HOUSE OF ASSEMBLY

Tuesday 17 March 1998

The SPEAKER (Hon. J.K.G. Oswald) took the Chair at 2 p.m. and read prayers.

LIQUOR LICENSING (LICENSED CLUBS) AMENDMENT BILL

His Excellency the Governor, by message, intimated his assent to the Bill.

PETROLEUM PRODUCTS REGULATION (LICENCE FEES AND SUBSIDIES) AMENDMENT BILL

His 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.

SPEAKER, ILLNESS

The SPEAKER: Before calling for petitions, could I thank colleagues on both sides of the Chamber for the letters, cards and telephone calls that I received following my medical incident a couple of weeks ago. Your collective thoughts were greatly appreciated by both myself and my family. Could I also thank those members in the Chamber at the time, particularly the table officers and attendants, who so readily came to my assistance. It has been suggested to me that the member for Norwood has missed her calling and perhaps should even consider another occupation in the future. I thank you all and I can tell you that I am delighted to be back.

PARLIAMENT, EQUAL REPRESENTATION

A petition signed by 58 residents of South Australia requesting that the House pass legislation ensuring equal representation of men and women in both Houses of Parliament was presented by the Hon. M.K. Brindal.

Petition received.

STATE HERITAGE AUTHORITY

A petition signed by one resident of South Australia requesting that the House ask the Governor to investigate a purported neglect of duty by the State Heritage Authority in relation to an application presented under the State Heritage Act by Mr Alan Griffiths dated 22 February 1996 was presented by Mr Hamilton-Smith.

Petition received.

GAMING MACHINES

A petition signed by 60 residents of South Australia requesting that the House urge the Government to oppose the installation of poker machines in the Marion shopping complex was presented by Mr Hanna.

Petition received.

EUROPEAN WASPS

A petition signed by 378 residents of South Australia requesting that the House urge the Government to provide ongoing funding for the eradication of the European wasp was presented by the Hon. R.B. Such.

Petition received.

QUESTIONS

The SPEAKER: I direct that written answers to the following questions on the Notice Paper, as detailed in the schedule I now table, be distributed and printed in *Hansard*: Nos 14, 18 to 22, 26, 39 and 46; and I direct that the following answers to questions without notice be distributed and printed in *Hansard*.

COBBLER CREEK

In reply to **Ms RANKINE (Wright)** 10 December 1997.

The Hon. D.C. KOTZ: The member for Wright asked how it was that Vodafone were able to enter the Cobbler Creek Recreation Park last October and complete the erection of a communications tower. In reply to the honourable member, I can advise that a letter was sent to Vodafone from the previous Minister on the afternoon of 15 October 1997. In the letter the Minister declined permission for the company to enter the site to complete the work.

During the latter part of the afternoon, the Minister's office was contacted by solicitors acting on behalf of Vodafone, who argued strongly that the company was legally entitled under the Telecommunications Act 1997 to enter the land and complete the work it had commenced. At 6.28 p.m. on that day, the Minister received a fax from the solicitors explaining the reasons why it considered that it was entitled to proceed with the work, and advising that it would be doing so the next morning. Advice received from the Crown Solicitor early on the morning of 16 October confirmed the advice of the solicitors acting for the company. The advice was that because Vodafone had commenced activity on the site before 1 July 1997 it could legally continue construction work under the transition provisions of the Act.

The Keating Labor Government under the Telecommunications Act 1991 exempted telecommunication carriers from State, Territory and local government planning and environmental laws and took away the right of State Governments and local people to stop the building of the tower.

BAKEWELL BRIDGE

In reply to **Mr KOUTSANTONIS (Peake)** and answered by letter on 2 February.

The Hon. DEAN BROWN: During the current financial year Transport SA has spent in the order of $230 000 on maintenance repairs and safety improvements to the Bakewell Bridge. Safety improvements include the placement of white edge lines and reflective pavement markers on the approaches to and over the bridge. Maintenance work includes the repair of most spalled areas of concrete on the underside of the deck, beams, columns, abutment and parapet walls and some sections of the pedestrian footpath. In addition, five asphalt deck joints were repaired and some pavement crackfilling undertaken.

With regard to the side barriers, the two damaged sections of chain mesh have been temporarily repaired to a standard similar in strength to the original barrier. The red bunting has been left there to indicate to motorists the temporary nature of the repairs. Transport SA officers are currently in the process of examining the most appropriate repair options for the damaged sections of barrier.

CONSULTANTS

In reply to **Hon. M.D. RANN (Leader of the Opposition)** 18 February.

The Hon. J.W. OLSEN: Detail of the expenditure on consultants during 1996-97 across the South Australian public sector is contained in the budget papers and annual reports of each agency.

COMMISSIONER FOR PUBLIC EMPLOYMENT

In reply to **Hon. M.D. RANN (Leader of the Opposition)** 18 February.

The Hon. J.W. OLSEN: The accrued cost for the employment of Mr Graham Foreman as Commissioner for Public Employment

during the financial year 1996-1997 increased over the previous financial year by an amount of $8 611. This increase incorporated a remuneration variation of 2 per cent, consistent with the remuneration increase approved for Chief Executives and Executives in the Public Service.

The Auditor General uses an 'actual costs' process for determining employee remuneration, and this produces a significantly different result from the 'point of time' calculations contained in employee contracts. Accordingly, because Mr Foreman took pay in advance during his annual recreation leave during June/July 1997, the figure considered by the Auditor General was inflated by a further $3 000.

SHOPPING HOURS

The Hon. J.W. OLSEN (Premier): I seek leave to make a ministerial statement.

Leave granted.

The Hon. J.W. OLSEN: The moratorium on shopping hours in South Australia ends in June. It is therefore timely now to put in place mechanisms for public and industry debate and discussion on the subject and we intend that this review start immediately. Shopping hours have been a vexed question in this State for more than a decade. One of the best examples of just how vexed is contained in the fact that when in Government our Labor Opposition demanded that we support their deregulation. Now in Opposition Labor is demanding with equal fervour that we halt further deregulation.

What is clear is that a significant percentage of South Australians want, and they say they need, more flexibility in the hours they can shop. Essentially, the changed working hours of the 1990s, which have seen the advent of widespread seven day rosters and the vast number of families with both parents working full-time, has led to this desire for change—a request for more flexibility to make family life easier. We must listen to that need.

What is also clear is that South Australia's present shopping hours, particularly shops closed over holiday periods such as Easter, Boxing Day and New Year's Day are out of kilter with other States and damage our reputation with tourists. We know this from research carried out by the tourism industry. We also know that this is a hindrance to our vast developing convention business. Data shows that convention delegates will typically spend 19 per cent of their money in shops—that is, when they can—but in South Australia we receive complaints that they are too often shut. Yet conventions are a fast growing business for this State. On a *per capita* basis we are the convention capital of this nation. But we have to work hard at that, so we must listen to this need, also

We do need further deregulation of shopping hours. The question is: what form should this take? How far should we go? There is a strong push, for example, for what could be classed as total deregulation so that the marketplace itself can decide what is wanted, at what hours, and where, when and by whom. There is another push for late opening on any night or all nights of the week plus Sunday trading in the suburbs for any store management that wishes to do so.

Other options that can be canvassed include only allowing additional late night shopping until 9 p.m. during the week, or saying that store owners can open 65 hours a week and the hours they choose are up to them. At this point in time we have to accept that there is dissatisfaction with what we presently have—dissatisfaction that our strict regulations on trading hours leave many South Australian families and tourists to South Australia feeling disadvantaged and poorly served. That being the case, the South Australian economy is disadvantaged and, if we do not move to change shopping hours, the State's economy will continue to be disadvantaged.

However, there is another side to this debate, and that is that too many owners of small stores could be significantly damaged by the advent of such deregulated shopping hours. I have to say that the data we have on this issue is as contradictory as it is massive. We must ensure that we reach the right conclusion about the effects on small business—a conclusion based on facts, one devoid of emotion and of fond memories of days long gone. I must stress that we would insist with any further deregulation that safeguards be put in place to ensure that small business owners—particularly in large shopping complexes—are not forced to open at times they do not wish to, nor should their costs and fees to their landlord unfairly reflect on the hours they choose to open. Small business deserves to have such safeguards, and we should ensure fairness is enshrined in any changes to the legislation. We also see that any move to total deregulation of shopping hours must happen through stepped change. There must be predictability and certainty on the path forward, so that small business has time to adjust and manage any such change.

Another side of the shopping hours debate also looks at the effects of further deregulation on the City of Adelaide's shopping precinct. It has been put to the Government by the Adelaide City Council that the city centre would be damaged by large shopping centres in the suburbs taking away its Sunday trade, but surely it is the city's responsibility to be a vibrant, entertaining Sunday destination for locals and tourists. The city should be able to establish itself as a fantastic place to visit without relying on a Sunday monopoly on trade to attract people to it.

South Australia cannot be held back because others cannot move forward. As a Government we will spend six weeks listening and, as I have indicated, we are a Government open to any argument based on fact that is relevant to the future good of this State's residents and its economic future. Also, a very important issue that must be discussed is that of families. We have been told in the past that many shop assistants do not want to work Sundays and late evenings: they would rather be at home. We respect that, and that should always be a matter of choice, as it is now with Sunday trading in the city. But, it should be put in the context that there are many others willing to take their place during those extra hours, rather than work the long-established 9 a.m to 5.30 p.m. This is especially true of mothers of young families who can ask husbands or family to baby-sit in such a flexible time frame and so save on child-care costs. All these areas have been canvassed before; they will now be canvassed again. There are many strong views on this subject, so it is important to stress that the outcome of this review is no foregone conclusion.

Over six weeks, the Minister, Michael Armitage, will hold discussions with all interested parties and lobby groups. We will look at and debate all available interstate and international research on the ramifications of deregulated shopping hours. At the end of the six weeks review, we will put a preferred position on the future of shopping hours to Parliament for debate here. Obviously, areas such as penalty rates must also be discussed at this time and we are pleased to note union flexibility already obvious on this.

The Shop Distributive and Allied Employees Association has recently negotiated national consent awards and certified agreements in the Federal sphere with retailers such as Coles

Myer and Bi-Lo. These awards provide for employees to work on Sundays and during extended normal hours if and when the store is legally able to trade in those times. Interestingly, the SDA has agreed that the penalty rate for work on Sundays is 50 per cent, which is less than under the Retail Industry South Australia Award, which is double time.

A new element in the debate, and one which we ignore at our peril, is the National Competition Policy Agreement. The State is obliged to review the Shop Trading Hours Act by the end of this year to comply with competition policy by the year 2000, so we must investigate in this review any present shopping hour situations which would be classed as anti-competitive. Into this arena could fall the monopoly of Sunday shopping in the city.

There is a clear warning to South Australia in points Graham Samuel, President of the National Competition Council, made to a Melbourne conference last month. Samuel, who is more than serious about getting rid of restrictive practices, said:

> In the ACT, restrictive and discriminatory trading hours legislation has been repealed after a preliminary examination suggested that the costs to the community clearly outweighed the benefits.

He went on to say that the Victorian trading hour restrictions have also been lifted. In other words, if we do not move forward, and do so ourselves, the National Competition Commissioner may apply penalties to our competition payments.

Mr Clarke interjecting:

The SPEAKER: Order! The member for Ross Smith.

The Hon. J.W. OLSEN: Surely, it is better that we find our own solution. To achieve this, I believe it is vitally important that we begin this review from a position that says that this State needs more flexible shopping hours for family shopping. To that end, it is how we achieve the right balance that is the imperative in the debate.

PAPERS TABLED

The following papers were laid on the table:

By the Minister for Human Services (Hon. Dean Brown)—

- Guardianship Board—Report, 1996-97
- Health Commission—
  - Public and Environmental Health Council—Report, 1996-97
  - Report on Public and Environmental Health Act, 1997

By the Minister for Government Enterprises (Hon. M.H. Armitage)—

- Regulations under the following Acts—
  - Firearms—Exemption of Juniors
  - Juries—Jury Pools
  - Liquor Licensing—Dry Areas—Long Term—Barmera/Berri
- Public Corporations Act—Direction to ETSA and SAGC—Electricity Assets Restructuring and Preparation for Sale
- Summary Offences Act—
  - Dangerous Area Declarations—1 October to 31 December 1997
  - Road Block Establishment Authorisations—1 October to 31 December 1997

By the Minister for Education, Children's Services and Training (Hon. M.R. Buckby)

- Flinders University of South Australia—
  - Report, 1996
  - Statute Amendments, 1996

By the Minister for Environment and Heritage (Hon. D.C. Kotz)—

- Schedule E—Murray Darling Basin Agreement, 1997
- Wilderness Protection Act—Report, 1996-97

By the Minister for Aboriginal Affairs (Hon D.C. Kotz)—

- Aboriginal Lands Trust—Report, 1996-97.

MURRAY-DARLING BASIN

The Hon. D.C. KOTZ (Minister for Environment and Heritage): Before tabling Schedule E of the Murray-Darling Basin Agreement 1992, I seek leave to make a ministerial statement.

Leave granted.

The Hon. D.C. KOTZ: On 28 November 1997, the Murray-Darling Basin Ministerial Council approved the rules and operating procedures for implementing permanent interstate trade in water allocations. The council also approved a schedule to the Murray-Darling Basin Agreement 1992 to formalise these rules and operating procedures in accordance with the provisions of the Murray-Darling Basin Agreement 1992. The approval of the schedule has now paved the way for permanent interstate trade to commence, and the ministerial council has agreed that this will start under a pilot interstate water trading project commencing 1 January 1998. The rules and procedures as defined within the schedule will be reviewed and refined in line with experience gained over the life of the pilot program, which is limited to two years in duration or a maximum net trade of 10 gigalitres.

PUBLIC WORKS COMMITTEE

Mr LEWIS (Hammond): I bring up the sixty-sixth report of the committee on the Repatriation Hospital Redevelopment Stage 1 and move:

That the report be received.

Motion carried.

The Hon. G.A. INGERSON (Deputy Premier): I move:

That the report be printed.

Motion carried.

QUESTION TIME

The SPEAKER: Before calling for questions without notice, I advise members that the Deputy Premier will take questions on behalf of the Minister for Government Enterprises.

Mr Clarke interjecting:

The SPEAKER: Order, the member for Ross-Smith!

FIREARMS

The Hon. M.D. RANN (Leader of the Opposition): Thank you, Mr Speaker. It is good to see you back. My question is directed to the Deputy Premier. How did the Premier's caretaker rules prevent the Deputy Premier from reading the ETSA annual report but allow the Deputy to write to a shooters' group during the election campaign indicating an intention to change the Firearms Act? Last month, the Deputy Premier was asked when he first learned of a $96 million write-down contained in the ETSA annual report which was delivered to the Minister's office during the

election campaign. The Deputy Premier told Parliament that he had not read the annual report because:

> During the election campaign any business of Government is handled by the bureaucracy. Every member of Cabinet was warned that during the period of the election campaign no Government business was to be handled.

Four days before the election the Deputy Premier wrote to the Combined Shooters' Council about gun laws stating:

> Once agreed, I intend to take these amendments before the Parliament.

Where do the caretaker rules say: 'You can write but you cannot read'?

Members interjecting:

The SPEAKER: Order! That is comment. The Deputy Premier.

The Hon. G.A. INGERSON: The Leader of the Opposition always has a sense of humour, and I admire him for trying to be clever. I answered the first question on the last day of Parliament. During election campaigns, most Parties—and I assume that the Labor Party also does this—when asked for policy positions, reply. During the election campaign, as Deputy Premier—

Mr Clarke interjecting:

The SPEAKER: Order, the member for Ross Smith!

The Hon. G.A. INGERSON:—on behalf of our Party—and we were still the Government at that time—I wrote a Party policy answer in relation to guns. I assume that you would have expected me, as the then Minister responsible for police and firearms, to answer that.

The Hon. M.D. Rann interjecting:

The SPEAKER: Order!

FOREIGN INVESTMENT

Mr SCALZI (Hartley): Will the Premier advise the House of some of the benefits of foreign investment in South Australia? The Leader of the Opposition has repeated on a number of occasions, most recently in regard to the proposed sale of ETSA and Optima, that there are too many overseas interests in this State.

Members interjecting:

The SPEAKER: Order!

The Hon. J.W. OLSEN: The Leader of the Opposition's views on foreign investment, like most of his economic policies, belong clearly in the history books. Governments around the world welcome foreign investment as a source of capital and innovation. Australia is no different from most countries around the world. It also promotes competition and economic efficiency, and it brings more choice and lower prices to consumers. According to the OECD, global foreign investment flows multiplied 14 times between 1973 and 1996 and now run at something like $350 billion annually. Is the policy free zone opposite intent on our avoiding participation in global investment? Is everyone except the ALP wrong on this or is the ALP still back in 1973? The fact is that foreign investment can and does bring significant benefits. It brings new technology, skills and management practices, and it provides access to global trading.

It provides access to domestic savings through tax contributions to Government revenue and it links the host economy more closely to world markets. That is important for us, for economies of scale, to get our goods and services into the international market place. That is the way to get job certainty and security in this State. More importantly, it provides the jobs. Jobs are the bottom line that we ought to be focusing on in this House. Indeed, a recent Canadian study showed that, for every $1 billion of foreign investment, 45 000 jobs were created in the subsequent five years. The sum of $1 billion equals 45 000 jobs over a five year time line. That is the sort of participation we want for the South Australian and Australian economies. The Leader of the Opposition quotes New Zealand regularly—

Mr Brokenshire: When it suits him.

The Hon. J.W. OLSEN: I am glad to hear the honourable member's interjection—when it suits him. Foreign investors in New Zealand reinvest 90 per cent of their profits; foreign investors in New Zealand employ New Zealanders in 99 per cent of the jobs created; and foreign investors in New Zealand pay New Zealanders 28 per cent more on average than do domestic firms. That seems to me to be not a bad outcome for the New Zealand economy, which the Leader of the Opposition is intent on using as the case example that we ought to be following.

Let us come closer to home. In relation to a comprehensive Australia-wide study by Flinders University, it has been shown that foreign owned companies outperform locally owned firms across a number of categories. As to companies such as Mitsubishi—and the member for Kaurna interjected earlier and laughed about the asking of the question—is he concerned about Japanese investment at Mitsubishi and 6 000 jobs? If so, he should not laugh in here but tell the employees at Mitsubishi. More importantly, do they want Toyota, which happens to be Japanese owned, to walk away from Crows' sponsorship, considering the claim by the Leader of the Opposition that they have no community spirit?

Mr Foley: Yes; yes; yes!

The Hon. J.W. OLSEN: I can understand the member for Hart saying that, being a Port Power supporter. However, these companies have taken on some community spirit. Clearly, the Leader is out of touch even with his own electorate. Let us have a look at investment in the Leader's electorate. His biggest employer is Bridgestone, which is a Japanese owned company. Does the Leader of the Opposition want to tell the Japanese that he does not want that investment—and the employment at Bridgestone—in his electorate any more? There are other firms in the Leader's electorate, including Malaysian, German, American, British and Dutch interests. Which one does he want to send home? Is he telling these firms that they and the jobs they provide are not welcome?

That foreign investment is underpinning employment in the Leader's own electorate, and those enterprises are important for this State and the economy. Since General Motors came here with its links to the United States, does anyone in this House seriously deny what that organisation has achieved in investing in the economy of South Australia? Of course not. The only person who takes issue with foreign investment is the Leader of the Opposition—an opportunist and a populist devoid of any policy substance but someone who will knock and block every policy we pursue.

The Hon. M.D. Rann interjecting:

The SPEAKER: Order! I call the Leader of the Opposition to order. I remind members that it is disrespectful to the Chair and to other members to keep interjecting after the Chair has called the House to order.

FIREARMS

Mr CONLON (Elder): Why did the Deputy Premier write to a shooters' group during the election campaign

pledging amendments to the Firearms Act regulations when the Premier has said these amendments have no status and are merely a wish list? Four days before the election, the Deputy Premier wrote to the Combined Shooters and Firearms Council reminding the council that the Deputy Premier had set up meetings between it and the police firearms section. The letter states clearly:

> These meetings were designed to come up with amendments to the gun laws which would be taken to Parliament.

In the first answer today, the Deputy Premier referred to this letter as the policy position of the Liberal Party. However, on the weekend the Premier was quoted as saying that these proposals had not been put to him. He said:

> They are not under consideration by the Government and the Cabinet, and there is no proposal they be so.

Further, he stated:

> They have no authority of the Government of South Australia.

Which answer is right?

The Hon. G.A. INGERSON: I wrote on behalf of the Government in terms of policy. I have not seen those proposals, and neither has any Minister of this Government.

WEST BEACH BOAT HARBOR

Mr MEIER (Goyder): Will the Premier advise the House whether construction work on the boat launching facilities at West Beach is continuing? I note that the Henley and Grange Residents Association has claimed victory for stopping deliveries to the site and has said that picket lines will be maintained.

The Hon. J.W. OLSEN: This project is on track and has not and will not be stopped. It has undergone the necessary approval processes, and work is continuing on that $185 million project—a project that has been talked about in this State for some 15 years. At last we have brokered, negotiated and facilitated a long overdue investment in this State. There has been a request to limit access to the West Beach site at the end of Barcoo Road because of fear of public safety. My understanding is that that request has been lodged by the West Torrens council. The Development Assessment Commission has given consideration and agreed to that request, and it is therefore a matter for the Minister to consider those amendments.

Construction sites are not public places. It would pose a safety risk if we were to do anything other than limit access to the area. The Government respects people's rights to protest in relation to the project. However, the project managers have a responsibility to ensure safety at the construction site. The only area which would be affected is at the end of Barcoo Road, adjacent to the Glenelg waste water treatment plant. The West Beach bathing beach will not be affected.

This is a progressive infrastructure development for the coast which will benefit all South Australians. We now have to simply get on with the job of developing this area for the benefit of all South Australians. We have been talking about this development for far too long. Now is the time for action.

FIREARMS

Mr CONLON (Elder): Given the Deputy Premier's letter to shooters written during the election campaign, and given that it contains a commitment to amend the gun laws and was said to be the policy position of the Government, did the Deputy Premier write that letter with the knowledge of or at the request of the Premier, the Premier's office or the Cabinet?

The Hon. G.A. INGERSON: There was no policy commitment, and anyone who reads that would know full well that there was no commitment by the Government in terms of any particular amendments. What it said was that, once agreed, if any proposals were put forward they would be discussed and put into legislation. Clearly, that was a policy position agreed by the Government.

ELECTRICITY, PRIVATISATION

Mr HAMILTON-SMITH (Waite): My question is directed to the Premier. What impact will the decision by the Western Australian Government to move to privatise its power assets have on the proposed sale of ETSA and Optima?

The Hon. J.W. OLSEN: In debate on this issue and in questions and answers in the last two weeks of the parliamentary sitting, we were able to highlight how in fact the Labor Party is all over the place, so to speak, on this policy issue, although members opposite might be encouraged to be all over the place in South Australia at least to have a policy position on this matter, rather than having the policy-free zone that exists among members opposite.

During those two weeks of debate, we were able to highlight that New South Wales Labor Premier Bob Carr, Treasurer Egan and no less than Bob Hogg and Graham Richardson all support a policy thrust—

Mr Hill interjecting:

The Hon. J.W. OLSEN: You notice that the member for Kaurna is interjecting, Mr Speaker. This is the Leader in waiting, sitting back there trying to jump over; and we know that the member for Hart is rather sensitive on this issue because the member for Hart has been waiting a long time, quite patiently, and all of a sudden we have the new member for Kaurna who is going to leap frog. The seat is already vacant. You can see that the seat is vacant, because the Leader of the Opposition does not spend much time in the Chamber.

Anyway, the point is that not only on the eastern seaboard do we have the Labor Party supporting this measure but we also have it on the western seaboard. I was surprised, but delighted, to read last week that in fact the Labor Leader, Geoff Gallop, is opposed to the partial privatisation of Western Australia's State electricity assets. A colleague of his has come out and said that he wants to go all the way—forget the partial move: sell the whole lot. Let me quote what he says:

> The experience of regional Western Australia has been that private generation of power has vastly improved service and reliability in towns.

