would not further insist on the amendment to ensure that all advice provided by the council to the Minister must be in writing. As to amendment no. 7, it was determined that, rather than a copy of advice to the Minister also being provided to the Environment, Resources and Development Committee, an annual report be brought to the Parliament. The report must be brought down from the council on or before 30 September in each year, prepared and delivered to the Minister, and report on its operations during the preceding financial year. The Minister must within six sitting days after receiving a report cause copies of the report to be laid before both Houses of Parliament.

It was also suggested and agreed to that an annual report be provided by a committee—one of the advisory committees that would be established—and that a committee must on or before 30 September of each year prepare and deliver to the Minister a report on its operations during the preceding financial year.

Again, the Minister must within six sitting days have a report laid before both Houses of Parliament, and subsection (1) does not apply to a committee that is established on or after 1 July in a financial year and is dissolved before 30 June in the same year. As far as the advisory committees are concerned, it relates only to those committees constituted for more than 12 months. That is totally acceptable. It was determined that the Legislative Council would no longer insist on amendment No. 8.

Members interjecting:

The ACTING CHAIRMAN (Mr Bass): Order! The Minister has the call. It is getting late.

The Hon. D.C. WOTTON: Amendment No. 25 relates to a provision concerning harvesting. The amendment was introduced in another place applying a sunset clause to the taking of certain protected animals. It was determined that the provision will expire on the fourth anniversary of its commencement rather than the second anniversary and that is totally acceptable. Amendment No. 27 relates to trial farming and caused most debate. Again, I am satisfied with the results obtained by the conference. I refer to the amendment because the Committee will be aware originally that we indicated that we wanted this matter dealt with by *Gazette*. The Upper House wished it to be dealt with by regulation. The matter will be dealt with by regulation. The whole matter has been satisfactorily provided for and a solution has been reached.

I am now pleased with the legislation, which sets a new direction. It provides a significant opportunity now for commercialisation of our native species. It provides the appropriate measures to ensure that the right thing is done regarding all these matters and the Committee should be satisfied with the legislation as it comes out of the conference. I urge the Committee to support the report.

Ms HURLEY: I, too, will be brief. The final outcome of the Bill is far better than we were initially presented with and this is due entirely to the reasonable attitude adopted by those involved with the conference and their preparedness to negotiate on the contentious issue. The key issue was always that we were keen to see the basic premise of the Bill proceed and that trial farming would be encouraged. The Opposition is satisfied that the Bill now allows that, together with appropriate checks and balances and public scrutiny. I support the motion.

Motion carried.

ADJOURNMENT

At 12.15 a.m. the House adjourned until Wednesday 3 April at 2 p.m.