He continues:

> The record of the public sector utility in supplying power to remote communities was abysmal.

They are not the words of a Liberal, but from Labor MP, Larry Graham, the MLA for the Pilbara region of Western Australia.

Mr Foley interjecting:

The Hon. J.W. OLSEN: Tony Rundle in Tasmania wanted to pursue the privatisation of the hydro. It was only the Greens in the Parliament that restricted him from doing so. So, if the member for Hart wants to interject across the table, let him get the facts of the matter right. I know that the member for Hart has the shadow portfolio and has a responsi-

bility to go out and defend this 'no policy' of the Labor Party—a policy of blocking without any alternative. We still have not heard any alternative from the Labor Party on this policy.

The member for Hart has the short straw. His heart is not in it but he has to go out to the media and put the Leader of the Opposition's position, which is to block it without advocating any policy. I ask the Opposition: what is its policy alternative? Other than just blocking it, what does it believe in? We do not know what members opposite believe in, because they have not told anybody what they believe in. However, they know what the word 'block' means, and that is oppose the legislation.

I had the opportunity recently to talk to a number of people in relation to our proposal for the privatisation of our power assets, as I said previously, to remove the level of risk inherent in maintenance of the ownership of those assets, but also to create opportunities. At the meeting at Berri the other day, a business person highlighted the fact that he has two proposals on his table to reduce the power in his business between 20 and 25 per cent by buying from Victorian power retailers. Therein lies the practical experience put to that meeting by a member of the community, clearly demonstrating the opportunity that can be presented to South Australians by participating in this national electricity market, with power being given back to people to negotiate a deal that meets their requirements and gets operating costs down.

As I have clearly indicated to the House before, companies like Western Mining that are putting in $1.5 billion, and General Motors with $1.475 billion and 700 jobs out at Salisbury/Elizabeth, are saying to me as no doubt they are saying to the Opposition, 'We have to have our input costs in this business at international best practice.' If we want Air International from Tea Tree Gully to export rearview mirrors, steering columns or air conditioners to Korea in the international marketplace, their input costs have to be internationally competitive, and power is a major input cost. If anybody thinks that is nonsense, Western Mining were looking at putting in their own powerline from interstate to meet their needs here in South Australia, so intent were they in wanting to get the lower power costs, with the savings enabling them to amortise that capital cost over a period. That is why this is an imperative policy direction for South Australia, not only to remove the State Bank style risk but also to position our manufacturing base in this State so that we can produce and continue to produce in the next century products to go into the international marketplace at a competitive price. That is the way to secure jobs for the future.

GOODS AND SERVICES TAX

Mr FOLEY (Hart): Can the Premier confirm that at this week's Premiers' Conference he will be supporting the introduction of a goods and services tax, and why is the Premier now supporting a GST when just three days before the last State election he said, 'No, I am not a supporter of a GST'? When the Opposition revealed the existence of a secret document prepared by the South Australian Treasury on 8 October, three days before the last State election, the Premier said that he no longer supported a GST. A media report of 12 March states that the South Australian Government will be formally supporting a GST at the forthcoming Premiers' Conference. Another broken promise, Premier?

The SPEAKER: Order! That is a comment.

The Hon. J.W. OLSEN: Well, it is certainly better than the 'no policy zone' of the Opposition. We would not know what members opposite want in major taxation reform in this country. They have no idea, no policy, no direction, no thrust, and are not prepared to put anything on the table for consideration. I can tell you what we will be advocating at the Premiers' Conference. We will not support a State-based GST with South Australia going alone, and that is absolutely consistent with what I have said before. What we will support is the move to abolish wholesale sales tax. Does the member for Hart support the abolition of wholesale sales tax? Do you?

Mr Foley: I asked the question.

The Hon. J.W. OLSEN: Here is the opportunity for the member for Hart to assist manufacturing industry in this State and he is silent. He is not prepared to answer the question. Well, Mr Speaker, we are in for abolition of wholesale sales tax. Why? Because that is the best way to secure jobs. We want to take off the impost on our manufacturing base for our goods and services going into the international marketplace. If the Federal Government gives us replacement revenue, we are also in favour of the abolition of the FID and BAD taxes. Is the member for Hart in favour of the abolition of those taxes?

Mr Foley interjecting:

The Hon. J.W. OLSEN: Oh, no answer again! Once again members opposite have no policy. They have the hypocrisy and the audacity to pose questions without any foundation or base from which they come. If there is a further example of the first two sitting weeks in this year it has been today. The Labor Party in this State has no policy ideas. Once upon a time—a decade or two ago—the Labor Party was recognised for having major policy development, for agenda setting, for trying to create new economic order, for trying to position Australia in the future, but what has happened in the past five years or so? It has gone into this policy vacuum. That is well demonstrated by the Leader of the Opposition and the member for Hart. The member for Hart had the opportunity today to simply say 'Yes', but he was not prepared to say anything. I simply pose the question to the member for Hart: does he believe in fundamental taxation reform in Australia or does he not?

This country needs major taxation reform. We need to get rid of wholesale sales tax and those other taxes that adversely impact against the State. We need to ensure that in any restructuring of taxation in this country regional economies like South Australia are protected in the tax mix that results from that. Following the High Court case, where the State's revenue base has been eroded as a result of our inability in the future, constitutionally, to collect revenues and excise in respect of tobacco, cigarettes and petrol, there is a vertical fiscal imbalance in this country that is acknowledged by every economic commentator in the country as a matter that has to be addressed by the States. We will be arguing for the rights of the States and some predicability and certainty in revenue flow so that we can meet the provision of essential services for South Australians in the next century. What is the Opposition's position? One would never know. It is simply a policy free zone.

ELECTRICITY, PRIVATISATION

Mr CONDOUS (Colton): Will the Premier advise the House of the level of interest in the sale of ETSA and Optima being recorded by the toll free electricity reform hotline?

Members interjecting:

The SPEAKER: Order! The House will come to order.

The Hon. J.W. OLSEN: When the hotline was established we anticipated that we might get something like 2 000 calls a day, based on interstate experience. Since the hotline opened on 17 February—a month ago—we have had a sum total of 1 705 calls. In fact, last week it averaged one call per day.

The Hon. R.B. Such: That was Mike.

The Hon. J.W. OLSEN: I think the honourable member is quite right. It was obviously the Leader of the Opposition looking for policy ideas to develop his response as to what we might do. The Opposition has wanted to demonstrate, vainly, that there is massive anger in the community over this policy. That is not being reflected in the talk-back calls I get on radio, both in the city and in the country; it is not being demonstrated by the hotline—the toll-free number; and it is certainly not being demonstrated in correspondence I am receiving in my office. Again, the Labor Opposition is out of touch.

Mr Foley interjecting:

The SPEAKER: Order! The member for Hart will come to order.

Mr Clarke interjecting:

The SPEAKER: Order! The member for Ross Smith will come to order.

The Hon. M.D. RANN (Leader of the Opposition): Now that South Australians finally know that the Premier does support a GST and does support the privatisation of ETSA, will the Premier now guarantee that electricity will be exempt from the GST? On 17 February the Premier said, 'Lowering power costs to consumers and families is certainly our objective.' What about the GST?

The Hon. J.W. OLSEN: Here is a Labor Party desperate to find an angle. If the Leader of the Opposition has read any of the national newspapers—

Mr Clarke interjecting:

The Hon. J.W. OLSEN: When the member for Ross Smith has finished breaching Standing Orders by displaying material—

The SPEAKER: Order! The member for Ross Smith has been warned once today.

The Hon. J.W. OLSEN: Any cursory glance at any national media commentary in relation to the taxation debate or in relation to the Premiers' Conference Loan Council meeting would well indicate that all these matters are listed for debate. No package has been struck. I am more than happy to put forward those things for which I will go in fighting, like horizontal fiscal equalisation—

An honourable member interjecting:

The SPEAKER: Order! I caution the Leader of the Opposition.

The Hon. J.W. OLSEN:—to ensure that the smaller regional economies are protected and that any bans or proposals in relation to a share of income tax includes degrees of protection for the States or regional economies. Until such time as the Commonwealth Government puts on the table the parameters of the package, no-one can identify with precision what will or will not be part of the package. That would be a good thing for us because we want to go in with the other States and negotiate a position that protects South Australia in the future.

I have answered a question on this from the member for Hart, and now the Leader is trying to catch up with the member for Hart with a question on the same subject. I will be going to the Premiers' Conference—and I will be arguing for this prior to that at the Leader's meeting—and saying that there needs to be fundamental taxation reform in Australia. I do so without fear of qualification or criticism from the member for Hart.

Mr Foley interjecting:

The Hon. J.W. OLSEN: I did. Before the election I consistently said that there should be fundamental taxation reform where no State was treated in isolation, where there was uniformity across the country and where the regional economy of South Australia was not disadvantaged vis-a-vis the other States. That is something for which I have consistently argued and for which I will continue to argue. Those taxes that discriminate unfairly, unjustly and unevenly in the South Australian regional economy and impact against our meeting and developing our export culture and job certainty and new investment for job creation in this State will be the basis of the argument I will put forward at both the Premiers' Conference and the Loan Council meeting.

I will be more than happy to have a debate in this Chamber with the Leader of the Opposition at any time. All I ask of the Leader of the Opposition is that he develop at least one policy and put it on the table and let us have a debate on that because this Leader of the Opposition—media Mike, the 10-second grab, the recycler of a single press release on 13 consecutive occasions—has to have more substance than that. You have to be able to put down a policy and argue the merits of the case. We will do so.

LEGISLATIVE PROGRAM

Mr LEWIS (Hammond): Will the Deputy Premier advise what will be the ramifications for all ordinary people in South Australia, whom we represent in this place, if the current legislative program of the Government runs up against a pause-button log jam, as threatened by the Democrats in the other place?

The Hon. G.A. INGERSON: Clearly this Government was elected to govern, and we intend to do that. It is a pity that the Australian Democrats in their hour of need have decided to attempt to annoy and frustrate the whole process. One of the good things about it is that the Opposition has noted that it would throw the whole Parliament into chaos. The Supply Bill, the national wine centre Bill and legislation in respect of family day care centres would all be held up if the Democrats had their way. Clearly, the whole thing is grossly irresponsible. It has been an absolutely unbelievable stunt by the Democrats, when all they have to do, as they and the previous Deputy Leader would know only too well, is get on the phone and the Government will negotiate with them at any time.

JOHN MARTIN'S

The Hon. M.D. RANN (Leader of the Opposition): I direct my question to the Premier. What action is the Government taking to assist the hundreds of John Martin's staff who have lost their jobs as a result of the closure of the Rundle Mall store? A year ago the Premier said that the now defunct capital city complex planned for the site would create 1 000 permanent jobs and 2 000 construction jobs. When the closure date for the store was set 11 weeks ago—after the election—a spokeswoman for the Premier was quoted as rejecting a call for assistance for John Martin's workers, stating that there was 'a stream of new jobs coming onto the

market'. The ABS job figures released last week confirmed that 10 900 jobs in South Australia have been lost since that time, including 8 100 full-time jobs last month alone—the equivalent of General Motors, Bridgestone and Johnnies going.

The Hon. J.W. OLSEN: The company itself has been pro-active and, if the Leader of the Opposition wanted to talk to any of the employees of John Martin's store, he would find that a large number of them have already been reassigned to other David Jones company stores in South Australia. In addition to that, over an extended period Harris Scarfe has also been taking on former employees of the store. Admittedly, that does not account for all the people in the store. Naturally it does not account for all the people in the store, but—

The Hon. M.D. Rann: You promised thousands of jobs and hundreds have gone—

The SPEAKER: Order! The Premier has the call.

The Hon. M.D. Rann:—and you don't care; that's the difference.

The SPEAKER: Order! The Leader of the Opposition will not ignore the Chair.

The Hon. J.W. OLSEN: The Leader becomes more inane every day, because he has no policies of his own in terms of rebuilding the economy. The fact is that he and his Party destroyed this economy which we are seeking to rebuild. The Leader conveniently overlooks new private sector capital investment in South Australia outperforming that of the other States. He also seeks to overlook the export effort out of South Australia into the international marketplace and investment in companies such as Westpac in South Australia.

The Leader of the Opposition criticised me at the time for bringing Westpac from Sydney to Adelaide. He criticised the investment package because that company was locating here in Lockleys with a commitment of 900 jobs. Here was a company with a commitment to create 900 jobs. Currently there are 1 600 jobs in the Westpac facility at Lockleys. The Leader of the Opposition—the 10-second grab guy—and the member for Hart have criticised our investment attraction packages into South Australia, for which we make no apology. Will they also criticise the investment attraction of Bankers Trust moving out of Chiffley Square in Sydney and bringing new young families with them? Its original commitment was for a couple of hundred jobs and now it has a commitment of 540 jobs at Bankers Trust Science Park, Adelaide. Will they criticise the attraction of Teletek into South Australia, a United States based company that will employ 1 000 people in this State? Teletek will be the Asia Pacific call centre for telemedicine, operating out of South Australia.

Mr KOUTSANTONIS: I rise on a point of order concerning relevance, Mr Speaker. The question was specifically related to Government assistance to John Martin's workers, not about Government investment.

The SPEAKER: Order! There is no point of order.

The Hon. J.W. OLSEN: The honourable member must have blocked ears, because the Leader also referred to ABS figures, job creation figures and the like. For the benefit of the honourable member opposite I will give chapter and verse about the new investment coming into the State and the jobs that are being created. We make no apology for the achievements we are making in that regard. I have consistently said that we must pursue further investment and expansion, and we have a lot more to do. I have never pulled back from that position. I do not know whether the honourable member has visited the Westpac Mortgage Loan Centre.

Mr Koutsantonis interjecting:

The Hon. J.W. OLSEN: You have? Well, he should have, because it is in the honourable member's electorate. Does he want us to retreat from this investment? Does he want us to remove the 1 600 jobs in his electorate? Well, I make the same answer to the Leader of the Opposition. You cannot have it both ways. You cannot criticise the new investment and the new jobs and criticise those who are investing in this State to expand the South Australian economy. Without apology, we will move forward to attract investment into South Australia for job creation. Given what we inherited from the Labor Government, we have come a long way and we have a long way to go.

The SPEAKER: The member for Mawson.

Members interjecting:

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

SMALL BUSINESS

Mr BROKENSHIRE (Mawson): Will the Minister for Industry, Trade and Tourism advise the House on the outlook for small business in South Australia following the release of the latest Yellow Pages small business survey? In recent weeks, when I have been visiting small businesses in my electorate, many constituent businesses have reported to me that they have seen the best economic growth times since the Leader of the Opposition was a Cabinet Minister downspiralling South Australia and losing 33 600 jobs.

The SPEAKER: Order! The honourable member is straying into comment.

Members interjecting:

The SPEAKER: Order! I remind members of my opening remark at the beginning of Question Time. It is disrespectful to continue to interject when the Chair has called the House to order. This habit is creeping in and, if members persist in doing this, they will be named. I am getting tired of it.

The Hon. G.A. INGERSON: I thank the member for Mawson for his question, because at least he understands that the engine room for the economy here in South Australia is small business. The Yellow Pages survey—

Mr Koutsantonis interjecting:

The Hon. G.A. INGERSON: Tom, one of the things about being in the taxi business is that you must be successful to survive. One of the matters that came out this week in the Yellow Pages index was that the actual performance experienced by South Australian small businesses over the period 1 November to 31 January was relatively favourable compared with the previous survey, with a number of the indicators being higher than the national average. South Australia performed strongly in employment growth, with a net balance of 6 per cent on small business, and South Australia recording an increase in the work force. Here is the opportunity for lots of people to be employed. Already in that three month period there has been a 6 per cent increase in jobs growth in small business. Other indicators showed growth or remained stable. It is noteworthy that the profitability index also showed an increase in the net balance of 6 per cent to 13 per cent, as did the capital expenditure index, which recorded an increase in the net balance from 0 per cent to 3 per cent.

However, South Australian small businesses' short term expectations—that is, for the next three months—have fallen

since the November survey, with expectations for lower sales and employment. That is in the short term. Examining the medium term expectations, the index shows that 61 per cent of all South Australian small businesses surveyed reported confidence in their own prospects over the next 12 months, compared with 51 per cent nationally. When questioned on general economic conditions, 31 per cent of businesses perceived that the economy was growing, with 12 per cent believing that it was in recession. Clearly, this is the engine room of the economy in South Australia. This is the group of people who have to make the economy grow, and this Yellow Pages report clearly shows that performance is quietly but positively improving in the small business sector here in South Australia.

JOHN MARTIN'S

Ms HURLEY (Deputy Leader of the Opposition): Will the Premier guarantee that the scaled down development on the John Martin's site will now proceed; and does the project still have the Government's special development status? In relation to the $300 million Capital City development, including a 200-metre star-topped illuminated spire originally planned for the John Martin's site, the Premier said:

> The knockers can move to one side. This project will happen for South Australia and the Government will back the consortium for this development to take place.

The Premier said, in response to news that the project is now to be less than a quarter of the investment originally planned, that there is now a degree of security that construction will proceed on the $70 million department store.

The Hon. J.W. OLSEN: I certainly welcome a $70 million or $80 million commitment and development by any national Australian company in South Australia for a state-of-the-art retail store in a prime location such as Rundle Mall-North Terrace, Adelaide. In discussions with my staff and I, both the Chairman and the CEO of the company are clearly indicating that the project will be proceeding.

KOALAS

Mrs PENFOLD (Flinders): My question is directed to the Minister for Environment and Heritage.

The SPEAKER: Order! The Deputy Premier has intimated that he will take questions on behalf of the Minister for Environment and Heritage who, I understand, has gone home feeling unwell.

Mrs PENFOLD: Will the Deputy Premier advise the House of the success of the koala rescue program on Kangaroo Island and whether or not there are any plans for the culling of koala numbers?

Members interjecting:

The SPEAKER: Order!

The Hon. G.A. INGERSON: I thank the honourable member for her question, and I put on the public record, with all the jokes that come from the other side, that the Minister for Environment has, in fact, gone home sick, and that has been an agreed position with the Opposition. It is a pity that that sort of joke continues. Clearly, the question needs to be referred to the Minister. It is an excellent question and I will ensure that is done as soon as possible.

WEST BEACH BOAT HARBOR

Ms KEY (Hanson): My question is directed to the Premier. Why has the Government not fulfilled its commitments to the Parliament regarding the West Beach boat facility—commitments which included preparation of an assessment by an independent environmental consultant, the public release of sand management plans and the redesign of the facility—and will the Government now release to the Parliament all the documents that impact on the West Beach development?

The Opposition now has copies of reports which were prepared by the Coastal Protection Board and the Development Assessment Commission and released under freedom of information and which raise major concerns about sand management associated with the West Beach proposal. One report canvasses the possible future removal of the West Beach boating facility, and raises concern about the trucking of sand and the unsuitability of the site selected to supply additional sand for the beach.

The Hon. J.W. OLSEN: I will refer the question to the Minister for Government Enterprises and obtain a reply.

HEALTH AGREEMENT

The Hon. D.C. WOTTON (Heysen): Will the Minister for Human Services advise the House of the current status of South Australia's negotiations with the Federal Government on the Commonwealth-State health agreement?

The Hon. DEAN BROWN: Since this Parliament last sat, the Health Ministers have met with the Federal Minister. Once again, we put a very strong case in terms of the positions of the State Governments. We have a united stance from all State Governments on this.

Briefly, I point out to the House some very pertinent facts. Since the Medicare agreement started, 80 000 South Australians have moved off private health insurance and are now entirely dependent on the public hospital system. On top of that, there is now a significant number of people who have private health insurance but who are still using the public hospital system. Today, I had a press conference with the Chair of the public hospitals. They have highlighted publicly the enormous pressure that they are now under and the fact that this year activity levels are 7 per cent to 8 per cent above where they were 12 months ago.

The State Ministers have stressed that the present funding arrangements, which allow only a 1.6 per cent increase in activity for each year for the next five years, with no increase at all in the first of those years (1998-99), will lead to very significant and unsustainable pressures within the public hospital system. We will start to see a significant number of mistakes made, patients' being held up in corridors, particularly in emergency departments where there is an unpredictable load, and an increased number of outpatients coming into the public hospital system. It is absolutely essential that we get a better deal out of the Federal Government than we currently have.

The Opposition needs to be careful here, because it was a Labor Government in South Australia that signed the present Medicare agreement with the Federal Government which gave us absolutely no guaranteed return or additional compensation for the drop in private health insurance. As a consequence, because 80 000 people have dropped out of private health insurance, South Australia has not had one dollar extra out of the Federal Government due to the

negligence of the former State Labor Government when signing the Medicare agreement.

Members interjecting:

The Hon. DEAN BROWN: It was the former Labor Government which signed the agreement that did not give one dollar extra to South Australia for the drop in private health insurance. Now 80 000 people have moved onto the public hospital system and we have had to pick up the entire cost of that through the health units and extra money from the State Government.

As a consequence, the State Government has put an additional $77 million into the public hospital system this year compared with the first year of the Medicare agreement, trying to pick up the extra costs that have been imposed as a result of the decline in private health insurance. I realise that the member for Elizabeth is acutely embarrassed by the fact that her former Labor colleague signed a Medicare agreement that did not give us one guaranteed dollar more for the drop in private health insurance.

When we met in Canberra on Tuesday last week, we discussed this and we said that as State Ministers of Health we would not want to be as negligent as were the former Labor Ministers when they signed the Medicare agreement. They sold the States down the drain for the past 4½ years.

Ms Stevens interjecting:

The Hon. DEAN BROWN: I can assure the honourable member opposite that we are standing firm as State Ministers. We have asked the State Premiers to take up this issue with the Prime Minister at the Premiers' Conference because it is now a matter of major national significance to ensure that Australians get the health care they deserve over the next five years.

ELECTRICITY, PRIVATISATION

Mr ATKINSON (Spence): Does the Premier support the campaign by the Secretary of the Law Society for local lawyers to be hired to handle the legal work in the privatisation of ETSA and Optima?

The Hon. J.W. OLSEN: Wherever we can employ South Australian professional services, we will.

The SPEAKER: The member for Fisher.

Members interjecting:

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

TRADES SCHOOL

The Hon. R.B. SUCH (Fisher): Will the Minister for Education provide further details about the exciting announcement made last week regarding a specialist secondary school focusing on trade training?

The Hon. M.R. BUCKBY: Last week, the Premier announced that we will look at the establishment of a specialist trades high school for South Australia. This is in response to consistent industry leaders' comments, heard by the Premier and I as we move around industry circles, that there is no trades high school at which young South Australians can develop a trade prior to their entering an apprenticeship.

An honourable member: Why?

The Hon. M.R. BUCKBY: That is because Goodwood Tech was closed by the previous Government in 1991. This will not be an old style trades high school: we will apply a modern approach. It will be built on the best of what we are doing, the vocational training that is currently available in our schools, and the close industry links with our schools that now exist. I refer to the Seaford R-12 school in the electorate of the member for Kaurna and the technology that is available to middle school students in terms of moving into industry, graphic design and a whole range of areas. Those are the sorts of skills that we want to instil in our young people as they move out of secondary school and into industry.

A variety of models are possible. We need to maximise opportunities for young students, and we will seek from schools a range of interest as to where this school may be sited. As yet, we have not located a site, but we are asking schools—

Ms Stevens interjecting:

The Hon. M.R. BUCKBY: I am getting plenty of bids from members opposite. Whatever site is chosen for this specialist school, it will be accessible to a wide range of suburbs so that it is not isolated and so that a number of schools can feed into it.

This proposal builds on the Government's policy of having a range of specialist schools. We now have specialist music schools, gifted and talented schools, a sports school at Wirreanda, a language school and agricultural schools. I think this is an excellent policy. Since the announcement, the Government has received a lot of feedback congratulating it on undertaking this measure.

TRAIN SERVICES

Mr ATKINSON (Spence): I ask the Minister representing the Minister for Transport: will train services on the Grange line be disrupted by a golf tournament to be held at Grange later this year, which stations will be affected and for how long?

The Hon. DEAN BROWN: I will obtain information on that matter and come back to the honourable member as soon as possible. I would not have thought that our golf players were so bad that they would hit trains, but I will obtain that information.

FOODEX 98

Mr VENNING (Schubert): Will the Minister for Regional Development inform the House of any outcomes of his trip to Japan earlier this month when he led a delegation of South Australian primary producers to Foodex 98, the largest food exhibition in Japan?

The Hon. R.G. KERIN: I thank the member for Schubert for his question and his interest in this topic. Last week, at Japan's premier food exhibition Foodex 98, South Australian producers were well represented on the Australian stand, which was the second largest of any of the stands at this huge food expo. In addition to the exhibitors, we were represented by a group of non-exporting producers who travelled to Japan to learn more in their quest to access the Japanese market. These producers received excellent briefings from the Embassy, Austrade and our South Australian officials who are doing a good job in Tokyo.

Through meeting with local companies as well as some Australians who trade in Japan and from discussions with exporters at the Foodex exhibition, they learnt much more about the market and how to take their next step. They also found the time they spent in supermarkets and the food sections of large department stores to be absolutely invaluable as it gave them a far greater appreciation of quality, presenta-

tion and portion sizes that are required by the Japanese market, much of which is very different from locally.

In responding to the problems within Asia, the Government is providing advice to local businesses on developments and implications about opportunities for joint ventures and investment in Asia as well as risk minimisation for short-term export business. As we did last week, we are taking export ready producers to see the Asian market for themselves and to meet face-to-face with the people with whom they may do business. We are also stepping up reporting by South Australian officers in Asia. They have much information which is useful here, and we need to continue to sharpen those reporting lines.

We are also intensifying efforts to attract investment to help bring about an all important increase in production, efficiency and value adding in respect of our produce. It is important that South Australia proves itself not to be a fair weather friend of the Asian region. Another business mission will soon be led to the region by the Premier. We need to position ourselves for the long term, three or four years down the track, when Asian economies are expected to have recovered and to be emerging as the world's biggest markets.

If we work hard during the next two years and achieve a greater market share, export levels in the medium to long term will be higher than if no meltdown had occurred. This Government will work hard to facilitate many more South Australian enterprises, thus emulating the great successes that have already been achieved by our most successful exporters to Asia.

GRIEVANCE DEBATE

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

Mr FOLEY (Hart): I refer today to a matter of which many people in our State are acutely aware, and that is the distressing and disappointing closure of John Martin's on the weekend. As someone who started his working career in the menswear department of the West Lakes John Martin's store—

An honourable member interjecting:

Mr FOLEY: I did, and I was a very good salesperson. My mother also spent 12 or 13 years at the West Lakes store from when it opened. Like many people, I have particular affection for John Martin's: we have all grown up with a great South Australian company which has existed for about 138 years.

I want to talk today about the way in which David Jones set about destroying an icon of business in this State. Much sorrow for John Martin's has been expressed in this Chamber—

Members interjecting:

The SPEAKER: Order! There is too much audible conversation in the Chamber.

Mr FOLEY:—but very few people have been prepared to make the point that the culprits, the reason why John Martin's was effectively sold down the river, the people who are responsible for the demise of John Martin's are the senior management, the Chairman of David Jones and the former Chief Executive Officer, Chris Tideman. This can go down only as a very rank senior management at David Jones. How could such a major national company, led by such a bunch of incompetent directors and management, allow a 138-year-old company with the market position and dominance of John Martin's to fold up inside a few short years?

We have heard so much about the private sector. The private sector is always lecturing politicians about its great strength and ability. The result of the incompetence of the David Jones management and board and of the Chairman of David Jones—and I will certainly name Mr Chris Tideman—is effectively to destroy one of the great retail success stories in this nation's history but, most importantly, an absolute icon company. What level of incompetence can take a company with such market presence, dominance and absolute love of its people, which John Martin's had, and in a few short years close the doors of all its stores?

As someone who worked at John Martin's, as did my mother for many years, and as someone who shopped for hundreds of hours there, mainly at West Lakes—like all members in this Chamber, we have our stories about John Martin's—I charge the Chairman of David Jones, Mr Warburton, and the directors with gross incompetence, mismanagement and disgusting deceit. I will now talk about that deceit. We saw Mr Warburton and, I might add, the Premier—this has nothing to do with politics now, because I make my attack on David Jones—at that disgraceful press conference to launch the Capital City project on the very day they announced the closure of John Martin's in Adelaide. What a deceitful stunt. I had in my electorate office the then Director of Operations (I cannot recall his name—he has been sidelined and given the flick) and, in the presence of Field Business Services, a PR company, he told me that I was wrong, that Capital City was going ahead and that there would be jobs and major investment. That was a damn deceitful lie, and the board members of that company should hang their heads in shame.

I do not have a problem if David Jones reads this *Hansard* and cops it where other corporates and politicians have had to cop it. David Jones has destroyed a great South Australian company and for that it should be condemned. I can only hope that the new Managing Director, Mr Wilkinson, and his new directors and management team can make the existing David Jones work for the betterment of this State and see employment grow. I have no qualms about Mr Wilkinson, who has been given a very difficult job, but that disgraceful management of David Jones who saw John Martin's destroyed should be absolutely ashamed.

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

The Hon. R.B. SUCH (Fisher): I, too, would like to say a few words about the closure of John Martin's. Every member of the Government is disappointed that that has happened and regret that the Rundle Mall store has closed. I believe that the management of David Jones made some tactical mistakes in their retail targeting, because we have seen that a store like Harris Scarfe has gone from strength to strength by pursuing a very successful marketing strategy. It is not true to say that retailing is in the doldrums. I believe that an inadvisable choice of marketing strategies was adopted by David Jones in relation to John Martin's, and losing that Rundle Mall store is a sad day for South Australia. I believe that I speak on behalf of every member of the Government in referring to those who have lost their jobs and in expressing the hope that they find employment in other areas of the State.

I would now like to canvass briefly a couple of other issues. Members might recall that in their school days they were subjected to a medical examination, a practice that I believe should return. Ideally, it should happen in the early years of school so that it is allied with the general approach to early intervention. At present, pre-schoolers in many cases are able to access a medical examination but by no means is it universal, and I believe that in terms of prevention, with the focus of today's health strategies, we should be doing the same in the primary school and, in particular, the junior primary school areas. In year 1 or 2 all children should have the opportunity to be examined at least in relation to hearing, eyesight, general physical growth and obvious problems emerging so that they can be dealt with early. I will cite some examples of people I know in my electorate who have benefited from the old scheme which was dropped many years ago. I refer to people, for example, who had hernias, which were detected when they were children and which were corrected. Other people had problems that were picked up at an early stage and rectified.

I have had preliminary discussions with the Minister for Human Services, who is looking at this matter, and it obviously needs to be explored also with the Minister for Education, Children's Services and Training. I argue strongly that it would be a good investment of the community's health dollar to ensure that all children at that early age get physically examined so that we can tackle any health problems that may exist.

Another issue I raise is a concern I have had for a long time to enable ordinary South Australians to invest in their State through what I call Build SA Bonds—infrastructure bonds that should be available to South Australians who could put a small amount of savings towards infrastructure undertakings involving projects such as railways, schools, hospitals, and the like. I have written along those lines to the Premier and also to the Federal Treasurer to see if we could have such a system which would supplement and complement the SAFA bonds system, which is basically targeted at institutional investors, but which would involve a tax exemption on the interest payable on the bond and also, ideally, a tax deduction in relation to part or all of the bond itself, so that there would be an incentive for people to invest in South Australia. Many people such as grandparents, parents and others have told me that they would like to be able to contribute to the development and future of this State for the benefit of their children and grandchildren. One way to do that is through Build SA Bonds. I am still awaiting a reply from the Federal Treasurer but, in the light of today's media coverage of a policy announcement regarding the exemption of interest as a possibility, I trust that he will be sympathetic to my request.

I note in today's *City Messenger* that the Adelaide City Council is spending $2.5 million on repaving King William Street. It will cost $800 000 to repave from North Terrace to Rundle Mall. Much damage is done to pavers by people dropping chewing gum. It is an ugly blot on our walkways and, although I am not normally one to advocate banning substances, I believe that we should not have people chewing gum and throwing it on paved areas of the inner city.

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

Mr WRIGHT (Lee): I concur with the members for Hart and Fisher in their contributions about John Martin's. I will touch on that briefly before I get to the major thrust of my contribution. Certainly, John Martin's has been a great South Australian icon. It has been one of our historic treasures and it is a great shame that it has closed, especially in the circumstances that have occurred over the past few years. It is something about which we should all hang our heads in shame. Certainly, the management of David Jones has a lot to answer for. My heart goes out to those employees, some of whom, of course, will find employment elsewhere, and I wish them the best of luck. However, some people will not find alternative employment, and it is a great shame that we now have a situation where, through no fault of their own, people have been added to the unemployment list.

I wish to speak today about a matter of great concern to the people in the western suburbs, that is, a proposal for a waste and transfer recycling facility planned for the corner of Old Port Road and Tapley's Hill Road. Most members will be aware that the intersection of Old Port and Tapley's Hill Roads is a busy one, involving main arterial roads in the vicinity of residential housing.

The proposal for a waste and transfer recycling facility put forward by JJJ Recyclers, the applicant for this proposal, will involve many large and small trucks coming and going on a regular basis. We are talking about a facility that will receive building and demolition waste, old furniture, appliances, garden waste and inert waste from commercial and residential premises. As members can tell from that, it is planned to be a significant activity, and the application contemplates receiving 50 000 tonnes of material a year. We are talking about a big recycling facility that will be placed slap-bang in the middle of residential housing. Like other members, I am not opposed to a waste and recycling facility—quite the opposite. Recycling is obviously something that all members in this Chamber hold dearly, acknowledging that it is something we must support. However, we really must have a plan that will be good for all South Australia and the community. We are talking about a proposal—

Mr Brokenshire interjecting:

Mr WRIGHT: I am coming to that; you would be disappointed if I did not. This proposal involves an area right in the heartland of Royal Park, Hendon and Queenstown. It will cut across the boundaries of various electorates. Members will be surprised to know that it will take in some of the seat of Lee. I know that the honourable member's predecessor for the seat of Lee was never able to make any contribution in defence of the people who lived here but the current member will be different. A proposal of this kind will affect residential housing, a primary school and commercial premises. The location selected for this waste and transfer facility on the corner of Old Port and Tapley's Hill Roads is simply not sustainable.

Another problem to which I would like to draw members' attention is that this is not the first time the local community has had to go through this exercise. Once before, the then named South Australian Planning Commission in December 1993 refused this application. It involved the same site, but the application was slightly different. Subsequently, that application was knocked out on appeal by the Environment, Resources and Development Court and, then, on 5 July 1995 by the Supreme Court. Here we go again on the merry-go-round, with the same site and the same applicant but with some variation to the actual detail of the application. We have a proposal for some 1 000 tonnes of delivery per week, which is totally unacceptable.

The Hon. D.C. WOTTON (Heysen): I want to take this opportunity today to add my support to the magnificent work of the Investigator Science and Technology Centre. This excellent centre is enjoyed by many South Australians and many visitors from other places. In fact, the statistics in the 1996-97 annual report indicate that for that year some 122 558 people enjoyed that facility.

Mr Brokenshire interjecting:

The Hon. D.C. WOTTON: Yes, I have visited it on a number of occasions and enjoyed it on each occasion. In addition to visitors paying admission, the Investigator attracts many thousands more to outreach visits throughout the State involving special functions, sleep-overs and a range of other events. In the same statistics I was interested to see that 92 per cent of the visitors to the centre were satisfied with their visit: 1 per cent of visitors came from interstate or overseas; 17 per cent came from country regions of South Australia; 70 per cent were visiting for at least the second time; 20 per cent were visiting for at least the fifth time; and, most importantly, 95 per cent of visitors think the Investigator should expand, and so do I. The centre is very fortunate with the excellent sponsors it has and with the supporters from industry in this State. I know that many people in those industries are passionate about the centre. Many of those have supported a number of excellent exhibitions in recent times.

I am concerned, as I know many others are, about the centre's financial situation. Cash flow is becoming a matter of considerable concern to the board, along with a number of other community-based organisations that we all know and have talked about on many occasions. The centre experienced lower visitor numbers in 1996-97 than was the case previously and, of course, that has meant reduced revenue from admissions. That affected the kiosk income, and that can be very disappointing and devastating for the centre's funding. Capital investment in new exhibits and prepayments for hired exhibitions have placed extra strain on finances. Of course, the centre does not receive any operating grants from the State Government, although many other capital city science centres around Australia do receive support. That is a pity, and this Government needs to look at that matter very closely, because we need to recognise that many school visits take place, and they are a major part of the role of the centre. Sponsorship also has been harder to secure than previously, and that has been disappointing to the board as well. I quote from remarks made by the Chairperson of the board of management, Dr Barbara Hardy, AO, as follows:

> In the 1995-96 report I said that an expanded Investigator Centre could contribute to job growth and development of our State, and could offer a wider variety of exhibitions, offer more programs and host popular special events. We firmly believe that, if South Australia is attempting to make its name in Australia (and the world) as the IT State (information technology and associated innovation), a strong and vibrant Investigator Science and Technology Centre is the first step.

I agree with the Chairperson of the board. The Investigator particularly emphasises the importance to this State of science and technology and, if we were able to take that success to other countries of the world, they would be strongly encouraged to understand more about the scientific basis of their industries and their education programs. I believe that the Investigator Science and Technology Centre deserves funding from this Government. It deserves to be able to expand, and it is vitally important that a new site is found as quickly as possible to enable that to happen.

Mr KOUTSANTONIS (Peake): I rise on a matter of importance which will interest almost all members of the House, especially the member for Chaffey, to whom I will speak afterwards. A letter to the Editor in today's *Advertiser* (Tuesday 17 March, page 17), written by Mr Peter Ppiros, the Editor of *Parikiako Vima*, reads:

> As a representative of the local media, the *Parikiako Vima* Greek newspaper, I am very disappointed that I wasn't given the opportunity to attend a meeting organised by the Premier's Department at the Berri Hotel on 10 March, where several people, including other media representatives, were invited to discuss the sale of ETSA with the Premier, Mr Olsen.

He goes on to say:

> The exclusion of the State's only Greek newspaper from such an important discussion indicates that the Government is not treating the ethnic media equal to other media. It leaves Mr Olsen's Department of International and Multicultural Affairs exposed to the question whether it really wants to promote multiculturalism in South Australia.
>
> The role of the Greek newspaper is to inform people on today's issues, just like all other media do, except it is in a language other than English. The proposed sale of ETSA was the main story on the front page of the Greek paper in a recent issue, reflecting the concerns of a variety of people from the community. In this instance, unfortunately, the thousands of our readers were not given the opportunity to get some answers from the Premier on those concerns. Peter Ppiros, Editor, *Parikiako Vima*, Renmark.

I am surprised and concerned that the Premier has been boasting about community consultation since the election, saying that he is going out to meet the people and to discuss the sale of ETSA yet, when he travelled to Renmark, which has a high Greek population, the only Greek newspaper based in South Australia was not invited along.

I also ask another question of the Premier and his Ministers: are the pamphlets that have been sent out to electorates all across the State discussing the sale of ETSA provided in other languages? Are the people who answer the toll free number in Sydney able to speak a language other than English? The Government, the Premier and his department have to realise that the second language of a number of South Australians is English, whilst their first language is something other than English. This is something about which I am very disappointed with the Premier, and I understand the concerns of the editor of this paper. He had every right, along with every other media outlet in Renmark, to be invited to hear the concerns so they could convey those concerns to their readers. I find it amazing that the Government of the day is not taking these papers seriously.

With respect to my electorate, which has probably the largest proportion of non-English background constituents of any electorate in this State, it amazes me that the Premier, his department and his Ministers are not prepared to be accountable to that media. Mr Speaker, can you imagine the outrage if the Premier refused to invite the *Advertiser*, the *Australian* or the local Messenger to hear the Premier discuss the sale of ETSA, something which he has called the most important decision he has ever made? It is the most important decision of this Government. Well, if it is so important, if it is so vital, why does he not consult with the entire community? Why is he leaving out a large section of the community? I wonder how many other newspapers which publish in other languages, such as Italian, Vietnamese, Portuguese, Spanish, Russian, or whatever it might be, are being consulted by the Government, or are we seeing a whole section of South Australia just left out of the process and not being involved in the discussions?

I am sure the member for Chaffey, when I discuss this matter with her if she has not seen it already, will be outraged as well. Her constituents have a right to know. Maybe this is the reason that the Premier had such a low turn out when he went to the Berri Hotel. No-one probably knew about it. It was probably not discussed in the local paper. Probably it was not advertised. He probably did not want local farmers to attend and discuss the sale of their electricity assets. This goes to the heart of this Government's arrogance, and it goes to the heart of this Government's bullying tactics, trying to push through legislation at any cost.

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

Mr BROKENSHIRE (Mawson): I rise to congratulate both the South Australian Dairy Farmers Association and the South Australian Farmers Federation and, in doing so, as a matter of course, I declare my interest as a dairy farmer. About 18 months ago I was reasonably critical of the then structure of the South Australian Dairy Farmers Association in respect of its lack of consideration and thrust towards affiliation or amalgamation with the South Australian Farmers Federation. I was constructively critical on the basis that I have now been in Parliament and in Government long enough to know that, if you have an industry voice that is cohesive and united, you have a much greater chance of being able to get the ear of Government than if you have half a dozen organisations or associations all with a percentage of overall membership running at different angles to try to get their points of view to enhance and develop the industry.

We all know that the two agricultural industries that clearly have the best long-term growth aspects for South Australia are the dairy industry and the wine industry. The ABS statistics have been forecasting that for a number of years now, and the score is on the board. Recently the Chief Executive Officer, Mr Luz Raymond, of the South Australian Dairy Farmers Association, and Frank Beauchamp, President of SADA, have been talking with SAFF and particularly the Chief Executive Officer, Sandy Cameron, and also the President, Wayne Cornish, and proposals are now being put to dairy farmers to look at affiliation.

I believe that this is an excellent model for dairy farmers and an excellent model also to help grow the South Australian Farmers Federation when it comes to one strong united and committed voice towards the prosperity and economic wealth of the farming fraternity and all South Australians. I want to congratulate these people who have been the leaders, and I also congratulate the other people on the State Council of SADA. It is time that we looked at the French model when it comes to agriculture. We have been the backbone of the South Australian and Australian economies for some time.

I am now privileged to be the convenor for the Premier on the Food for the Future Council, something that is extremely exciting to me, which will see the South Australian Government and the South Australian value added food industry and agriculture looking at growing by 300 per cent in just 12 years. The agricultural and economic wealth of this community, currently about $5 billion, is expected to grow to $15 billion by the year 2010. If we are to capitalise on that, we need to look at the models of the wine industry and how well it has lobbied Government and got on with the job in this country, and particularly South Australia where we lead Australia in terms of wine growth.

We also need to look at the French model. French farmers have got more than they deserved in my opinion in many instances because they have got in and spread a strong message to government for generations. I know that our dedicated Primary Industries Minister might at times worry if he saw us modelling in entirety the French way of doing things because his electorate office at Crystal Brook might not always look like it does at the moment. Whether it is dumping oranges, bringing in manure spreaders from the dairy farms, or whatever the French might do, at least they get their message across to the Government. It is time that farmers got their message across in one united voice. I say to the approximately 800 colleagues of mine in the dairy industry, 'Get behind SADA and SAFF with this move and you will see greater opportunities for all South Australian dairy farmers.'

I also want to congratulate National Dairies for getting on with the job of expanding $40 million into South Australia, showing a clear commitment to grow the dairy industry in this State. I hope that, if the takeover of Dairy Vale occurs with Dairy Farmers Cooperative, we in South Australia will reap the benefits of that. It is important and imperative that the Dairy Farmers Cooperative grow the opportunities. The farmers and the Government of South Australia, through the freeing up of water and grape farming technology, want to capitalise on the growth opportunities for the dairy industry. I say to Dairy Farmers Cooperative, 'If you are successful in the next few months in the takeover of Dairy Vale, make sure you capitalise on what we are all committed to—that is, growing the dairy industry of South Australia, not downsizing or rationalising it, but following the National Dairies model where a national and State opportunity was capitalised on.'

Mr MEIER: Mr Deputy Speaker, I draw your attention to the state of the House.

A quorum having been formed:

PETROLEUM PRODUCTS REGULATION (LICENCE FEES AND SUBSIDIES) AMENDMENT BILL

The Hon. M.R. BUCKBY (Minister for Education, Children's Services and Training) obtained leave and introduced a Bill for an Act to amend the Petroleum Products Regulation Act 1995. Read a first time.

The Hon. M.R. BUCKBY: I move:

That this Bill be now read a second time.

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

Leave granted.

This Bill repeals those provisions of the *Petroleum Products Regulation Act 1995* that relate to *ad valorem* licence fees and inserts provisions to support the ongoing payment of subsidies to the petroleum industry to ensure that the price of fuel 'at the pump' does not increase as a result of the introduction of the Commonwealth excise surcharge safety net arrangements.

The High Court's decision in the *Ha and Lim* case in August 1997 has cast doubt on the validity of State legislation imposing *ad valorem* franchise fees on liquor, tobacco and petroleum products.

In order to remove uncertainty, the Commonwealth Government has, at the request of the States and Territories, undertaken to make good any loss of revenue if the States and Territories repeal the relevant provisions.

It will, therefore, be necessary to remove the taxing impact of those provisions relating to *ad valorem* licence fees under these Acts. Tobacco and liquor are being dealt with in separate Bills.

It is now proposed to repeal those provision that relate to *ad valorem* licence fees under the *Petroleum Products Regulation Act 1995*.

The *Petroleum Products Regulation Act 1995* also contains regulatory provisions which deal with such matters as the control and distribution of petroleum products (eg safe storage, etc) and it is appropriate that these provisions remain in force. Nominal licence fees relevant to those activities will remain.

It will also be necessary to modify the regulatory powers contained in the Act to provide for the payment of subsidies following the implementation of the Commonwealth safety net arrangements.

Under the replacement revenue arrangements implemented following the *Ha and Lim* case, a Commonwealth excise surcharge of 8.1 cents per litre applies to all petroleum products produced and imported into Australia. The surcharge applies to petrol consumed in all jurisdictions, including Queensland, which did not previously have a State petrol tax.

As part of the safety net arrangements agreed with the Commonwealth, subsidies are payable on excess revenues raised under the surcharge relative to the State taxes that previously applied to ensure that the price of petrol at the pump does not increase over that previously payable under State business franchise Acts.

This means that in South Australia the following subsidies will apply:

	Subsidy Rate CPL			
	Leaded Petrol	Unleaded Petrol	On Road Diesel	Off Road Diesel
Zone 1	—	—	—	8.10
Zone 2	0.66	0.82	—	8.10
Zone 3	3.17	3.33	1.94	8.10

Other States and Territories are also paying subsidies to ensure that the Commonwealth surcharge does not contribute to an increase in the pump price of petrol that existed before *Ha and Lim*.

Although subsidy payments have been made on an interim basis by agreement between the government and the relevant oil companies, it is essential to formalise the subsidy scheme to ensure that subsidies intended for country areas of South Australia are not exploited.

Consultation has occurred with the oil companies and distribution representatives who support the development of a legislative-based subsidy scheme as set out in the Bill.

The Commonwealth Government has implemented the safety net arrangements on the clear understanding that States and Territories will repeal the relevant sections of their State Franchise Acts and that overall there be no additional revenue collected as a result of the arrangements.

This Bill puts that commitment into effect in respect of petrol, and separate amending Bills deal with the removal of the *ad valorem* license fee components of the Tobacco Products Regulation and Liquor Licensing Acts.

I commend the Bill.

Explanation of Clauses

Clause 1: Short title

This clause is formal.

Clause 2: Commencement

This clause provides for commencement of the measure on a day to be fixed by proclamation.

Clause 3: Repeal of s. 3

This clause repeals the objects provision. This change is consequential on the removal of *ad valorem* licence fees.

Clause 4: Amendment of s. 4—Interpretation

This clause removes definitions that are no longer necessary because of the removal of *ad valorem* licence fees and adds definitions of 'bulk end user certificate', 'certificate', 'Commonwealth customs duty', 'Commonwealth excise duty', 'eligible petroleum products', 'off-road diesel fuel user certificate', 'retail licence', 'wholesale' and 'wholesale licence'.

Clause 5: Insertion of ss. 4A to 4D

4A. Retail quantity

The proposed section defines 'retail quantity' for the purposes of the Act.

4B. Bulk end user

The proposed section defines 'bulk end user' for the purposes of the Act.

4C. Off-road diesel fuel user

The proposed section defines 'off-road diesel fuel user' for the purposes of the Act.

4D. Notional sale and purchase

The proposed section provides a power to make regulations to allow certain notional sales and purchases of petroleum products to be taken to be sales and purchases for the purposes of specified provisions of the Act.

Clause 6: Repeal of Part 2 Division 1 heading

This clause repeals a Division heading.

Clause 7: Amendment of s. 8—Requirement for licence

This clause makes changes that are consequential on the removal of *ad valorem* licence fees. It also distinguishes between retail and wholesale selling of petroleum products and provides that a licence is not required for the sale of petroleum products as a bulk end user.

Clause 8: Amendment of s. 9—Issue or renewal of licence

This clause makes changes that are consequential on the removal of *ad valorem* licence fees.

Clause 9: Amendment of s. 10—Licence term, etc.

This clause amends the Act so that—

- all licences under the Act are annual licences; and
- a licence is not transferable except by way of variation of the licence under section 12.

Clause 10: Amendment of s. 11—Conditions of licence

This clause expands the Minister's power to impose conditions on licences to include—

- conditions for the purpose of ensuring that a vendor of petroleum products cannot recover from a purchaser that part of the sale price equal to the amount of the subsidy paid or payable under the Act in respect of that quantity of petroleum products for that sale;
- conditions as to terms that contracts between manufacturers or importers of petroleum products and purchasers must contain in relation to the time of payment for that component of the sale price of the petroleum products referable to Commonwealth excise or customs duty paid or payable by the manufacturer or importer.

Clause 11: Amendment of s. 13—Form of application and licence fee

This clause amends the Act so that an application for the issue or renewal of a licence cannot be granted except on payment of the appropriate fee under the regulations. This change is consequential on the removal of *ad valorem* licence fees.

Clause 12: Repeal of Part 2 Division 2

Clause 13: Insertion of Part 2A

PART 2A
SUBSIDIES

20. Entitlement to subsidy

The proposed section provides that, subject to the section, the following persons are entitled to a subsidy:

- the holder of wholesale licence for eligible petroleum products sold by wholesale in accordance with the licence to the holder of a retail licence who purchased the petroleum products for sale pursuant to the retail licence;
- the holder of a wholesale licence for eligible petroleum products sold by retail pursuant to a retail licence held by the wholesaler;
- the holder of a wholesale licence for eligible petroleum products sold in accordance with the licence to the holder of a bulk end user certificate;
- the holder of a wholesale licence for diesel fuel sold in accordance with the licence to the holder of an off-road diesel fuel user certificate or bulk end user certificate that bears an off-road diesel fuel user endorsement;
- the holder of a retail licence for eligible petroleum products purchased for sale pursuant to the licence, if sold to the holder by wholesale and the wholesaler has no entitlement to a subsidy under the Act in respect of the transaction;
- the holder of an off-road diesel fuel user certificate or bulk end user certificate bearing an off-road diesel fuel user endorsement for diesel fuel purchased from the holder of a retail licence.

Only one subsidy is payable (whether under the Act or a corresponding law) in respect of one quantity of eligible petroleum products.

The rate of subsidy is set out in the section.

21. Claim for subsidy

The proposed section requires that a claim for a subsidy be made in a manner and form approved by the Commissioner and contain the information required by the Commissioner. It also requires a claimant to provide any further information that the Commissioner requires for the purposes of determining whether the

claimant is entitled to a subsidy and the amount of subsidy payable to the claimant.

22. Payment of subsidy

The proposed section requires the Commissioner to pay a subsidy in respect of a claim if satisfied that the claim has been made in accordance with the Act and the claimant is entitled to a subsidy in respect of the sale or purchase of eligible petroleum products to which the claim relates.

23. Amounts recoverable by Commissioner

The proposed section sets out the cases in which a person must repay a subsidy to the Commissioner or pay to the Commissioner an amount equal to a subsidy. The section also requires an additional payment of a penalty of an amount equal to the amount of a payment or repayment required by the Commissioner under the section, but empowers the Commissioner to remit the penalty for proper cause.

23A. Bulk end user certificate

The proposed section empowers the Commissioner to issue a bulk end user certificate to an applicant if satisfied that the applicant will, during the period for which the certificate is to be in force, purchase eligible petroleum products for use as a bulk end user. The section sets out the conditions that a certificate will be subject to.

23B. Off-road diesel fuel user certificate

The proposed section empowers the Commissioner to issue an off-road diesel fuel user certificate to an applicant if satisfied that the applicant will, during the period for which the certificate is to be in force, purchase diesel fuel for use as an off-road diesel fuel user. The section sets out the conditions that a certificate will be subject to.

23C. Off-road diesel fuel user endorsement on bulk end user certificate

The proposed section empowers the Commissioner to make an off-road diesel fuel user endorsement on a bulk end user certificate if satisfied that the person will purchase diesel fuel for use as an off-road diesel fuel user during the period for which the certificate is to be in force or during the unexpired period of a certificate if a certificate is already in force. A certificate with such an endorsement will be subject to the same conditions that an off-road diesel fuel user certificate is subject to.

23D. Variation of certificate

The proposed section empowers the Commissioner to substitute, add, remove or vary a condition of a bulk end user certificate or off-road diesel fuel user certificate, either on application or at the Commissioner's own initiative.

23E. Expiry of certificate, etc.

The proposed section provides that a bulk end user certificate or off-road diesel fuel user certificate expires on the third anniversary of the date of issue of the certificate and can be renewed on application for successive terms of three years. It also provides that the holder of a certificate may surrender it to the Commissioner at any time and that a certificate is not transferable.

23F. Form of application for issue, renewal or variation of certificate

The proposed section requires an application for the issue, renewal or variation of a bulk end user certificate or off-road diesel fuel user certificate or for the making of an off-road diesel fuel user endorsement on a bulk end user certificate to be made in a manner and form approved by the Commissioner and contain the information required by the Commissioner. It also requires an applicant to provide any further information that the Commissioner reasonably requires for the purposes of determining the application.

23G. Form of certificate

The proposed section provides for a bulk end user certificate or off-road diesel fuel user certificate to be in a form determined by the Commissioner.

23H. Offence relating to certificate conditions

The proposed section makes it an offence for a person to contravene or fail to comply with a condition of a bulk end user certificate or off-road diesel fuel user certificate and fixes a maximum penalty of $10 000.

23I. Cancellation of certificate, etc.

The proposed section empowers the Commissioner to cancel a bulk end user certificate or off-road diesel fuel user certificate or remove an off-road diesel fuel user endorsement from a bulk end user certificate by notice in writing to the holder. It also empowers the Commissioner to require the return or production of the certificate, makes it an offence for a person to refuse or fail to comply with such a requirement and fixes a maximum penalty of $5 000.

Clause 14: Amendment of s. 35—Controls during rationing periods

This clause makes minor consequential amendments.

Clause 15: Amendment of s. 42—Appointment of authorised officers

This clause provides for authorised officers under the *Taxation Administration Act 1996* to be authorised officers under the Petroleum Products Regulation Act.

Clause 16: Amendment of s. 44—Powers of authorised officers

This clause amends the Act to empower an authorised officer to require the holder of a bulk end user certificate or off-road diesel fuel user certificate to produce the certificate for inspection.

Clause 17: Amendment of s. 47—Appeals

This clause amends the Act to include a right of appeal to the District Court against a decision by the Commissioner relating to a bulk end user certificate or off-road diesel fuel user certificate, a claims for a subsidy or the issue of a notice under section 23 requiring payments to the Commissioner. The clause also makes changes that are consequential on the removal of *ad valorem* licence fees.

Clause 18: Repeal of Part 10

This clause repeals Part 10 which deals with the application of *ad valorem* licence fees.

Clause 19: Amendment of s. 50—Register

This clause amends the Act to require the Minister to keep a register of holders of bulk end user certificates and off-road diesel fuel user certificates.

Clause 20: Substitution of s. 52

52. Records to be kept of bulk transport of petroleum products

The proposed section requires a person transporting a quantity of petroleum products other than a retail quantity by road in a vehicle to carry in the vehicle a record containing the prescribed particulars and fixes a maximum penalty of $2 500 and expiation fee of $200 for non-compliance.

Clause 21: Amendment of s. 53—Records to be kept

This clause amends the Act to require persons who purchase eligible petroleum products pursuant to bulk end user certificates or off-road diesel fuel user certificates to keep invoices, receipts, records, books and documents as required by the Minister from time to time by notice in the *Gazette* for five years after the last entry is made and fixes a maximum penalty of $2 500 and expiation fee of $200 for non-compliance.

Clause 22: Insertion of s. 53A

53A. Falsely claiming to hold licence, certificate or permit, etc.

The proposed section makes it an offence for a person to falsely claim or purport to be the holder of a licence, certificate or permit and fixes a maximum penalty of $10 000.

Clause 23: Amendment of s. 56—Confidentiality

This clause amends the Act so that confidential information obtained by persons engaged in the administration of the Act can be disclosed in connection with the administration or enforcement of a corresponding law or for the purpose of any legal proceedings arising out of the administration or enforcement of a corresponding law.

Clause 24: Amendment of s. 61—Prosecutions

This clause amends the Act so that prosecutions for expiable offences against the Act must be commenced within the time limits prescribed for expiable offences by the *Summary Procedure Act 1921*.

Clause 25: Amendment of s. 62—Evidence

This clause amends the Act so that a certificate given by the Commissioner stating that a person was or was not the holder of a certificate of a specified kind at a specified date is, in the absence of proof to the contrary, proof of the matters stated in the certificate.

Clause 26: Amendment of s. 64—Regulations

This clause amends the regulation-making power to enable the making of regulations authorising specified powers conferred by or under the Act to be exercised for the purposes of the administration or enforcement of a corresponding law.

Clause 27: Amendment of Schedule 1

This clause amends schedule 1 to change the reference to the *Stamp Duties Act 1923* to the *Taxation Administration Act 1996*.

Clause 28: Repeal of Schedule 2

This clause repeals schedule 2 of the Act. This is consequential on the removal of *ad valorem* licence fees.

Mr De LAINE secured the adjournment of the debate.

MOTOR VEHICLES (DISABLED PERSONS' PARKING PERMITS) AMENDMENT BILL

Received from the Legislative Council and read a first time.

The Hon. DEAN BROWN (Minister for Human Services): I move:

That this Bill be now read a second time.

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

Leave granted.

The purpose of this Bill is to amend the *Motor Vehicles Act 1959* in relation to Disabled Persons' Parking Permits.

Part IIID of the *Motor Vehicles Act 1959* provides for the issuing of Disabled Persons' Parking Permits.

Currently only a person who has a permanent physical impairment that prevents them from using public transport, and also severely restricts their speed of movement, may apply to the Registrar of Motor Vehicles for a Disabled Person's Parking Permit.

The principal benefit of a permit is that the driver of any motor vehicle is entitled, while the vehicle is in the course of being used for the transportation of the holder of the permit, to park the vehicle in designated disabled parking spaces.

An extension of the present scheme has been sought by a number of parties for a number of years. The Government is pleased to put forward this amendment which extends the eligibility for parking permits to persons with temporary physical disabilities, and also to organisations which provide services to physically disabled persons.

The effect of the amendments will be that persons with a temporary physical disability which severely restricts their mobility and ability to use public transport, being disabilities that are not likely to improve within six months, and organisations which provide services to at least four persons eligible for an individual permit, will now be able to apply for a permit and thus be able to use designated disabled parking spaces.

Extending the eligibility criteria will make South Australia's system more consistent with other States. It is proposed to also amend the legislation to provide for recognition of interstate permits.

I would also take this opportunity to foreshadow that the terminology 'disabled persons' parking permit' will be considered as part of the comprehensive review of the Motor Vehicles Act scheduled to be completed by the end of this year. It is anticipated that the terminology may then be changed to 'disability parking permits' which is considered to be a generic term capable of covering both individuals and organisations.

In presenting the Bill, the Government acknowledges the extensive consultation with and support received from groups representing the interests of people with disabilities in South Australia.

Explanation of Clauses

Clause 1: Short title

This clause is formal.

Clause 2: Commencement

This clause provides for commencement of this amending Act by proclamation.

Clause 3: Amendment of s. 98R—Application for permit

This clause widens the category of applicants for permits to include not only individual disabled persons but also organisations that provide services to four or more disabled persons, being services that include transportation services. The definition of "disabled person" (see clause 9), is also widened to include a person with a temporary physical impairment. The other amendments in this clause are consequential.

Clause 4: Amendment of s. 98S—Duration and renewal of permits

This clause provides that a permit issued to a person with a temporary impairment will be granted or renewed for a period of not more than 12 months. Permits issued to organisations and persons with permanent disabilities will be issued for whole years, not exceeding 5, as determined by the Registrar.

Clause 5: Amendment of s. 98T—Parking permit entitlements

This clause extends the benefits of a disabled person's parking permit to organisations that hold such a permit, provided that the permit may only be used while a disabled person to whom the organisation provides services is being transported.

Clause 6: Amendment of s. 98U—Misuse of permit

Clause 7: Amendment of s. 98V—Cancellation of permit

The amendments contained in these two clauses are consequential.

Clause 8: Insertion of s. 98WA

This clause inserts a new section that gives interstate permit holders under corresponding laws the rights of a permit holder under this Part while they are in this State. The Minister will declare a law to be a corresponding law by notice in the *Gazette*.

Clause 9: Amendment of s. 98X—Interpretation

This clause provides two new definitions. The definition of 'disabled person' covers persons with either temporary or permanent physical impairments. The reference to the use of public transport is widened from the current requirement that a person must be unable to use public transport to a requirement that the person need only establish that their ability to use public transport is significantly impeded. 'Temporary physical impairment' is defined to mean an impairment that the Registrar believes will endure for more than six months but not be permanent.

Clause 10: Statute law revision amendments

This clause and the schedule convert penalties from divisions to monetary amounts and change various obsolete references.

Ms KEY secured the adjournment of the debate.

MOTOR VEHICLES (WRECKED OR WRITTEN OFF VEHICLES) AMENDMENT BILL

Received from the Legislative Council and read a first time.

The Hon. DEAN BROWN (Minister for Human Services): I move:

That this Bill be now read a second time.

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

Leave granted.

This Bill seeks to introduce a number of initiatives to provide for more effective management of vehicle identifiers and is complementary to the *Road Traffic (Vehicle Identifiers) Amendment Bill 1998.*

South Australia, along with New South Wales and Victoria, are currently the only States that record details of wrecked and written off vehicles on a Wrecks Register. One of the main sources for obtaining false identifiers to re-identify a stolen motor vehicle is through the damaged car auctions. The most important aspect of a Wrecks Register is to ensure that vehicle identifiers are flagged as inactive on the vehicle registration database. Once the identifiers are flagged they are of little use to re-identify a stolen vehicle, as any vehicle bearing those numbers will undergo a very thorough identity inspection prior to acceptance of an application for registration.

Currently the Motor Vehicles Act and regulations require that the Registrar of Motor Vehicles be notified of all wrecked or written off vehicles. It is now proposed to enhance this requirement by requiring a motor vehicle that has been notified as wrecked or written off to have a "Written Off Vehicle Notice" attached, prior to it being offered for sale. This requirement will also apply to vehicles acquired for re-building and dismantling which are imported into South Australia from interstate or overseas. The presence of a "Written Off Vehicle Notice" will alert potential purchasers of the fact that the vehicle has been recorded as wrecked or written off and will require inspection before being put back into service.

The initiatives proposed for South Australia are consistent with discussions to date by the National Motor Vehicle Theft Task Force. The Task Force was established by the Leaders Forum, which consisted of the Premiers and Chief Ministers of all States and Territories. The Task Force first convened in September 1996 to develop a comprehensive action plan that combines national expertise on the issues of motor vehicle theft. The Task Force has representatives from all States and Territories with membership from Government registration authorities, motor vehicle manufacturers, vehicle and insurance industry representatives, and the police.

The South Australian Government's Vehicle Theft Reduction Committee provided comments on a "Call for Submissions" made by the National Motor Vehicle Theft Task Force in late 1996. The Committee recommended that strategies proposed for the management of vehicle identifiers in South Australia should form the basis of a best practice approach for implementation on a national level.

The Second Hand-Dealers and Pawnbrokers Act which was passed in December 1996, but has not yet been proclaimed, will complement the recommendations contained in this submission. The

supporting regulations under that Act will require persons who deal in the purchase and sale of major vehicle components to:

- establish the identity of the seller of major vehicle components and maintain a record of purchases; and
- issue prescribed receipts for the sale of all major vehicle components.

Where a vehicle is presented for re-registration and it is recorded in the register of motor vehicles as wrecked or written off, it will be required to be inspected. If the repairs to the vehicle required the fitting of major vehicle components (such as a new or second-hand complete body, bonnet or boot-lid) the person presenting the vehicle for inspection will be required to provide satisfactory evidence in the form of original receipts, to verify that the components have been legitimately acquired. This approach is necessary to ensure that the parts have not been sourced from a stolen motor vehicle of the same make and type.

If the person is unable to provide satisfactory evidence, the application for re-registration may be refused. The power to refuse to register a motor vehicle in these circumstances is already available under section 24 of the Motor Vehicles Act.

The following amendments to the Motor Vehicles Act are proposed to provide a best practice approach to the management of vehicle identifiers.

The Bill extends the regulation-making power to enable the regulations to require that a "Written Off Vehicle Notice" be attached to a wrecked or written off motor vehicle prior to the vehicle being offered for sale, including wrecked or written off vehicles imported into South Australia from interstate or overseas. A "Written Off Vehicle Notice" will carry a warning regarding the misuse of vehicle identifiers. The regulations will provide that a "Written Off Vehicle Notice" can only be removed by an authorised inspector.

The Bill proposes that additional information about the area and severity of damage caused to a vehicle be notified to the Registrar. This information will assist inspectors to verify the authenticity of a re-built wrecked or written off vehicle prior to it being put back into service and assist in the detection of stolen vehicles. If notice is not given, or the notice given contains incorrect or incomplete information or the owner fails to verify information in a notice as required by the Registrar or provides incomplete evidence to verify the information in the notice, the Registrar will have power to cancel the registration of the vehicle.

The power to cancel is also to be extended to cases where an application to register a vehicle or transfer the registration of a vehicle is found to contain incomplete information or be supported by evidence that is incomplete.

The Bill provides the Registrar of Motor Vehicles with the power to examine any motor vehicle that has been modified, or fitted with a new engine. The absence of the power to examine provides thieves with the opportunity to disguise a stolen vehicle.

There will be a transitional period of three months from the date of commencement of the proposed amendments to enable persons to notify the Registrar of Motor Vehicles of wrecked or written off vehicles currently held in stock, which have not previously been notified as required under the current provisions of the Motor Vehicles Act.

I commend the Bill to Honourable Members.

Explanation of Clauses

Clause 1: Short title

This clause is formal.

Clause 2: Commencement

This clause provides for commencement of the measure on a day to be fixed by proclamation.

Clause 3: Amendment of s. 44—Duty to notify alterations or additions to vehicles

Section 44 of the principal Act requires the registered owner of a motor vehicle to which certain alterations or additions are made to give the Registrar notice of the making of the alterations or additions. Notice must be given in writing and the regulations prescribe the particulars that must disclosed in the notice.

This clause provides for notice to be given in a manner and form determined by the Minister and empowers the Registrar to require verification of information disclosed in a notice.

The clause increases the fine for failing to give notice from $200 to $750.

Clause 4: Amendment of s. 55A—Cancellation of registration where information in relation to the vehicle is incorrect or not provided

Section 55A of the principal Act empowers the Registrar to cancel the registration of a motor vehicle if satisfied that any information disclosed in the application for registration or transfer of registration was incorrect or if any evidence provided by the applicant in response to a requirement of the Registrar under the Act was incorrect.

The clause extends the power of the Registrar to cancel if information disclosed in an application to register or transfer registration was incomplete or if incomplete evidence is provided in response to a requirement of the Registrar under the Act. It also provides the Registrar with power to cancel the registration of a motor vehicle in relation to which the registered owner is required by section 44 to give notice of alterations or additions if the owner fails to give notice or to verify information in a notice, or provides incorrect or incomplete information or evidence to verify the information in a notice.

Clause 5: Amendment of s. 139—Inspection of motor vehicles

This clause empowers the Registrar, a member of the police force or a person authorised in writing by the Registrar to examine a motor vehicle in relation to which notice of an alteration or addition is given or required to be given to the Registrar by section 44.

The clause empowers an examination of a motor vehicle for any of the following purposes:

- to verify any information disclosed in a notice given under section 44 or evidence provided in response to a requirement of the Registrar under that section;
- to ascertain whether the vehicle complies with any Act or regulation that regulates the design, construction or maintenance of such a vehicle;
- to ascertain whether the vehicle would, if driven on a road, put the safety of persons using the road at risk;
- to ascertain whether the vehicle has been reported as stolen.

Clause 6: Amendment of s. 145—Regulations

This clause amends the regulation-making provisions to widen the scope of regulations that may be made in relation to wrecked or written off motor vehicles and to allow the regulations to confer discretionary powers.

Ms KEY secured the adjournment of the debate.

ROAD TRAFFIC (VEHICLE IDENTIFIERS) AMENDMENT BILL

Received from the Legislative Council and read a first time.

The Hon. DEAN BROWN (Minister for Human Services): I move:

That this Bill be now read a second time.

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

Leave granted.

This Bill seeks to introduce a number of initiatives to provide for more effective management of vehicle identifiers and is complementary to the *Motor Vehicles (Wrecked or Written Off Vehicles) Amendment Bill 1997*. There is evidence that vehicle identifiers, such as vehicle identification numbers (VINs) and vehicle identification plates (formerly known as compliance plates), are being removed from wrecked and written off vehicles and placed on stolen vehicles to provide these vehicles with a new identity. In addition, components are being removed from stolen vehicles and used as spare parts to repair other vehicles.

In 1995 over 126 000 vehicles were reported stolen in Australia at a cost to the community of approximately $654 million. Internationally, Australia has one of the worst car theft problems. In 1995 the rate of motor vehicle theft per 100 000 population was 703, whereas in the United States it was 560. Of the total vehicles stolen in South Australia in 1996, approximately 11 per cent were not recovered.

In South Australia alone, the cost is estimated to be between $50 million and $70 million annually. Although the number of vehicles stolen in South Australia has declined in recent years, the percentage of stolen vehicles not recovered continues to be a concern. The fate of these vehicles is not known, but it is believed that:

- some vehicles are re-identified and then sold;
- some are dismantled for spare parts; and
- others are removed from South Australia to another State or Territory, or shipped out of Australia.

In early 1995 the Government's Vehicle Theft Reduction Committee focused its attention on the handling and disposal of vehicle identifiers and the identification of re-built and repaired motor vehicles. The disposal of wrecks through the insurance and auction industry was also considered.

In May 1995 the Hon. Attorney-General established a Vehicle Identifiers Task Force. The role of the Task Force was to examine and identify areas within the vehicle industry where improved management of vehicle identifiers could further reduce vehicle theft.

A Working Party was established in May 1996 to implement the recommendations made by the Task Force. To ensure that a wide range of views were obtained, extensive consultation was held with industry representatives from the Motor Trade Association, the Royal Automobile Association, the Insurance Council of Australia, the South Australia Police and the Attorney-General's Department.

A booklet entitled 'Guidelines for the Management of Vehicle Identifiers' was prepared. Copies of the booklet were distributed to industry and relevant Government agencies for comment. The feedback received indicates strong Government and industry support for the guidelines and the introduction of the proposed legislative amendments. It is expected that the guidelines will assist industry to understand its obligations and comply with the existing and proposed new legislation.

To minimise the illegal practice of vehicle identifiers being used to re-identify stolen motor vehicles, it is proposed that the vehicle identification number of a wrecked or written off vehicle be flagged as inactive. A system known as the "National Exchange of Vehicle and Driver Information System" (NEVDIS) is to be introduced to provide access to national data on vehicle identification numbers flagged as inactive for wrecked or written off vehicles.

The proposed recommendations for the management of vehicle identifiers will place South Australia at the forefront of Australian States in theft reduction counter-measures.

The following amendments to the Road Traffic Act are proposed to provide a best practice approach to the management of vehicle identifiers.

The Bill makes it an offence for a person to affix to a vehicle an engine number, chassis number or VIN other than the number originally allotted to that vehicle by the manufacturer, or to attach to a vehicle a vehicle identification plate other than the plate approved or authorised for placement on that vehicle under the Commonwealth *Motor Vehicles Standards Act 1989*.

In the case of a vehicle that has been re-built using new or second-hand major vehicle components, such that it no longer complies with the manufacturer's specifications, it will be an offence for a person to place on the vehicle a VIN or vehicle identification plate other than a number allotted to that vehicle by an inspector or approved authority under the law of another State or a plate approved or authorised for placement on that vehicle by an inspector or such an authority.

The Bill provides that if the manufacturer's engine number has been removed from an engine either illegally or during reconditioning, or a new replacement engine has been supplied by the manufacturer without an engine number, it is an offence for a person to place on the engine an engine number other than a number issued by an inspector or authority approved by the Minister.

It will also be an offence for a person to manufacture, sell or offer for sale a vehicle identification plate without the approval of the Minister or have such a plate in his or her possession without reasonable excuse.

The Bill consolidates and strengthens the existing statutory provisions relating to vehicle identifiers by incorporating in the Road Traffic Act offences currently in the Road Traffic Regulations and substantially increasing the penalties for these offences. These provisions include the offences of manufacturing, selling or offering for sale a vehicle that does not bear a vehicle identification plate and the offence of driving a vehicle that does not bear a vehicle identification plate.

The Bill prescribes a range of penalties for breaches of the proposed provisions. It is essential that meaningful penalties be established that are appropriate for vehicle theft and related illegal activities.

Explanation of Clauses

Clause 1: Short title

This clause is formal.

Clause 2: Commencement

This clause provides for commencement on a day to be fixed by proclamation.

Clause 3: Insertion of Part 3A

PART 3A
VEHICLE IDENTIFICATION

110A. Interpretation

This proposed section is an interpretative provision.

110B. Motor vehicle or trailer must bear vehicle identification plate

This proposed section requires a motor vehicle or trailer to bear an identification plate (unless the Australian Design Rules applicable to the vehicle or trailer at the time of its manufacturer did not require it to bear such a plate).

110C. Offences

Proposed subsection (1) makes it an offence for a person to manufacture a motor vehicle or trailer that does not bear a vehicle identification plate for that motor vehicle or trailer. The maximum penalty is a $2 500 fine.

Proposed subsection (2) makes it an offence for a person to sell or offer for sale for use on roads a motor vehicle or trailer that does not bear a vehicle identification plate for that motor vehicle or trailer. The maximum penalty is a $2 500 fine if the offence is committed in the course of trade or business. In the case of an offence not committed in the course of trade or business the maximum penalty is a $1 250 fine and the offence is expiable on payment of a fee of $160.

Proposed subsection (3) provides that a person must not, except as permitted by the regulations, drive a motor vehicle or trailer that does not bear a vehicle identification plate for that motor vehicle or trailer. The maximum penalty is a $1 250 fine and the offence is expiable on payment of a fee of $160.

Proposed subsection (4) provides that subsections (2) and (3) do not apply in relation to a motor vehicle or trailer if the Australian Design Rules applicable to the vehicle or trailer at the time of its manufacturer did not require it to bear such a plate.

Proposed subsection (5) provides that a person must not place on a motor vehicle or trailer a plate that could be taken to be a vehicle identification plate approved or authorised for placement on that motor vehicle or trailer by—

- the Commonwealth Minister under the Commonwealth Act; or
- an inspector under the regulations; or
- an approved authority under a law of another State or Territory,

knowing that it is not such a vehicle identification plate. The maximum penalty is a $10 000 fine or imprisonment for 2 years.

Proposed subsection (6) provides that a person must not place on a motor vehicle or trailer a number that could be taken to be a VIN allotted to that motor vehicle or trailer by—

- the manufacturer of that motor vehicle or trailer; or
- an inspector under the regulations; or
- an approved authority under a law of another State or Territory,

knowing that it is not such a VIN. The maximum penalty is a $10 000 fine or imprisonment for 2 years.

Proposed subsection (7) empowers a member of the police force or inspector to remove from a motor vehicle or trailer a plate or number that he or she reasonably suspects has been placed on the motor vehicle or trailer in contravention of subsection (5) or (6).

Proposed subsection (8) makes it an offence for a person to remove, alter, deface or obliterate a vehicle identification plate or VIN lawfully placed on a motor vehicle or trailer. The maximum penalty is a $5 000 fine or imprisonment for 12 months.

Proposed subsection (9) makes it an offence for a person to manufacturer, sell or offer for sale a vehicle identification plate without the approval of the Minister. The maximum penalty is a $5 000 fine or imprisonment for 12 months.

Proposed subsection (10) makes it an offence for a person to be in possession of a vehicle identification plate without reasonable excuse. The maximum penalty is a $2 500 fine or imprisonment for 6 months.

Proposed subsection (11) makes it an offence for a person to—

- place on the engine block of a motor vehicle a number other than the engine number allotted to the engine of that motor vehicle by the manufacturer, an inspector under the

regulations or an approved authority under a law of another State or Territory;

- without reasonable excuse, remove, alter, deface or obliterate an engine number lawfully placed on the engine block of a motor vehicle.

The maximum penalty is a $5 000 fine or imprisonment for 12 months.

Proposed subsection (12) makes it an offence for a person to—

- place on the chassis of a motor vehicle or trailer a number other than the chassis number allotted to the chassis of that motor vehicle or trailer by the manufacturer;
- without reasonable excuse, remove, alter, deface or obliterate a chassis number lawfully placed on the chassis of a motor vehicle or trailer.

The maximum penalty is a $5 000 fine or imprisonment for 12 months.

Ms KEY secured the adjournment of the debate.

LIQUOR LICENSING (LICENCE FEES) AMENDMENT BILL

The Legislative Council agreed to the amendment made by the House of Assembly without any amendment.

INDUSTRIAL AND EMPLOYEE RELATIONS (DISCLOSURE OF INFORMATION) AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 25 February. Page 512.)

Ms KEY (Hanson): I have received information concerning this amendment Bill and have consulted stakeholders in this area. The Caucus decision is to support the Bill.

The Hon. W.A. MATTHEW (Minister for Administrative Services): The Government thanks the Opposition for its support of this Bill and looks forward to its speedy passage through another place.

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

DANGEROUS SUBSTANCES (TRANSPORT OF DANGEROUS GOODS) AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 25 February. Page 513.)

Ms KEY (Hanson): Caucus has discussed this Bill. There has been considerable consultation on a national level. My understanding is that the various Parliaments are moving to have national codes on the transportation of dangerous substances. The Bill is supported by the Opposition.

Mr VENNING (Schubert): This Bill is a very important Bill that offers advantages to the State in terms of consistent requirements based on national and international standards, as the previous speaker just said. With the ever-increasing amount of freight that we see our transport industry carrying, whether by sea, road, rail or air, it makes sense that we apply a national standard or code to the transportation of dangerous goods. The transport industry plays a central role in the efficiency and effectiveness of our industries, and this contributes to our State's competitiveness. The transport requirements also form part of a broader range of issues under the Act. Specific officers authorised under the Act may deal with storage, handling and transport matters under the one Act, using one set of provisions.

In the second instance, this is fine and I would agree and support that, as long as there is some balance in the total equation. In the past we have amended Bills which, when rolled out in everyday practice, become unworkable and to achieve any change it is necessary to move heaven and earth. What was meant to improve efficiencies can actually do the opposite and hinder people in the business. We have seen the Labor Party do this very thing with its central control policy, which is another description for socialism. That bureaucratic red tape which people have to suffer becomes unbearable, whereupon they end up leaving the State. As you know, Mr Deputy Speaker, this Government's policy is to do away with red tape for business, and I support that wholeheartedly.

While we are talking about dangerous substances, another question I would raise concerning this Bill is: what actually constitutes a dangerous substance? Is it something such as snail bait, Drano, paint or petrol, which you have in your garage for your lawn mower? We need distinct clarification on this, otherwise, when the regulations are written, their actual operation will be unworkable. The Act of 1979 describes a dangerous substance as follows:

> . . . 'dangerous substance' means any substance, whether solid, liquid or gaseous, that is toxic, corrosive, flammable or otherwise dangerous and declared to be a dangerous substance for the purposes of this Act. . .

That description has extremely broad ramifications. I know at first hand that the majority of men and women on the land pay particular attention to the handling of chemicals and associated substances on their properties. Most have set aside an area in their shed behind locked doors with a drained floor to a sump, a 'Haz-Chem' sign and all the other requirements.

I would support the move to allow the rural sector to self regulate in this regard, by methods such as effective education programs. A good example of this is the recent acceptance by farmers of a code of practice providing that they do not reap on days of high temperature, in the interests of fire safety. People know that it takes only an overheated bearing with straw packed around it or any other machinery mishap to start a fire that can wipe out not only your crop but also the whole district.

Finally, I reiterate my concern, and if we go to a third reading debate I will ask questions about what is actually a prescribed dangerous substance. We legislate to control dangerous substances but we are not totally specific as to what applies. I do not fully trust a bureaucrat to get it right, particularly after we see the regulations. An Act is effected in this place and the next thing we know regulations are drawn and constituents then ring us up, saying, 'I've just been told I'm not allowed to keep petrol for my lawn-mower in the garage because of your Act of Parliament.' I bet I get a call from a constituent about a departmental official who has done just that, so that concerns me.

I realise that there is an essential place for laws to protect people and the environment; however, the Act and regulations must be sensible, manageable and have efficient working implications. One trusts that these questions will be answered in the third reading stage, and I will certainly be very vigilant about the regulations to this Act. I would ask the Minister in his summing up to address the question of what actually is a dangerous substance and whether he believes the definition is specific enough that the regulations will not have to be revised. With all these provisos, I support the Bill.

Mrs GERAGHTY (Torrens): I support the Bill, but I raise some concerns. It has always been a concern to me and to others that South Australia has been behind other States by not licensing vehicles that carry dangerous goods in bulk. The fact that South Australia appears to tolerate a higher record of accidents and spillage relating to the transport of dangerous substances as a result of an inadequate licensing system is an appalling admission and one that I hope this Bill will redress. Safety provisions which I would seek to have clarified relate to education and training for companies and their drivers and the monitoring processes to be put in place by the competent authority to ensure compliance with the Act. I note that the Bill refers to training and the need for proper vocational qualifications and approved training courses in the transportation of dangerous goods. What educational institutions will be used to facilitate the training required; will they continue to be in the present form? Has a course structure already been developed; what will be the length and duration of the training; and how is it envisaged that drivers will be able to access the course, if they are not new to the industry, without loss of wages?

It is important that workers be informed and understand the cargoes that they transport, so how will the competent authority monitor whether the education and training which is to be delivered is being put into practice by transport companies? These are all very relevant questions because they relate directly to the effectiveness of the Bill and thereby to the safety of the work environment and the overall safety of the community generally. The overall question as to how the legislative provisions are to be monitored is a key issue in this debate. The envisaged safety procedures and penalties referred to in the Act, added to the authorised officers whom the Minister can appoint, give the impression that a pro-active stance will be taken in the policing of the regulations under the Dangerous Substances Bill.

However, impressions can be most deceiving. For instance, how many authorised officers does the Government envisage appointing as a necessary measure effectively to monitor and police the Act in the heavy transport industry? I ask this because, in the industrial arena, companies which clearly breach health and safety regulations appear to get away with it, because there are not enough factory inspectors to police the requirements of health and safety legislation. As a result, we have experienced a shocking number of workplace injuries and, tragically, fatalities, over the past 12 months.

If a transport company is seen to have clearly breached the safety requirements of the Act, what assurances can the Government give that the full penalties will be levied against that company? Once again, the penalties for breaches of occupational health and safety legislative requirements have rarely been brought through into effect and the result to date is a shameful continuation of workplace injuries and fatalities.

Being proactive and not reactive in the monitoring and policing of the regulations in the Act will, I hope, assist in the non-occurrence of accidents involving toxic substances within the community. We cannot afford sickening accidents such as the recent leakage of drums carrying highly toxic chemicals on the Port Wakefield Road that resulted in ill-health to the truck driver, two ambulance officers and eight firefighters—not to mention the dangers posed to the general public.

I have read with interest about the upgrading of our highways to facilitate entry to our metropolitan communities by road trains, namely B-double and A-double vehicles. No doubt, it is envisaged by the Government that A-triple and B-triple road trains will also be a visitor to our metropolitan roadways at some time in the future. I want to make clear that I am not opposed to the upgrade of our roads, but I am sceptical about the reassurances which are being given by the Government and private authorities as to the issues of safety and the benefits that the introduction of A-double and B-double road trains will bring to the State's economy. The South Australian Road Transport Association is quoted in the *Standard Messenger* of 4 February 1998, and the article states:

> A-doubles which carry large freights will cut the number of trucks on the road.

I suppose this assumes safer roads because of fewer semitrailers on our metropolitan roads, less wear and tear, and less pollution. On the other hand, a number of councillors from the City of Port Adelaide Enfield have publicly opposed the entry of A-double and B-double road trains through their communities citing future major traffic and safety hazards caused to people and the area through which the vehicles will travel. I must say that I certainly share their concerns, as a recent collision on a Port Adelaide level crossing between a train and a truck showed that issues of safety cannot be swept under the carpet when dealing with road trains entering the metropolitan area.

A constituent of mine who lives in the electorate has long-life experience driving semitrailers and B-double vehicles. He has driven three million kilometres and is resolute that A-double and B-double road trains should not be allowed to enter metropolitan roads as they are (and I quote his words) 'an accident waiting to happen'. There are also current and ongoing concerns of driver fatigue which were raised by the police just recently. The argument that it will create less traffic is not credible: companies use these road trains because they make money and it logically follows that more will appear on our roads once given the green light to do so.

The fact that the Port Adelaide Enfield councillors were given a *fait accompli* about A-double and B-double road trains entering their community is not a good example of public consultation and genuine involvement with the public in community development, especially in an issue of this nature where communities have real and genuine concerns over public health, safety and traffic management.

I also note that proposed routes for A-double and B-double road trains are to facilitate entry and exit routes for container traffic to and from the Outer Harbor terminal. I have had heard it said within my community—and beyond my community as well, I might say—that this may be to assist in the transportation of mineral products currently mined at Roxby Downs, and that uranium could be part of the minerals entering Outer Harbor by road train. This is of concern to me given the effects to public health should an accident occur in such a densely populated area.

Mr Lewis interjecting:

Mrs GERAGHTY: You say that it has to be absolute nonsense, but we will have to wait and see in the future. I recall that some time ago I raised the issue of the spillage coming across—

Mr Lewis interjecting:

Mrs GERAGHTY: Nonetheless, it is relevant to this debate and we shall wait and see.

Mr Lewis interjecting:

Mrs GERAGHTY: Well, I certainly hope I am wrong but let us just raise the issue. Recent statements from the State Government about investing in the construction of a nuclear waste dump in outback South Australia lead me to that concern. Would nuclear waste be solely from hospitals and Lucas Heights? How is the nuclear waste to be transported and upon what highways is the waste to be transported?

The Hon. R.G. Kerin interjecting:

Mrs GERAGHTY: It is still relevant.

The Hon. R.G. Kerin interjecting:

Mrs GERAGHTY: Well, you say there is no nuclear waste, but is that possible in the future? You are not willing to have an open mind about an issue so we can examine possibilities that may arise in the future. I have not said that they will, but they may and, if so, let us consider it. I hope that metropolitan highway redevelopment in Port Adelaide and Outer Harbor and the re-entry of road trains to Outer Harbor is not a softening-up process for the entry of such kind of waste. I would certainly most vehemently oppose that process and so would the communities not only around that area but also in the whole metropolitan area.

I support the intentions of the Bill, but I will wait and see if the Government takes a proactive or reactive position on the monitoring and policing of this legislation.

Mr LEWIS (Hammond): I wish to make three major points; first, to support the general thrust of the remarks made by the member for Schubert; secondly, to refute the ridiculous proposition that has been put by the member for Torrens about radioactive substances; and, thirdly, to highlight a matter arising out of the dangerous substances legislation overall. Let me begin by dealing with the first that I mentioned. In this legislation the definition of 'dangerous goods' is not even provided for in law, so we cannot debate today what we are talking about. We do know that we are certainly not talking about the Radiation Protection and Control Act 1982, but I will come to that in a minute. That is expressly excluded from the provisions of this legislation and is already the subject of very stringent control.

This legislation provides that dangerous goods are substances or articles declared by regulation to be dangerous. So, the Minister can introduce a regulation that makes a substance a dangerous good and there is nothing we can do about that unless the Parliament is sitting and unless we can get a majority of members in either of the Houses of Parliament to overturn the regulation. But, the way subordinate legislation is structured in the framework of our statute, the moment the House has disallowed a regulation or regulations, the Minister can reintroduce them in the identical form. So, I see the legislation as flawed in that respect.

I say that the current Minister is honourable and trustworthy and would not do anything silly. But, I have said this over the past 18 years and before long the Minister changes and the next Minister does not give a hoot about what was said to the Chamber by his predecessor, whether immediate, once removed or some time ago. The law is the law and they will use the law to suit themselves—or at least they will do as their department bids where they themselves are insufficiently informed to come to a judgment. We have had a few Ministers like that in this place in my time. They do not care for good science. So long as it is politically sustainable, the twits go ahead and do it. I find that to be the most galling aspect of this legislation.

I have illustrated, by referring to that particular point, that we leave the definition of a dangerous good to regulation as an illustration of the general case, because so much of this statute leaves it to regulation to decide. As legislators, that is abrogating our responsibility. We are really saying that people will have to suffer a tad or two before sufficient pressure is brought to bear and it will take 10 to 15 years to change bad regulations and poor law.

In the kind of structure that we have invented in our public service since the Second World War, and increasingly over the past two decades, we have come across this convenient maxim whereby you get the person who is most fanatically committed to that aspect of public administration in law into the role and they wield the little power they have, not in a way which was intended when law was made but in a way which gives them absolute discretion and power as to who can do what and whether or not they will prosecute. That, to my mind, has been poor, and I will give some illustrations of that later in the third context. I do not believe that it is any sense dangerous for a farmer to use Roundup. I wonder whether members opposite—or even on this side for that matter—know much about Roundup as a weedicide.

Mr Venning: Zero, they call it.

Mr LEWIS: Yes, it is a knock-down weedicide that is very innocuous. It is not at all dangerous to people, but because it comes in a drum and it is 'a chemical'.

Mrs Geraghty interjecting:

Mr LEWIS: You wouldn't be ill if you did. Yet, if you used the alternative material—either paraquat or diquat or a mixture of both, which is sometimes called triquat—as a desiccant, you would not need even half an egg spoon in a cup of tea. It is a called a hit-run chemical: there is no trace of it to be found in your system when after two or three weeks you die of a respiratory seizure. There is no evidence of the fact that you consumed it. So, if you really wanted to murder someone you could use that. I am told that it is very effective, but I have never tried it.

Most important of all, dangerous substances, as determined according to law, ought to be so determined based on good science not on emotive opinion. Yet, the bulk of the propositions put to the House by the member for Torrens were based more on emotive opinion. They may be politically correct and acceptable for the moment, but they are not entirely consistent with good science or a clear understanding of the organic chemistry that may be involved.

Mrs Geraghty interjecting:

Mr LEWIS: Whatever the case, I say to the member for Torrens that surfactants and other similar substances are nothing to get her knickers in a twist about. You could work yourself into a lather without any effort at all with surfactants, because that is what they are meant to do, but they are not dangerous in any real sense.

I do not think that I need to say much more about that, but as a member representing a rural electorate I can say that my workload will go up a notch or two as a consequence of the kind of regulations that will have to be monitored. In the first instance, it will be pretty much commonsense, but after a few years I would not mind betting that some really whacky decisions are made about what is put into the regulations and what you can or cannot do. It will distress me if farmers are unable to carry categories of farm chemicals which in many instances—and in the instances to which I wish to refer in these remarks—are harmless but, because they are so-called farm chemicals in a drum or some other suitable container, farmers will have to have a licensed vehicle and safety gear. That is the kind of thinking that I have heard at some of the meetings I have attended over the past few years where

people engage in zealotry just because there are 'chemicals' in a drum.

Let me move to the second point regarding the question of radioactivity and substances of this kind. I do not know whether the honourable member read the second reading explanation given by the Minister for Government Enterprises, but for her benefit I will read it again. It states:

> In particular, the new regulations will not apply to the transport of any radioactive substance or radioactive apparatus that is subject to the operation and control of the Radiation Protection and Control Act 1982.

So, it is irrelevant to be saying that this Act does not go far enough or that its regulations may be deficient in some way that may cause people to be alarmed about the transportation of radioactive substances.

Mrs Geraghty interjecting:

Mr LEWIS: Now come on! These materials cannot even be despatched on a weigh bill from any place in which they are to be found such as Lucas Heights or a hospital or anywhere else. Radioactive substances cannot be despatched unless the weigh bill explicitly states that they are there. Under law, you cannot even get them out of the building or premises in which they are located unless that is stated on a very special kind of weigh bill, which describes the kind of transportation equipment which may only be used and the way in which its operators must be licensed.

So, it is not a problem. Anyone anywhere in Australia who comes across a drum of substances that has been spilt on the roadside can be absolutely certain that that substance is not radioactive. It cannot be loaded onto a vehicle by anyone that has it on their premises. Let me repeat: it cannot lawfully be loaded or despatched lawfully from storage without those provisions being met. They are stringent provisions. So I say: 'Don't worry'.

Let me now turn to the other matter in the Controlled Substances Act to which I wish to draw attention briefly: that is, this crazy situation that we have in law in South Australia regarding the use of substances to control white ants on building sites. If we are buying a home or paying a contractor to build a home we will want to be sure that the substance applied to the building site is applied in sufficient quantities and at a sufficient rate to control white ants. You pay to protect your home from an attack of termites, yet the law only requires that not more than so much of the material used to control termites be applied to the site. There is no consumer protection whatsoever.

You cannot sue a contractor who undertakes to provide you with proofing protection of your home from termite attack. You cannot sue a contractor who says, 'I have done it according to law', when they may have simply sprayed it with olive oil and water and soap. In law, all they must declare is that they did not use more than so much of that substance. The law does not require them to declare that they have used any of the substance. In law they do not have to use any of the substance. They can fraudulently take money from you claiming to be a contractor proofing your house against white ant attack and get away with it.

That is how stupid the law is in this instance. No-one will prosecute. I have tried on behalf of honourable and decent people in the industry to get this law changed for years. I have tried on behalf of aggrieved citizens who, having bought a home and been told that it had been proofed against white ant or termite attack, shortly after have found that termites have attacked the timber. They have pursued the contractor and have found that there has been no case to answer, that the contractor is not required to do anything in law and cannot be prosecuted civilly for committing a fraud. It is high time that that matter was properly addressed. It is a disgrace to pay thousands of dollars and get nothing and then be unable to collect against a person who has defrauded you of it. The law at present is, therefore, an ass.

That is my final contribution to this debate. I will look with great interest at the regulations that are promulgated under the aegis of the legislation if and when it passes both Chambers.

Mr McEWEN (Gordon): I will speak briefly in support of the Bill. In so doing, I muse at the fact that most speakers today have addressed every issue other than issues pertinent to the Bill. It surprises me that members, when addressing the Bill, do not stick to the substance of the measure.

The Hon. W.A. MATTHEW (Minister for Administrative Services): I particularly thank the member for Gordon for his contribution, because it is an accurate contribution. The member for Hanson was also accurate in her contribution and I thank her as Opposition speaker for her indication of the Opposition's support for the Bill. A wide ranging series of questions was asked about the Bill during the debate. If members wish to further pursue those questions, they can be asked in Committee. However, I put it to members that I am happy to have their second reading speeches examined in detail and responses furnished to them to assist members in their deliberations. While I appreciate and understand the concerns of the member for Torrens about radioactive material, that is not the subject of this Bill. As the member for Hammond correctly identified, radioactive material is addressed in the Radiation Protection and Control Act 1982.

It is administered by the Department for Human Services through the old South Australian Health Commission. Radioactive substances are class 7 dangerous goods under the United Nations dangerous goods classification scheme, which is used by all Australian Governments in dangerous goods legislation. Therefore, that issue is not affected by this legislation. In fairness, the member for Torrens is not the only member who has expressed that concern: other members have expressed it outside the Parliament. The regulations when drafted will contain a clear statement to ensure that radioactive materials are not addressed as part of the substance of this legislation. If the members for Schubert, Torrens and Hammond are happy for me to have their second reading speeches analysed in detail and their questions answered in writing through the Minister for Government Enterprises, who cannot be here for the debate, I will facilitate that. More immediately, we can go into Committee if that is desired.

Bill read a second time.

The Hon. W.A. MATTHEW (Minister for Administrative Services): I move:

That this Bill be now read a third time.

As I indicated to the three members concerned, I will ensure that the matters they raised in the second reading debate are addressed in detail and that replies are furnished to them.

Bill read a third time and passed.

TECHNICAL AND FURTHER EDUCATION (INDUSTRIAL JURISDICTION) AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 25 February. Page 514.)

Ms WHITE (Taylor): The Opposition has considered this Bill carefully—more carefully, I dare say, than the member for Schubert, but I am sure that there are lots of things that the member for Schubert considers very carefully. First, I refer to the Government's second reading explanation, which is a particularly short one comprising four paragraphs in all, and the crux of it goes something like this. The Bill is necessary because the Full Bench of the Industrial Relations Court in South Australia determined in August 1997 that the Minister alone and not the Industrial Relations Commission has the power to determine employment conditions for TAFE workers.

It goes on to say that this questions TAFE employees' recourse to the Industrial and Employees Relations Act 1994 and that amendment to the TAFE Act is needed so that it is clear that there is no intention to prevent the Industrial and Employees Relations Act 1994 from operating. In that case TAFE employees will have recourse to the IRC of South Australia. That is all very well and the Opposition supports that. We will support this Bill in an amended form because what the Bill does is address the problem created with the South Australian Industrial Court decision in August last year that has left the TAFE employees without an award and without recourse or appeal to that third party, the South Australian Industrial Relations Commission. It is the Opposition's intention to confirm the award coverage and conditions of employment for TAFE employees.

I want to focus on the Minister's second reading speech in explaining that there is no intention to prevent the Industrial and Employee Relations Act from operating. It is interesting that the Government has been forced to assert, as the former Industrial Affairs Minister was forced to assert last year after the August court decision, that a situation came about through the Government's own actions and has caused this threat to the TAFE employees' award. That is correct. The Bill has come about because the Government meddled—it stuffed up—and that little experiment has threatened the TAFE workers' award. Let me explain a little bit of the history and let me remind members of the reason why the Bill is before Parliament.

In 1996 the State Industrial Commission heard a case brought by a group of TAFE lecturers who sought to vary the requirements for advanced skills lecturers. The problem started when the Government decided to challenge the jurisdiction of the State Industrial Commission to make an award dealing with classifications. The commission did not agree, so the Government appealed the decision to the full bench of the Industrial Relations Court. The full bench of the Industrial Relations Court upheld the Government's appeal. However, in the process it decided that the Minister and only the Minister could determine such matters. In other words, TAFE employees had no recourse to an independent arbiter and had no right of appeal to the Industrial Relations Commission.

The full bench of the Industrial Relations Court decided that section 43(2) of the TAFE Act gave the Minister 'unfettered power to determine all those matters that ordinarily would fall within the purview of the commission, including the power to regulate the terms and conditions of employment, the extent of leave entitlements and the benefits payable upon retirement'. In other words, the TAFE award was not valid, and TAFE employees could not call upon the award to claim an employment entitlement if there was a dispute.

Quite clearly, it is the intention of the Liberal Government's agenda to attack the jurisdiction of the State Industrial Relations Commission. In this case, it has managed to strike down the entire award for TAFE workers. Members may well be wondering where this leaves the DETAFE enterprise agreement which was agreed to last year and which was approved by the commission. The Government, by its actions, has managed to stuff that up, just as it did with the award.

An honourable member interjecting:

Ms WHITE: The word 'stuff' is parliamentary. It is a clear agenda of the Liberals, but it is hypocritical when one considers the contrasting arguments that this same Government made when fighting the push for a Federal award by TAFE employees in 1995. Members may remember that dispute. At that time, the Government's argument was that a Federal award was not warranted because the State Industrial Relations Commission had very wide-ranging powers. However, after that debate, the Government suddenly wanted to attack the State Industrial Relations Commission, the wide powers of which it had espoused and agreed would be the safeguard and the reason in South Australia for TAFE employees not to be given a Federal award. I make those comments simply to alert members to the fumbling of this Government when it comes to dealing with the working conditions of TAFE employees and providing certainty for those workers.

It really is no wonder that TAFE employees are so insecure. In addition to all this going on with TAFE workers' employment conditions, many of them have been trying to cope with the unsatisfactory situation of waiting to find out whether their job has been outsourced. I am constantly being contacted by very unhappy TAFE employees who say to me that they are certain that their job is about to go but as yet they have not been told. As the Minister draws this debate to a close, perhaps he could comment on the communication of his department with workers within TAFE who are uncertain about their future employment. What is the state of play with respect to the outsourcing of jobs within the TAFE system?

The troublesome decision of the full bench of the Industrial Relations Court arises out of action by the State Liberal Government, which sought to deny TAFE employees to have recourse to an independent umpire—the Industrial Relations Court in this State—in a dispute over those workers' employment classifications. In Committee, the Labor Opposition will seek to amend this Bill slightly. The amendment will have the effect of returning this legislation to the form the Minister first put to me in December, which was the first version of the Government's Bill. The Minister may be inclined to accept my amendment in Committee. The Labor Opposition supports the Bill but will move an amendment in Committee.

The Hon. M.R. BUCKBY (Minister for Education, Children's Services and Training): As the member for Taylor has indicated, the Bill is necessary as a result of an appeal that was made by the State of South Australia to the full bench against a decision by Judge Parsons on the classification of TAFE Act employees. While this implication out of that appeal was not sought by either party, it did come out from the full bench comments that existing State awards and enterprise agreements for TAFE Act employees may not be valid. As a result of that, we have had to come back to the House to ensure that those TAFE employees fall under the ambit of the South Australian Industrial Relations Court. That is the reason for this amendment to the Act.

I will pick up on one comment of the member for Taylor about the outsourcing of jobs within TAFE. She would be well aware that the Federal Government has instigated a user choice method from 1 January 1998. That opens up tertiary education in the area of TAFE or post-secondary education to private providers, and TAFE will be in competition with those private providers.

Some 470 private providers in South Australia already supply a range of further education to trainees and to apprentices. Because of competition laws put down by the previous Federal Government, TAFE must be opened up to that competition as well. We are assessing what sort of courses might be picked up by the private providers and whether they will opt for below capital cost courses and leave TAFE with higher capital cost courses. We are monitoring that and keeping a close eye on it. The member for Taylor has indicated that she has an amendment. We do not support the amendment, and I will explain why during the Committee stage.

In Committee.

Clause 1 passed.

Clause 2.

Ms WHITE: I move:

Page 1, Line 21—Remove:
'subject to this Act'

This returns the Bill to the original form in which it was given to the Opposition.

Amendment negatived; clause passed.

Title passed.

Bill read a third time and passed.

BARLEY MARKETING (APPLICATION OF PARTS 4 AND 5) AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 25 February. Page 514.)

Ms WHITE: Mr Deputy Speaker, I draw your attention to the state of the House.

A quorum having been formed:

Ms HURLEY (Deputy Leader of the Opposition): This Bill seeks to extend parts 4 and 5 of the Barley Marketing Act 1993, which was enacted to give continued legislative authority to the Australian Barley Board which controls the joint scheme for marketing barley in South Australia and Victoria. The ABB was formed during the Second World War under the Federal Government's National Security Wartime Regulations in the interests of barley growers. In 1947 the South Australian and Victorian Governments legislated to continue the work of the Australian Barley Board and set up a scheme whereby those two States jointly marketed barley.

The ABB controls the barley market through a compulsory delivery requirement over the export of barley and oats from South Australia and barley from Victoria, and that is known as the 'single desk' power. South Australia and Victoria together produce over 60 per cent of the national barley crop and, in the 10 years leading up to 1996-97, South Australia exported on average 3.7 million tonnes of grain per annum, worth $680 million per annum. Barley contributed 35 per cent of this value. The Australian Barley Board accounted for about 56 per cent of barley exports from Australia for the year 1995-96, with 20 per cent of the ABB sales being on the domestic market.

The legislation is currently under review as a result of the competition principles agreement which adopted the principle that legislation should not restrict competition unless it can be demonstrated that, first, the benefits of restriction to the community as a whole outweigh the costs and, secondly, the objectives of the legislation can be achieved only by restricting competition. The South Australian and Victorian Governments published timetables for a review of legislative restrictions on competition in June 1996, with the Barley Marketing Act scheduled for review in 1996-97. The barley industry is about to enter the second stage of that review, with the first stage being completed by the Centre for International Economics in November 1997. Instructions for a working party to consider the second stage are due in mid-March this year.

The Centre for International Economics, which did the first stage of the review, was specifically required to, first, address the appropriateness of removing the compulsory delivery provisions of the Act—that is, the Australian Barley Board's export marketing function—and, secondly, address the appropriateness of licence and permit arrangements for grain used for stock feed, malting and other processing purposes within Australia, that is, the domestic market.

The Centre for International Economics found that, first, there was no case on national interest grounds for restricting competition to achieve economies of scale in marketing or financing; secondly, restricting competition imposed significant costs on the wider Australian community; and, thirdly, there were no net benefits to the Australian community from the ABB's use of market power in the domestic market.

The National Farmers Federation and, in particular, the South Australian Farmers Federation, naturally had a fairly strong response to these recommendations. They commented on the adverse effects of dismantling the 'single desk' and removing the legislative powers of the ABB because it would fall disproportionately on rural communities in comparison with any benefits which could accrue to largely metropolitan areas.

They said also that domestic competition policy reforms, that is, the market within Australia, could in some instances inhibit the ability of the Australian industry to operate within the international market. It can be fairly said that the 'single desk' for barley is reasonably well recognised as helping to promote a good price for Australian barley overseas, and that the power of that 'single desk' and the power of that monopoly assists growers in getting the best price for their barley. I understand that there are some variations on that view, but that is the overwhelming view and certainly that of the South Australian Farmers Federation. There is another view that the domestic market might be more easily freed up because competition within Australia could reduce the price for consumers within Australia. However, the Farmers Federation point in that case was that removing the 'single desk' for the domestic market could also impact on the international market.

One of the other concerns is that, if that 'single desk' power were removed, there would not be the critical mass or market power to be able to compete with the very competitive international markets of the United States or the European Union or, indeed, any other large grain trading company.

On the question of domestic competition, the Farmers Federation has said that it can be argued that a more competitive domestic market will provide better opportunities for organisations to capture returns, but this should not be

achieved at the expense of Australia's grain growers. The South Australian Farmers Federation has a fairly strong position on this issue and has sought a continuation of the 'single desk' selling arrangements for the time being, with further investigation to be undertaken to determine the most appropriate structure for the South Australian coarse grains industry over the next 18 months. I understand that it is particularly concerned as well that, if there are any changes, a structure and a regulated timetable should be put in place to give the industry sufficient time to adjust to the new conditions.

The 1993 Act contained a five-year sunset clause, before which time the South Australian and Victorian Governments were to formally consult on the future of the Act. The Bill seeks to extend the time of that sunset clause in its amendments to parts 4 and 5 of the Act. The competition review coincides with the formal consultation required by the Act. Parts 4 and 5 of the Act apply to barley and oats harvested in the season commencing on 1 July 1993 and each of the next four seasons but not to barley grown in a later season. The amendment Bill simply strikes out the word 'four' and substitutes the word 'five'. This extension of a year will enable the review to run its course and it would be expected that at the end of that time the Minister will bring in legislation that will map out the future structure of the barley marketing industry.

In his second reading explanation the Minister said that a one-year extension is also being proposed by the Victorian Government. I would be interested to hear from him what timetable has been proposed for the Victorian legislation and whether the Victorian Government has placed any conditions on the conduct of the second stage of this review. This is a very important issue and, obviously, as the figures I outlined earlier describe only too clearly, barley is a very important industry to South Australia. It earns us valuable export dollars and is a main stay of many of our regional areas.

It is interesting to compare the language of the South Australian Farmers Federation in talking about its own monopoly and in referring to monopolies by unions. It seems that the South Australian Farmers Federation regards banding together for protection and profit as quite a worthy and respectable cause when it is its own cause but when it is for the cause of people providing labour it is not so worthy and respectable and is a monopoly that has to be smashed. Here we have a closed shop for barley growers. They are compelled to join this marketing arrangement. They have no choice in the matter and there is a monopoly, which is used in their interests to achieve the best price. They seek the support of the Labor Party and its parliamentary representatives in continuing that arrangement.

In fact, I am supporting this amendment and believe that we must protect this industry, but I mention in passing that I also believe that other industries, monopolies and groups of people need protection, such as unions. The South Australian Farmers Federation is applying double standards in this instance. We will be very interested to see its position in the lead-up to the final Bill that the Minister will bring into this House at the end of the review period.

Mr VENNING (Schubert): First, I declare my interest as a barley grower. I understand that this legislation is to extend the Act for one more year. Where do we go once that time has elapsed? The industry is working on looking beyond that time to provide a vision for the future. It is a vital issue to the industry. The rural sector has suffered considerable turmoil over the past years with high interest rates, depressed commodity prices, market variables, drought and the like, and it is incumbent upon us in this Chamber to ensure we do not cause this vital part of Australian grain industry any further grief or hardship. Before entering Parliament I was a farmer and I understand first-hand the needs of the industry. I also note that the Minister for Primary Industries lives in the rural community and he would know the situation, as he was once an employee of the Australian Barley Board. He knows how buoyant the industry has been since we have had orderly marketing in Australia. Why would you want to change it? Why are we even discussing these things?

The CIE report that the Government commissioned is deemed to be inaccurate by the industry, with too many variables to give a clear picture. It states that the models used may have technical faults. A report of this nature with ramifications of immense importance needs to be thoroughly examined. Industry spokespersons suggest that this report be given to leading experienced consultants to closely analyse the information, whereupon an assessment can be given. I certainly support this. There are suggestions that the figures are so rubbery that stated significant losses can be turned to profits without extreme alterations to the models. The Japanese export market is vitally important to the feed barley market. The report does not look at how deregulation affects that. There are also substitute grains to that of feed barley, which the report does not comment on. This is not intended to rubbish this report: it is only meant to highlight the anomalies in it.

Secondly, the industry is quite happy to deregulate the domestic market, which I support 100 per cent. That is a big position from where I would have come five years ago. This represents approximately 10 per cent of the total production of our barley. There is an argument that a regulated export market inflates the price of the domestically sold grain. I am not convinced that this is the case. However, why have 90 per cent of the remaining total barley income suffer? I am confident that most growers have two bob each way when it comes to selling their barley, that is, they use both the domestic and exports markets. To deregulate the export market even in 12 months would prove disastrous. Capital reserves would not have accumulated enough to a sufficient level to cope with this move, as we have seen with the Wheat Board with its WIF fund. The Barley Board would have barely 12 months to gather money, and that is nowhere near enough to underwrite the payment to growers.

The industry is of the opinion that one day it may have to deregulate, but we should give it all the assistance it requires to make it a success and not cut it off at the knees before it can establish itself in this fiercely competitive market. This is all because of the national competition policy. Why should we destroy an industry that has had orderly marketing, which the growers of the product support and will fight to retain? I am cross that the national competition policy is infiltrating all levels of our business world and therefore our lives. This is the debate we should have had many years ago: we should have had 3 years ago, and prior to the ETSA sale.

I wonder where we are going with this policy. It is all very well to have grandiose ideas with regard to fairness and equity in our grain marketing and remove all marketing advantage to us. Orderly marketing has been a huge success to our industry. That is great, but what does it do to us in the huge overseas market if we deregulate our market schemes where we are such a small player—in effect less than 7 per

cent? Level playing fields that we hear about in world marketing are a misnomer. There is no such thing—a mirage.

I went to the recent National Outlook Conference in Canberra in January and already we are seeing the European market, the EEC, putting in place a grower support scheme. The US will follow that via a new US farm Bill or whatever. To talk fairness and equity is an absolute nonsense. Here we will make our growers and industry totally exposed to them. Our growers in the past, by marketing together, have insulated themselves against moving foreign market pressures. I wonder why, when some guru in a high place says that we will now adopt this national competition policy, we all melt away and destroy so many of the things that have done so much for our industry. I am too young to remember, but my father told me, as would the Minister's father tell him, of the days before orderly marketing. You arrived at the bag stack, at the rail siding, with your load of bags, you went along to various sheds and you took what price you could get. That could vary from a farthing to 1½ pennies per bushel, and there was no rhyme or reason until you got there. We were price takers in those days, when poverty was huge and the industry often not viable.

Since the late 1940s and early 1950s we have had orderly marketing, and it has served us very well. If growers of any commodity wish to market together, I see no problem with that. I cannot agree with the Deputy Leader's comparison with the situation at Webb Dock at the moment. There is no comparison at all, because it is purely a marketing arm versus the provision of service. I cannot see any reason why anybody at all wishing to go into stevedoring should not be able to do so, with complete freedom. Every Australian citizen should be entitled to do that. If growers wish to market a product together only overseas, I see no problem and cannot see that the comparison is relevant at all.

Canada and the US are envious of our present system. Canada is trying to reinstate the single desk policy after having deregulated its market. The US says it wishes it had our policy in place. So, Mr Deputy Speaker, you can see that our system is the envy of the two largest grain growing countries of the world, and has been for many years. They have used it against us and tried to get around or through it but, to their credit, the growers and the industry have stuck hard to it and we have maximised our marketing opportunities. Strong suggestions from industry sources are that we should wait until the deregulation of the Wheat Board takes place in July next year and, once that has happened, assess the situation objectively on its merits. Haste will be of no real benefit when we are dealing with such an important issue as this. The Barley Board is not sitting on its hands and, while this is occurring anyway, it intends to privatise and become fully grower owned, which is to be progressed while a full and frank assessment can be made on this question of deregulation.

The Wheat Board is the true national body for grain exports: that is, we have one Australian Wheat Board across all States, recognising that the Australian Barley Board sells only for South Australia and Victoria. I only wish that we had an all-Australian barley marketing board; I have desired that for many years and perhaps this will bring it about. The Wheat Board is a truly national body and includes all States, so let us see what comes of this before we jump off the deep end. Let that be the real test.

As mentioned previously, the industry believes that deregulation may come one day. However, grower subsidies such as those in the US and Europe must decline to a point where all growers are on a level playing field. The General Agreement on Tariffs and Trades meets regularly. At every meeting the representatives agree on certain principles, but some countries never fully abide by them, particularly the Europeans. They always seem to support their grain growers with subsidies or tariffs to enable them to market their product cheaply, but we expect Australian farmers to do it on their own with no support at all. We must ensure that all is fair in this regard, otherwise once the single desk is gone it will be mighty difficult to reconstruct it again. We know that it would be impossible; we could never go back. If we take this bridge down, it will never be put back.

This whole process of review over the next year or two also presents an excellent opportunity to discuss the formation of an all-Australian grains marketing board in which all States are involved and which encompasses all grain exports. This would confer the power to market all grains. If someone is overseas doing a deal selling wheat, why can they not also be trying to sell other grain? Once a ship is carrying grain, it does not matter whether it is wheat, barley, legumes—peas or beans—or any other grain. This would cut down on costs not only for overseas marketing but also for shipping. We could make this a plus. When the Wheat Board deregulates, as it has already deregulated the domestic wheat market—and I am in favour of deregulating the domestic barley market—why not put the two together and have an all-Australian grain marketing board? The same board can then market all the commodities—including wheat, barley, legumes, oil seeds—a great list of grains that we grow very effectively.

That would be a big plus out of all this, but the only plus that I can see. If the industry is talking about deregulation, I do not want the Australian Barley Board to be the first to move this way. We should be the last and be able critically to evaluate the whole issue and see how others have handled it. Even if the US and the European Union talk about lowering subsidies paid to farmers, it will take only one or two poor seasons in those countries for heavy lobbying for those subsidies to start once again. We have seen that political pressure there certainly brings results. We have certainly never had that success in our country; Australian farmers are expected to do it on their own.

I attended the ABARE conference only a month ago, where a learned speaker advised that there would always be a system in place, not necessarily called subsidies but as 'set aside' programs or the US Freedom to Farm Act, which restricts farmers in the amount of land they can crop. By doing this they receive a direct payment instead of price support. If that is not another form of subsidy I do not know what is.

In conclusion, I support the Bill before us today. However, serious reviews must take place and firm action plans must be put in place to protect the growers' interests, before we even take one step towards export deregulation of our barley. Too many times in the past we have seen many good intentions end up in disaster for those who were supposed to benefit. After all, our system has worked very well. It is not broken, so why mess with it? I opposed the previous Federal Liberal Government's deregulation of the domestic wheat industry. I do not believe it has done any good at all, but we were told we had to accept that. I also oppose this, for the same reason.

Our industry is going through much change and examination at the moment. We are asked not only to review all our marketing boards but also to deal with a now privately owned railway system. We are asking our storage and handling body

to examine its role, and as a Parliament we will be asked to examine the Bulk Handling of Grain Act. These are very worrying times, particularly when it comes to these serious decisions with long-term repercussions. I am afraid to say that many farmers can neither cope nor understand. It is up to people in our position to protect them and ensure that they are informed of the decisions we make and why we are making them. So, I welcome the fact that this Bill gives us 12 months. At least at the end of those 12 months we will hope to see a way clear for the Australian Barley Board to continue its great success of the past.

Mr WRIGHT (Lee): My contribution will be brief. There may be many good reasons to support this Bill, and I am happy to do so. Obviously, the previous speakers have raised many genuine issues and there is no need for me to go over them. If we are going down the line of a national competition policy and if we are pursuing, at a macro economic level, policies and ideas that have been formulated by the National Competition Council, where is the consistency? There is none whatsoever.

Whether or not you agree with him, the Premier today talked about national competition policy even, potentially, in regard to changing shopping hours. A few weeks ago the Premier argued vehemently about the need to sell off ETSA—because of the Auditor-General's Report and based upon national competition policy. The Premier told the community of South Australia that we can no longer sustain ETSA because of national competition policy.

I believe that the Deputy Leader of the Opposition is dead correct when she points out to the House that there are some inconsistencies here, in talking about pursuing a policy at a macro economic level with regard to national competition policy. The member for Schubert is correct: following a lot of this economic jargon is unrealistic and unfair. However, we cannot have it both ways. If we are to have a policy setting agenda on big ticket issues, where is the consistency with this Bill in giving a monopoly to the Barley Board for an extra 12 months? There is no consistency.

It is neither realistic nor fair to say that we have two completely different issues when talking about what happens on the waterfront as compared to what happens in relation to the Barley Marketing Board. To say that they are completely separate is just not true and is not sensible. The National Farmers Federation is running around Australia with an agenda of wanting to bust open the union movement because it believes that there should be national competition with respect to the stevedoring industry. You cannot have it both ways. I would be interested to know whether farmers around rural South Australia support this.

I would like to know whether farmers support the monopoly that the Barley Board has at the moment. I had the good fortune of teaching and living in Kadina, a rural area and a strong farming community and, although it was a few years ago, there was not the wide endorsement that many people expect with regard to the Wheat Board and the Barley Board. I put it to members that there are farmers throughout rural South Australia who would like to sell barley to their next door neighbour but, if they cannot do that, can they do it on a *quid pro quo* basis? Legally, they cannot. Is that fair?

The Hon. R.G. Kerin interjecting:

Mr WRIGHT: They can. I stand corrected.

The Hon. R.G. Kerin interjecting:

Mr WRIGHT: That was one question I intended to ask in Committee, so I do not have to do that now, Minister. Despite the fact that there may be many good reasons—and I accept them—why this is to be amended to allow a further 12 months, I believe there are inconsistencies. I believe that if we are serious about national competition we must address these inconsistencies. We cannot go down one avenue and talk about selling off ETSA because of national competition or about revisiting shopping hours because of national competition and then bring in a Bill such as this. Where is the national competition principle when the Barley Board Act is amended to give it another 12 months to get its act in order? How long does it need to get its act in order? That is what I would like to know.

Mr Scalzi interjecting:

Mr WRIGHT: I said from outset that I supported the Bill. I was just raising some general concerns.

Mr LEWIS (Hammond): What the honourable member fails to understand is that oils ain't oils. It is easy—

An honourable member interjecting:

Mr LEWIS: There is a great deal of difference in what is produced in the form of grain within that one species—the botanical name of which, for the moment, escapes me. Five minutes ago I had it in mind. However, in different circumstances the resulting grain is very different and the purposes for which it can be used are very different. In consequence of that, if there is to be a means by which people who grow it obtain for it what the marketplace is prepared to offer, then it must be graded and, on being graded, given a description that can enable a single desk marketing authority to obtain the best price for it as a commodity.

That is no guarantee whatever that it was grown profitably by the farmer. It is, for all the world, different from the nature of award rates of pay that are presently prevalent, up until very recently any way, on the waterfront. There we have productivity outcomes which are not in any way reflective of the amount of capital that has been invested in equipment used by the people who have paid those award rates in compliance. They simply do not comply with the agreements they gave and undertook at the time the awards were struck. Those productivity outcomes are poor.

In consequence, it is only fair and reasonable that another group of people who believe that they can do it for less cost be given the opportunity to do so. There are no imponderable seasonal factors involved in that process. There are in the production of barley. The barley that is to be used for feed is not as useful for malting purposes, and vice versa. Previously, barley which was suitable for malting attracted the premium price because it was considered to be the purpose for which one would attempt to grow barley and, if it failed by degrees to meet the highest standards of quality required by maltsters, it was downgraded in price according to what result maltsters could get from each tonne in terms of the quantity of malt from that tonne of grain and the resulting quantity of alcohol that could be produced in the beer brewed from the malt in the wort which is the brew of boiled hops that gives the rest of the liquid its characteristics—hops and other additives.

In more recent time, however, we know that, whereas maltsters seek high starch levels and low protein, intensive animal industry users of barley seek the opposite. They want high levels of protein and lower levels of starch in the grain. That will maximise the conversion factor from a tonne of barley feed to a tonne of meat protein, because the protein levels are higher, where they are lower in starch. The use of barley for feed purposes is very much more extensive to the point where feed users are prepared to pay a premium to get

high protein grain. That is legitimate and reasonable. Until the market properly differentiates, it is sensible for us to extend the operation of the board.

The member for Lee failed to understand that, at present, it is possible to buy barley from marketing organisations or people other than the Australian Barley Board. You can buy barley from New South Wales. They are not a signatory. Indeed, only producers from Victoria and South Australia agree to have an organisation which offers grain on their behalf to the marketplace in open competition—and this is the point I was coming to for the sake of the member for Lee and any other member opposite who thinks that this is in any way similar to the dispute at Webb Dock. That barley is offered in open competition identical in description with barley coming from growers elsewhere in Australia outside of Victoria and South Australia, whether from New South Wales, Western Australia, or whatever. It does not matter. You can get an alternative supplier to supply you if you wish, and trade between the States is absolutely free. There is no impediment to that.

The growers in South Australia and Victoria derive benefit from cooperating with one another. They choose to join the union. They want to be part of that outfit. It is not compulsory for the industry to buy their product and their product alone. There is open competition, and that is the big difference between the situation on the waterfront and the barley marketing arrangements in this country. There was no open competition prior to the Farmers Federation establishing a firm to train people to use equipment and tender for the work.

As far as the legislation is concerned, it is a matter of convenience for the farmers to sell their grain to overseas buyers through one mechanism, across one desk, and thereby guarantee the price they will receive, in cooperation with each other to do so. It is not price maintenance on the commodity at all because a buyer from overseas can go to other farmers or firms elsewhere in Australia to get quotes on an identical description of grain and choose to buy the grain from the competition.

So, there is not a monopoly. In that respect, the member for Lee is also mistaken. This legislation does not create a monopoly; it supplies a commodity to an open and free market that is competing not only with other countries but with other suppliers within this country. For that reason, I am relaxed about supporting an extension of the operations of the board at this time.

The Hon. R.G. KERIN (Minister for Primary Industries, Natural Resources and Regional Development): I thank all members who have contributed to the debate. This Bill is about the extension of the 12-month marketing powers of the Barley Board which need to be made complementary with those of Victoria, which is going through a similar exercise. It is important for people to understand that South Australia and Victoria are joined together in respect of barley marketing. The Australian Barley Board covers those two States, and other entities cover the other States.

The Bill is about extending the authority for barley exports as a single desk. The authority issues both licences and permits for domestic marketing. Those licences and permits were due to expire on 30 June 1998 but that date has now been extended to 1999 to allow the review to run its course. In answer to the member for Lee's question, the extension is purely a matter of timing. These sections of the legislation were due to run out at this time, but that did not synchronise with the holding of the review. So, it is not a matter of getting around anything or of exemptions being made; it is just a coincidence that the time for this matter is going to run out now, and during the next 12 months of the review we hope to get it right rather than being pushed into anything too quickly.

The CIE exercise, on which the review of the Act was started, has been mentioned a couple of times. The structure of that review was probably correct, but the industry and I had some problems with some of its recommendations. I have entered into vigorous debate with the consultants who prepared the report because, although they may not have made any errors, they left things out. The model assumes that feed barley is not easily substituted, that it has a market of its own. The industry knows that quite a few other protein feeds can be substituted for barley. So, it is not as though they have as much power over setting the price for feed barley as the report suggests.

I have problems with some areas of the report, but most of those problems have been addressed, and we have continued on regardless of the matters on which we do not agree. We have not picked up on all the recommendations. We have almost reached decision time with Victoria. Over the past few months, there has been a lot of negotiation. The deregulation of domestic feed barley is not a problem on which both States tend to agree, but the vast majority of industry organisations are comfortable with that. We have already dealt with this in respect of the permit system, so it is not a particular problem.

There is pretty much agreement across the board for the deregulation of domestic malt after a period, but that period needs to be determined. It could be within 12 months, or 12 months after a new entity is set up. The matter of where agreement is still needed is one involving single desk export. Neither State is looking at pulling the pin on single desk export, but it comes down to whether we set a time for deregulation in the future or set a time for the decision to be made on whether or not we continue with single desk export. That is certainly my preference.

I would like to see that decision made after we make the decision on the single desk for wheat exports. The major challenge is to ensure that South Australia and Victoria do not go in different directions, because that would put the Barley Board at enormous risk and we cannot afford to do that. The member for Schubert suggested that the ABB's funds were not high enough. I point out that it has done reasonably well in the last couple of years. It now has reserves of about $30 million, and conventional wisdom would suggest that $50 million to $60 or $65 million is desirable. The point is that a strong Barley Board is needed and that it is just as important as a single desk.

The member for Schubert also referred to turmoil within the grain industry. I do not know whether I agree totally with the honourable member on that point. He also referred to the situation in terms of rail. I think that a lot of people within the grain industry see the privatisation of rail as a major opportunity perhaps to get a better price and to set up a better partnership. As far as SACBH is concerned, it is quite entrepreneurial. The changes to the Act last year were made at the request of SACBH, which I made sure held consultative meetings around the State. So, I do not think there are a lot of problems with that. In terms of production, despite some unsatisfactory areas last year and some unusual weather in other years, we once again broke the harvest record. On a

statewide scale we have actually had three pretty good years. Turmoil is not quite the—

Mr Venning: Concern.

The Hon. R.G. KERIN: 'Concern' is the word that was meant to be used. It has been reasonably and widely identified that the Australian Barley Board needs to be set up in a structure slightly different from its present one. That was a term of reference which we were going to give to the working party. That has now changed somewhat in that the Australian Barley Board has appointed a consultant to have a look at transforming the body into something more suited to today's commercial environment. I congratulate the board on that proactive move, a move that I think is in the right direction. I am quite confident at the moment that the review is headed in the right direction and that we can come to an agreement whereby we will meet the requirements of competition policy without endangering either the equity of growers in the Australian Barley Board, which is an important feature, or the future marketing prospects of South Australian barley growers.

Whilst we are not yet over the line in terms of finalising the terms of reference for stage 2, I thank the South Australian Farmers Federation and the Victorian Farmers Federation for their cooperation. Further, I thank the Victorian Deputy Premier, who is also the Minister for Primary Industries, Pat McNamara, and his office, which has worked very closely with my office, for trying to resolve all the issues that will help us achieve a good result for all involved. I thank everyone for their cooperation in this regard. Obviously, there will be a lot more debate on this matter. However, this measure is purely about an extension for 12 months to ensure that every chance is provided to get this matter right.

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

SUPPLY BILL

Adjourned debate on the question:

That the Speaker do now leave the Chair and the House resolve itself into a Committee of the whole for the consideration of the Bill.

(Continued from 26 February. Page 590.)

Mr HILL (Kaurna): I refer to two Commonwealth agencies. They are not the State Government's responsibility, but because of my frustration in dealing with both of them I thought I would raise the issues this evening in the hope that someone will hear what I am saying and do something about them. The first agency to which I refer is the Child Support Agency (CSA). I know that many members of this place and, indeed, other places have received delegations, correspondence and complaints about the operations of the Child Support Agency. Most of those complaints come from men who have been pinged by the agency and who have been forced to pay part of their income to support their children. It is not on behalf of any of those men that I wish to talk tonight: in fact, it is on the other side of the ledger.

I want to talk on behalf of a constituent of mine, a woman with three children. She and her husband were separated some five years ago. In that time the husband has made only one payment, and that was as a result of the Taxation Department's taking money out of his taxation bill. The man in question has deliberately taken any action he possibly can to ensure that his former wife and children get no benefit from his income. He has totally wiped his hands of his responsibilities, and he has done that by effectively going into the black market. I understand that he made a decision, based on legal advice at the time of the separation, not to pay any money to his wife and his children at any time. I understand that he is a builder by trade, so he is now involved only in the black market.

He does not own any property: I understand that the property he uses, such as his car, and so on, is registered in the name of others. He has no fixed abode, but I understand that he lives in someone else's home. He does not pay tax; he does not put in a taxation form; he does not claim unemployment benefits; and, I understand, he does not appear anywhere on any Government documents. However, his former wife knows that he is earning reasonably good money; he drives a fairly fancy car; he has tools; and he is busy in the community doing things. He has deliberately decided to defraud the taxpayers of the nation and to be mean and nasty to his family.

His former wife has approached the staff of the CSA to get them to do something about it. She said: 'Look, I know he's working. You follow him around: you can find him; you can ping him; and then you can have him pay the amount of money he owes to the CSA and ultimately to the family.' The CSA is unwilling to do that. To be fair to it, I think it lacks either the power or the resources to do those things. When I have spoken to its staff, they have said that there are literally thousands of men in the same situation who have deliberately tried to avoid their responsibilities, and they have no ability to follow those men up. They should be given investigative powers and resources similar to those enjoyed by the Taxation Office and by the Department of Social Security, so that they can pursue some of these people who are actually bludging on the system.

The family that he has left is now obliged to be paid through the social security system. The individual himself is missing out. My constituent is extremely angry about this and is frustrated that the CSA can do nothing about it. I would like to put on the *Hansard* record a few of her own words to give the flavour of the feelings that she has. She states:

> In early 93 I left a marriage and business partnership that in the tax year of 91-92 earned close to $50 000. . . my husband sought legal advice. The advice led him to not pay child support. [My husband] has stated several times that on his legal advice he will continue to refuse to pay. The CSA, Taxation Office and an array of departments have been informed that [my husband] has worked nonstop for five years up to this day, and yet still this is okay. . . [My husband] has owned a new car, has travelled extensively and commuted to and from WA at least four times a year for the past five. . . At present [my husband] has a debt to the CSA for $21 000, $15 000 of which is my children's and $6 000 is a debt for arrears to the CSA. This figure is also a lot lower as [my husband] has proven not to have received any income, has had his payments substantially reduced. This figure with the cash only basis for which he works. . .

That is the situation. I hope that colleagues in the Commonwealth will listen to this plea and do something so that many thousands of families can enjoy a better life by having fathers who have been avoiding their responsibilities made to pay.

The second Commonwealth Government department I wish to speak about is the Department of Social Security. This is a different matter, but involves another constituent who is also a victim. In this case, the constituent has been on an invalid pension for some years. Some two or three years ago an anonymous person sent a complaint to the Department of Social Security alleging that this person was improperly on a pension.

After having the written correspondence for 12 months, the department sent a couple of officers to my constituent's home to interview him. After an hour or so of interviewing him they discovered that there was no breach of any Act. According to the department, he was not defrauding the department and was properly in receipt of his pension. However, my constituent was aggrieved by this process and felt it was unfair that he could be charged and complained about but not have a right to know who was making allegations against him. In fact, the allegations were anonymous but, when he asked the department to show him a copy of the letter against him, the department refused to let him look at it. Not only was he not aware of who sent the letter to the department but also he could not read the substance of the allegations. My constituent tells me that effectively his whole life has been ruined and destroyed by this interaction with the Department of Social Security because he now does not know whom he can trust or who his enemies are. He looks around at his former friends and neighbours and is unaware who of them pointed the finger at him.

My constituent is an unwell man but, nonetheless, he has pursued this matter through the department, through the Administrative Appeals Process and through Government Ministers for about two or three years, trying to get some justice. The justice he would like is to see a copy of the letter that was written about him. Unfortunately, because of the way in which the Department of Social Security operates, he has not been given that right. He has been excluded from the opportunity to see the allegations against him, and I should have thought that in this day and age it would be simply a matter of natural justice. If someone makes allegations against you, you should surely have the right to see the detail of the allegations. It is one thing to try to crack down on rorts, on fraud and people who abuse the system, but it should be done in such a way that those who are being accused of the rorting, defrauding and abuses should have the right to see what is being alleged against them.

In this case my constituent's life has dramatically been made worse because of this false allegation that has been made against him, an allegation that took the department 12 months to investigate. It took only a few hours to resolve, yet now three or four years later he is still trying to get access to the document. I seriously recommend to those who are in charge of these matters that the operations of the Department of Social Security be reviewed so that persons in this situation who have had complaints made against them have the opportunity to see those complaints and to respond.

The DEPUTY SPEAKER: Order! Before calling on the member for Peake, I ask members on my right to either take their seats or leave the Chamber.

Mr KOUTSANTONIS (Peake): I rise to support the Supply Bill. In the great tradition of the Labor Party, we on this side do not seek to block Supply. Today I was concerned yet again to hear the backflip from the Premier on the issue of trading hours. In 1993—I think it was 11 December that year—I saw on the steps of Parliament House the then member for Bragg, as the shadow Industrial Relations Minister, give a solemn oath to the people whom he claimed to represent—that is, the small business community—that his Government, the then Dean Brown Government, would not introduce Sunday trading in the city. The member for Bragg—

Members interjecting:

Mr KOUTSANTONIS: I ask members who want to interject to do so from their own seats. This Government cannot be trusted or taken on its face value. It says one thing and does another. Again, it is left to the Australian Labor Party to defend the interests of small business, which has been abandoned and forgotten by the Liberal Party. I wonder what Sir Thomas Playford and Sir Robert Menzies would think of the Liberal Party today if they saw the way it was treating small business. I remember the 1993 Federal election, when the then member for Wentworth and Leader of the Federal Opposition, John Hewson, claimed that small business was the backbone of the country. If we do not have small business functioning, the country cannot work. Yet we have the Government today and its Ministers gutting small business—and doing so with a smile on their faces. All it is interested in is symbolism. The Premier is not interested in real achievements for South Australia; he is interested in symbolism. It is all about creating a perception that South Australia is on the move again. The fact is that this Government has presided over four years of waste, four years of inactivity, four years of back stabbing, fours years of infighting, of changing Premiers halfway through a term. This Government is more interested in its own survival than that of South Australians.

I suppose most members in this House realise that this six week review is nothing more than lip-service to small business. I am convinced that the Government is committed to abolishing Sunday trading to reward its mates, Westfield. If I were the member for Hartley, with the margin that he has, I would be very concerned about abolishing Sunday trading, because I am sure that a number of small business owner-operators living in his electorate would be very concerned to hear that the Liberal Government, a conservative Party, is talking about crushing small business in this State.

It is estimated that small business employs about 900 000 Australians across the country. If we take the Liberal Party's rhetoric at face value, if we take what it has said in the past as being true, that without small business the country cannot operate, can someone explain to me why it is possible to think that you can abolish Sunday trading in the suburbs and have small business survive? I will explain to members opposite exactly how market forces work. What will happen is that you will have large multinational companies with greater purchasing power outspending their smaller competitors, getting up market share when there is Sunday trading, to try to create a monopoly. I would have thought that our interests lie not only with small business but also with the consumer.

In terms of long-term benefit for the consumer, if Sunday trading or deregulation of trading hours occurs, that will mean that market share will go more and more to larger companies, which will avoid competition and begin to price fix. That is what will happen. If all small competitors or small businesses are removed because of extended trading hours, you will crush the economy.

I am glad that the Deputy Premier has walked in during this debate, because I witnessed him outside on the steps of Parliament House making a solemn promise to traders in the city that there would be no Sunday trading—yet again another backflip. This Government cannot be trusted: whether it is ETSA, Sunday trading or gun laws, it cannot be taken at face value. This saddens me, because the people of South Australia gave the Government a mandate to govern and another chance to run this State, and the best that it can do is break its promises. If the Government had the courage of its convictions it would keep its promises for at least one term.

I do not believe it is asking much of a political Party that it keep its promises.

I used to work for the Shop Distributive and Allied Employees' Association, which protects retail workers, and I have to say that they need a lot of protection from this Government and its ilk in Canberra. In my time as an industrial officer for the Shop Distributive and Allied Employees' Association I saw workers' rights eroded over and over again. The funny thing is that the Government has claimed that small business and unions often do not have any common ground. I can tell members where there is some common ground: it is over Sunday trading and trading hours. Small business knows that it cannot compete with large companies on Sundays. Business precincts such as Norwood, Glenelg and Thebarton Main Street on Henley Beach Road (with which the member for Hanson and I are currently involved) and, I am sure, the shopping precincts in the electorates of some members opposite will find it very difficult to compete on Sundays, with Westfield Marion and the city open at the same time.

These traders will not be able to survive and therefore will have to close down. When that happens, jobs will be lost, unemployment will rise, competition will go out the window and, therefore, prices will rise. However, the free market Party opposite wants to reward its rich mates, reward Westfield and give them what they want—total deregulation of trading hours. The Government wants to see these large multinationals take up complete market share of all retail trade in South Australia. It does not want any competition and it does not want to see any free trading. It is very sad. I am sure that small business has been betrayed for the last time by this Government and it will not have another opportunity, because at the next election I can guarantee that, in the same way that John Howard and his Government took our battlers, we will take the small business operators who support the Government.

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

Mr KOUTSANTONIS: As I was saying, small business in this State has been betrayed; the Liberal Party has let them down yet again. The Liberal Party is systematically going about South Australia isolating every constituency it claims to represent. The Labor Party will be there to pick up every single one of those votes. Given the last election result, if I were the member for Hartley, I would sit very quietly and distance myself from this Government as much as I could, because he has only a few years left.

The Hon. M.K. Brindal interjecting:

Mr KOUTSANTONIS: The member for Unley talks about fish and chip shops. I am quite proud of my family's working in a small business. I am not sure of the member for Unley's background but I think he was a teacher. I do not think he has ever worked in small business in his life. He should not criticise small business owners. I have run a small business, and I resent the member for Unley's saying that fish and chip owners do not know what they are talking about—at least I think that is what he said. I do not want to misrepresent him.

The Hon. M.K. Brindal: That's not what I said.

Mr KOUTSANTONIS: I take that back. I do not want to misrepresent the member for Unley. We will do what we can to make sure that every small business retailer in South Australia knows exactly how they have been betrayed by the members for Unley, Hartley and Light, the Premier and the Deputy Premier. In the same way that the Howard Government claimed to take Labor's battlers away from us, we will do our utmost to take the Liberal small business battlers away from the Olsen Government. It is not that hard. They are rushing into our arms. They cannot believe that the Party they have supported their entire life has turned around and knifed them in the back.

I am sure that all those small business owners in Unley and Hartley will be ready to hear Labor's vision for the year 2000 and beyond about how small business should be protected from the evils of capitalism and 24-hour trading in the city—let alone the effect it will have on retail workers and their families. It is obvious that this Government has no consideration for the hardship that will be endured by retail workers and their families when they have to work on Sundays while everyone else is at home. I have not heard anything about banks opening on Sundays.

Mrs MAYWALD (Chaffey): Last week, my electorate was favoured with a visit by the Premier Mr Olsen as part of what I understand is a planned road show to country areas by senior Government Ministers. The reported purpose of the road show, of which the visit to Berri last Tuesday was only the first leg, so to speak, is to give the Premier an opportunity to sell his ETSA and Optima privatisation proposals in country electorates. I was astounded to read media reports that the Government had commissioned research to gauge public reaction to its electricity asset privatisation proposals. I could have saved the Government all the money it spent on this research.

The reality is that a substantial majority of the country people with whom I am in contact on a daily basis have made very clear that they have grave concerns about the Government's plans to sell off ETSA and Optima. It comes as no surprise to me that the Government's own research has confirmed that country electorates, including my own, are areas where opposition to the sale of the State's electricity assets is strongest. I am surprised that the Government is so out of touch with country electors that it needs the services of a research firm to establish the views of country people. The reasons for the opposition in the country to a wholesale sell off are not hard to find. I regularly receive representations from country electricity consumers, both domestic and commercial, who have had or are contending with various service supply and delivery problems and delays by ETSA. It is no coincidence that these delays and problems have arisen almost in direct proportion to the steady reduction in ETSA staffing and resource levels in country areas in recent years.

As far as country electricity consumers are concerned, the present situation can only get worse if ETSA is privatised. The corporation has already found it difficult to fully maintain and meet its community service obligations in rural areas. The problems that have been brought to my attention in respect of ETSA services and the reduced level of staffing, resources and equipment it now maintains in my electorate are pretty good indicators of the corporation's problems. A privatised ETSA would have even less incentive to maintain these important community obligations.

The primary obligation of a privatised ETSA would be to its new shareholders. The corporate objective of a privatised ETSA would be further cost reductions and profit maximisation in order to maximise the return on shareholders' funds invested in ETSA. Community service obligations would

receive little more than lip-service from the managers of a privatised ETSA. Their obligations would lie elsewhere.

I have to say to the Premier that country electors are not attracted to the argument that the present State debt burden would be substantially eased by ETSA's sale. There are no free lunches when it comes to repaying State debt. All that a sale of ETSA would achieve is the transfer of a burden of debt payment from South Australian taxpayers as a group to a more select group within the same South Australian community. I refer of course to electricity consumers.

Within this diverse group, I am convinced that country electricity consumers who lack significant collective or individual market power would be more adversely affected than any other group of electricity consumers by a transfer of ETSA's ownership and control to the private sector. I say this despite any electricity price surveillance measures or regulations that the Government may propose to put in place to monitor, report on, or regulate electricity pricing and charging policies.

ETSA is currently a major contributor to State revenue and a substantial taxpayer. As a tax-paying corporation, it is liable for the usual range of State taxes and charges such as payroll tax, land tax, stamp duty, royalty payments and so on. In addition, it pays the Government a statutory levy higher than market interest rates on its government borrowings, notional income tax and special dividends. The Government proposes to bundle up and sell the present value of the estimated future stream of ETSA payments.

To achieve a selling price which reflects anything like the true capitalised value of the ETSA and Optima assets, the Government would have to allow the purchaser to set electricity prices at market rates or it would have to underwrite the new owner's profits. For country consumers, electricity tariffs is a critical issue that will affect the future sustainability of many businesses and communities, including in my own electorate. Regrettably there is no guarantee in anything so far announced by the Premier that gives me any confidence that rural, domestic and commercial consumers would be or could be protected over the longer term, or even beyond the term of this Government, from a move to full market pricing by private generators and distributors.

There is another issue that is of concern to me to which I wish to direct some comments. The Riverlink proposal, which was given in-principle approval by the Government in December last year, will entail the construction of some 330 kilometres of electricity transmission line between South Australia and New South Wales. The claimed purpose of this major infrastructure expenditure, which is expected to cost some $100 million, was to meet projected electricity peak load demand shortfalls in the State in 1999.

In effect, however, South Australia will be receiving cheap base load power for up to five years through the Riverlink interconnector from New South Wales at a time of artificially low prices from black and brown coal generators in both New South Wales and Victoria. One consequence of the import of cheap New South Wales base load power is likely to be that the New South Wales power will displace more expensive power currently generated at the gas-fired Torrens Island power station. This will result in a reduction in the amount of natural gas currently required for generation purposes at Torrens Island. However, because the South Australian Government is contractually committed to pay for the gas anyway, the South Australian taxpayer will face an estimated $30 million bill for the gas.

It seems unavoidable that the value of the Torrens Island electricity generation assets will be reduced as the Riverlink interconnector power comes on stream, and that the proceeds from the proposed privatisation will be correspondingly reduced. In effect, South Australian taxpayers will be paying the cost and bearing the risk of competing with New South Wales power generators. The Government appears not to have recognised this downside impact of its interconnection strategy.

By selling ETSA and Optima assets in a market that will be dominated for the next five years by cheap New South Wales power, the Government has driven down the potential sale price of the assets. There will be potentially severe employment and downstream economic effects from the construction of the Riverlink interconnector, including job losses in the electricity and gas industries in this State. There are also potential environmental concerns, since one of the alternative routes for the Riverlink transmission line would cross the Chowilla and Calperum stations, both of which are part of the Unesco bookmark biosphere reserve. Riverlink is a proposal which should have been, but was not, subject to rigorous public and private sector assessment and evaluation in the light of all the competing alternatives.

By the same token, privatisation of South Australia's electricity industry should not now be resorted to as a panic measure in response to the likely reduction in the price of South Australian electricity assets that short term competition in the form of artificially low prices from interstate generators will cause. An asset sell off at fire sale prices is not in the interests of South Australians, except perhaps the brokers, accountants, lawyers and bankers involved in the sale.

Mr HANNA (Mitchell): Tonight I take this opportunity to address some issues concerning schools in my electorate of Mitchell, there being two State high schools and six State primary schools. There is also one special school for students with disabilities, the Suneden Special School. There are two fewer State primary schools now than when the Liberal Government came to power in 1993. I should also mention that there are a number of private schools in my electorate—Sacred Heart College middle school, Westminster College, St Ann's Special School for students with disabilities, Stella Maris Primary School, Marymount College and the Maranatha Christian School.

Each of the schools mentioned has its own issues, particularly funding issues, but there are a number of concerns which are common to all of the State schools. The staff reductions of the last few years have had a big impact on the schools, placing a great deal of extra pressure on the remaining teachers and support staff. For example, the largest school in the electorate, Hamilton Secondary College, has lost the equivalent of seven full time teachers and four full time school service officers over the past four years. That really is a major reduction in staffing over a period when student numbers have in fact increased.

The various schools have also been struggling to keep up with adequate information technology resources for their students, although I have visited all of the State schools in the electorate and they seem to be doing very well in terms of supplying sufficient numbers of computers for their students. Still, as we all know, maintaining up to date computer technology is an expensive business and is one of the major financial pressures on schools these days.

Another concern which is common to a number of schools in my electorate stems from the Federal Liberal Govern-

ment's decisions to alter child care arrangements. A number of parents look for a school where they can be assured of after school care at the end of the school day, generally because the parent or parents concerned have full-time employment. With after school hours care under threat at a couple of primary schools in my area, the next step in order to survive will be to significantly increase parents' fees for as long as that is feasible. It may get to the point where that is no longer feasible at some of those schools, and the consequence may be declining enrolments, which creates its own problems.

Each of the schools has issues concerning facilities. Predictably there will always be some issues of maintenance and upgrading, but there are a few issues which deserve special mention. These are all issues of which the Minister for Education and Children's Services should be aware, and in some cases I would suggest he needs to take immediate action to investigate. Probably the school with the most pressing facilities issues is the Clovelly Park Primary School. It is the school for which the member for Elder and I share a great deal of care and concern.

Geographically, the school is located in the electorate of Mitchell, but the address of the school is in Clovelly Park, which is in the electorate of Elder. So, among the first post election duties of myself and the member for Elder was an inspection of the Clovelly Park Primary School. I would urge the Minister to take a special interest in the facilities at Clovelly Park because they are really way behind the standard we expect for the children of our community.

A splendid vision has been prepared for the school which would involve major restructuring of the facilities but there has been a lot of disappointment amongst parents that the proposals have taken years to develop and finalise. Money has been set aside for the restructuring to be substantially completed but it has been virtually sitting idle for the past couple of years while plans have been worked out. My information is that the parents and principal of the school have been doing everything humanly possible to speed up the process, so the delays do not reflect well on departmental processes. The Minister needs to kick this project along.

Another project of pressing concern is the re-establishment of tennis courts at the Marion Primary School. My understanding is that the tennis courts were to be upgraded when the block of land at the corner of Marion Primary School was sold off for the use of the Peppercorn Child Care Company. It may be that the land has actually been sold to the Minuzzo building company. The builders were to build the child-care centre and also completely re-establish the tennis courts at the school. The land was sold prior to the election last October, yet there is no progress at all on the tennis courts. The children have been without the opportunity to play tennis for that time and the school council has been without the opportunity to let the courts out for hire, which is worth mentioning as well. I also point out that in about seven weeks the netball season begins and those courts will be required for the playing of netball. I trust the Minister will take note of these remarks and look into the matter immediately.

Hamilton Secondary College has had special issues arising from the transition to a year 6-13 school, incorporating a special centre for the students with disabilities who came over from what was Minda. In terms of the necessary extensions and adaptations for that particular school, it was a great example of expectations being falsely raised by the department. At the invitation of departmental officers, a number of excellent, practical ideas were put forward by teachers and parents for inclusion in the necessary redevelopment of the school facilities but, in the end, the money fell short of what was ideally required. Hamilton has certainly ended up with adequate facilities but they really could have been outstanding if a little more money had been thrown in.

I should say that in commenting on these various schools I have been drawing my information from parents rather than principals or staff. I would not want a repeat of the disgraceful political pressure to which the former principal of Marion Primary School was subjected when I campaigned on the Marion Primary gymnasium issue leading up to the election last October. He has since taken a package and moved on. There is a message there for school councils everywhere. The parents on school councils need to actively fight for their schools and their children because principals often cannot be seen to be doing just that in case there is any adverse reflection on the department and the Minister which therefore results in pressure on the principal concerned.

In the time remaining I refer to two very pressing issues in my electorate. The first concerns the special facilities for hearing impaired students at the Ballara Park Kindergarten. The Minister is well aware of the issue. It stems historically from the Townsend House special facility for hearing impaired students which was situated in the south-western suburbs. Following the Liberal Government's closure of Townsend House as a specialist facility, $50 000 was invested in renovating a room at the Ballara Park Kindergarten in Warradale to provide an excellent facility for teaching those young people who were hearing impaired but counted on being able to hear something rather than relying on sign language necessarily.

However, there appears to be a philosophy or a policy of mainstreaming children who have those special needs because the commitment to the special project at Ballara Kindergarten has gradually been weakened over the years since Townsend House closed. Certainly, the parents have a number of concerns relating to Ballara Park. They certainly have concerns about the process whereby in the last week of term last year they were advised that the sessions provided by a specialist teacher of the deaf were to be reduced from six sessions to four sessions per week. The illogical thing about this cut in resources for the children coming into the centre is that the teacher needs to be there three days per week whether she teaches the incoming students four sessions or six sessions, so nothing is being saved.

The more important question that needs to be answered is why there is inadequate publicity concerning those facilities throughout the south-western suburbs and the city. There is an excellent program there and many parents, I am sure, would prefer to send their children there rather than to the local kindergarten, although assistance is provided at suburban kindergartens throughout the city. The people who want to promote Ballara Park as a facility for teaching hearing impaired students have run into the problem of material being suggested to but vetoed by the department which they would want to use to attract people—that is, families with hearing impaired children—to that facility. I do not have time to go into more detail at this stage, but it is an important issue. It may come down to funding at the end, but a high priority should be given to those children and I suggest that, if mainstreaming is the philosophy of the department, it should come out and say so.

Mr CLARKE (Ross Smith): I rise partly in response to speeches made on the death of B.A. Santamaria by two of my colleagues. It is not my intention to speak ill of the dead. However, Mr Santamaria's contribution to the Labor Party's floundering and wallowing in Opposition for so many years, both at a State and Federal level, ought also to be put on the record. Before I go into some of the darker sides of what I see as Mr Santamaria's legacy to the Labor Party and to Australia generally, it is important also to state that over the years I have read his columns in the *Weekend Australian*, his views on international capitalism and the causes and cures of unemployment, and I can say that generally I would support many of the views expressed on those matters. Indeed, Mr Santamaria was a very influential Australian—more influential than any other person I can think of who has been non-elected to any public office or trade union office—in the shaping of Australian politics for over a quarter of a century.

However, we also need to keep things in perspective. For many years, as Secretary of the Clerks Union, South Australian Branch, I inherited a mantle. Whereas my union nationally was controlled by forces loyal and put in place by Mr Santamaria for over four decades, I spent most of my 20 years of work with the South Australian Branch of the Clerks Union either helping to defend that branch against his influences or seeking to uproot his influence in other branches of the union, which we did.

Mr Koutsantonis interjecting:

Mr CLARKE: As the member for Peake interjects, quite rightly, put it into the hands of the Left, and I ended up becoming National President of that union in 1991. You may say it was the last chapter of the true believers' last battle. However, the split in the Labor Party in 1955, which was caused by the formation of the industrial groups during the 1940s, actively supported by Mr Santamaria, caused huge sectarian fights to occur within the Labor Party. It was appalling to know, through people who experienced it first-hand, of Catholic versus Catholic in the various parishes around Australia, where venom and vitriol was poured out from the pulpits in various parishes against those loyal members of the Labor Party who wished to stay members and loyal to the Australian Labor Party rather than to the anti-Communist Labor Party, which became the Democratic Labor Party of later years. To have leading Catholics such as Arthur Calwell, the former Leader of the Federal Parliamentary Labor Party and later a Papal knight, insulted and have vitriol hurled at him from the pulpit by the supporters of B.A. Santamaria was absolutely disgusting, because he had one task only, namely, to remain loyal to the ALP and try to lead the Labor Party to victory in a Federal election.

We also saw that, because of the zealotry of Mr Santamaria and his supporters in the anti-communist cause, they suborned all principles in support of their cause of fighting communism, even if that meant supporting corrupt dictatorships in Vietnam or sending Australian troops to Vietnam in aid of American foreign policy objectives, which were not the objectives of the Australian Government or in Australia's national interests. With Bob Menzies sending Australian troops into Vietnam when the South Vietnamese Government, as corrupt as it was, had not even asked for our assistance, it was an appalling indictment.

Over 500 Australian soldiers and countless tens or hundreds of thousands of innocent civilians lost their lives in that war, and I am disgusted that the political Party, the DLP, aided and fomented that type of political harlotry that caused the Australian Government to be involved in that civil war. I also abhor the fact that, when Labor finally won Government in 1972, the DLP, actively supported by Mr Santamaria and his cohorts, was determined to join forces with the conservative Opposition to thwart every bit of progressive legislation that the Whitlam Government was elected to enact. For example, it opposed fair electoral boundaries and the establishment of Medibank, the precursor to Medicare.

It constantly opposed and sought to thwart Mr Whitlam and the Labor Government in the mandate they were elected on. Fortunately, all that thwarting did no good because, when in 1974 its bluff was called in the Senate on a double dissolution, the people went to the polls and the DLP was swept into the pages of history. Mind you, Sir, their influence still lives on in some sections of the Labor Party. I also abhor the fact that, through their religious zealotry, Mr Santamaria and his cohorts sought to and in fact did uproot honest trade union officials, both paid and honorary, who were only doing their job in seeking to improve wages and working conditions for their members. But, because they did not toe the line on American foreign policy, whether it be on Cuba, the Eastern Bloc, the Soviet Union, Communist China, Indochina or anywhere else in the world that did not suit American foreign policy, those trade union leaders were to be got rid of. Mr Santamaria and his cohorts, including my former national president, John Maynes, adopted the same tactics, the same ruthlessness, the same lack of democracy as they complained about in communist controlled trade unions.

I witnessed at first hand totally anti-democratic forces at work within my own union at a national level, when the then Minister for Labour and Immigration under the Fraser Government, Mr Street, amended the legislation back in 1976 to make sure that Mr Maynes and his cohorts were retained in office under the most undemocratic of forums. The Liberal Party, in cahoots with the forces supported by Mr Santamaria in the trade union movement, amended the industrial legislation which Mr Cameron had introduced and which required every union to hold rank and file postal ballot elections for every individual member across Australia for national offices and branch offices of those unions. It was Mr Santamaria, Mr Maynes and a number of their other cohorts who went to Malcolm Fraser to get an agreement in Tasmania with Mr Harradine present to ensure that that legislation was changed to allow for an undemocratic collegiate system of voting to remain within the Clerks Union and the Shop Assistants Union. Above all, the leaders of those unions at that time feared direct rank and file elections, because they knew that in many cases they would not win.

A number of those unions, supported by Mr Santamaria, were actively involved. They were prepared to toe the American foreign policy line. They were quite happy to be compliant unions. They were quite happy to do deals with major businesses in return for compulsory unionism and closed-shop arrangements to settle for less than the going rate in terms of award wages and working conditions. This was all in the name of being anticommunist. Communism was so evil that you would have to suborn all of your natural instincts to support the ordinary working person from getting a fair shake with respect to wages and working conditions.

You were prepared to suborn all of your natural instincts to support an unjust and unfair war in Vietnam. It also saw Mr Santamaria and many of his cohorts support and applaud the overthrowing of a democratically elected Government in Chile under Salvador Allende in 1973 because it did not fit the policy of the United States. They applauded and cheered on General Pinochet and his bombing of the presidential

palace. There was not one whimper or word from them about the disappearance of thousands of innocent civilians, trade union activists, and the like, in Chile because they opposed the military dictatorship of Pinochet, and it was all in the cause of the American foreign policy of opposing communism where ever it raised its head. That is my disagreement with Mr Santamaria. He was prepared to suborn all of those instincts which were right and proper in a misguided pursuit, in my view, to fight communism because of religious zealotry.

Mrs GERAGHTY (Torrens): Although I would like to take some time to talk about the decision of the Government to sell our very valuable asset, ETSA, I will leave that to a later date. I commend and support the member for Chaffey's comments. The honourable member has obviously thought quite strongly about the issue on behalf of her rural constituents. I ask the House to note my concern about the recent statements of the Minister for Human Services regarding the proposed changes to community availability of housing trust accommodation. It appears that the Minister targets single tenants, citing those over 60 years of age or those under 25 years of age.

His statement suggests that these single tenants are occupying housing which families with children or single parents should be occupying. I believe that this is a terrible injustice. The fact that there is insufficient Federal and State Government investment into public housing is the reason that many families are on the Housing Trust waiting list and have been for in excess of five years—some people have been waiting nine or 10 years, and some even more. The people who apply for public housing are, in the main, in the lower socioeconomic bracket.

The Hon. M.K. Brindal interjecting:

Mrs GERAGHTY: Quite often I listen to the member for Unley making comments and sometimes they are quite ludicrous. It is a fact—

The Hon. M.K. Brindal interjecting:

Mrs GERAGHTY: Anyone can apply for public housing, that is true, so I concur with the Minister, but the majority of people who apply are in the lower socioeconomic bracket. I challenge this Minister and the Minister for Human Services to show this House where there is a majority of Housing Trust tenants who have the capital or the income capacity to approach the banks or private investors to buy homes in the private market, even given the current low interest rate. How does the Minister categorise the need for these single tenants? If over 60 years of age are these people widowed, in ill-health, or disabled? Many constituents who come into my electorate office of Torrens fit into any one of those categories yet, under the Minister's classification, they are merely single or over 60.

Likewise, youth under 25 years of age also come into the same category with many experiencing major physical and mental health disabilities, childhood abuse and problems associated with poverty. The Minister says it is, as follows:

> . . .our social responsibility, as a community requires us to better target housing to those in greatest need including those with severe disabilities, mental illness, extensive poverty, those fleeing domestic violence and the homeless, rather than the more general housing provision.

Virtually every one of these categories can apply to those tenants who are classified single. Has the Minister made any attempt to identify the categories of tenants within the Housing Trust which apply to any of the above classifications? My concern is that the Government is scapegoating the weaker sections of our community for the lack of available public housing stock and the lack of reinvestment into the public housing sector by State and Federal Governments.

At the same time, the statements made by the Minister are clearly intended to create division among a community that is most in need of public housing. The redevelopment of old Housing Trust areas such as Hillcrest, Rosewood and Mitchell Park is no doubt long overdue. However, the problem is that the Government is not only clearing old Housing Trust homes off these blocks of land but also selling the land to private developers who are subdividing the properties and building homes for the private market. The effect of this is a reduced housing stock.

The reduction of our public housing stock is occurring at a time when this State is experiencing some 10 per cent unemployment, where we have one of the largest youth unemployment rates in the country and where workers over the age of 45, who have been encouraged to take redundancy packages from industry sectors which have either closed or are severely reducing their work force due to restructuring, now cannot find jobs.

Constituents in desperate need of housing have approached me for assistance because they cannot afford the private rental market or, if they were lucky enough to have a redundancy package, that in itself has been spent on the bare necessities of living. In most cases, workers who do get redundancy packages or who receive compensation payments from work injuries have preclusion periods where they cannot claim social security benefits. In many cases, redundancy and workers compensation payments would seldom be above—mostly far less though, I must say—$100 000 which equates to about three years' wages. So, those people who have been living on a package that they have been given, and those who do not have sufficient income if on a pension or unemployment or social security benefits, have not had the opportunity to accumulate capital to put a deposit on a home.

Whether these constituents are single, married, live in single parent relationships or are aged, whatever the situation is, the problem is that these people do not have the capacity to generate any capital to purchase a private home. Housing Trust tenants should not be the scapegoats for the Government to use in a divide and rule fashion in order to cover up for the inadequacies of State and Federal Government housing policies.

A report appeared in the *Australian* of 12 February this year referring to an analysis of State and Territory community services prepared for the Council of Australian Governments. The report showed that more than a quarter of people on South Australia's public housing waiting lists have been there for more than five years according to an interstate comparison. The report also found that South Australia, next to Tasmania, had the poorest facilities in nursing homes and that home help provided to aged people in South Australia each month is less than half the national average of 286 hours per every thousand people. In fact, that has been reduced recently, and it is something I would like to discuss at a later stage. These are other areas of a welfare and social responsibility that are indicative of the Government's gradual withdrawal in providing social and welfare infrastructure for our South Australian community.

The Minister has said that the reforms to life tenure and eligibility to public housing will not affect people currently on the Housing Trust waiting list. However, after the Government's backflip on ETSA, together with many other

broken promises, who in the community can believe that this will be the real position in two years' time?

Mr Brokenshire interjecting:

Mrs GERAGHTY: The member for Mawson can raise that later. The Minister has outlined Federal Government cutbacks to States from the Commonwealth-State Housing Agreement. Is it not strange that the Federal Liberal Government regards South Australia as the jewel in the Liberal crown because of the number of Federal parliamentary seats that it holds in South Australia, yet we seem to see cut after cut in services by the Federal Government? This shows that the loyalty given to the Liberal Party (both State and Federal) by the community is not reciprocated by either the State or the Federal Liberal Government.

The Federal Government's rental rebate scheme was founded upon the old rental voucher scheme developed by Kevin Newman under the Fraser Government in the mid-1970s. This scheme was to provide rental rebates to offset rents in order to assist tenants with rental increases and at the same time to facilitate a Federal and State Government program to sell off Government housing. It was also to encourage private investors to invest in the private rental market. The rental voucher scheme never got off the ground in the 1970s because, on the one hand, it was seen as inflationary and, on the other hand, it would fail to encourage private investment in the rental housing market. This was the view of many umbrella housing organisations nationally.

So, if the State and Federal Governments believe that the current Federal Government rebate system will be enough to encourage private investors to invest in the private rental market to compensate for the sell-off of Government housing and that this will provide sufficient assistance to tenants, I suggest they are wrong.

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

The Hon. M.D. RANN (Leader of the Opposition): I want to talk about a number of things tonight, including what has been happening at John Martin's. On Sunday, I went to John Martin's to talk with some of the staff who had lost their job, staff who had been told a pack of lies by both David Jones a year ago and also by the State Government. I defy anyone who went to John Martin's on Sunday not to have been moved by what they saw, by the predicament of loyal staff who had made a contribution over the years not only to John Martin's and the David Jones group but also to our community. This is one company that committed itself to South Australia for generations.

The emotion that I witnessed on Sunday transcended generations from the very old to the very young, people who did not want to leave and others who wanted to show their support. They were not there necessarily to buy anything but they wanted to show support to the staff at a very vulnerable time. One staff member said to me that she felt totally betrayed by David Jones and Mr Tideman, who was here a year or so ago to explain what was going on. She said, 'He took a $2 million package, but he could not look us in the eye.'

As I went around speaking to staff members, essentially the same thing was repeated to me: promises were made of thousands of jobs; promises were made about their future; promises were made about a new development on the John Martin's site. On Thursday 20 February 1997 a news conference was held involving John Martin's and David Jones management and the Premier. That conference resulted in a whole of front page article in the *Advertiser* of Friday 21 February 1997 headed 'A tower of inspiration'. I want to quote from that front page article to remind people of and to trace what has happened over the past 13 months. The article states:

> Adelaide's skyline will be changed forever by an ambitious $300 million development aimed at revitalising shopping and entertainment in the heart of the city. And the centrepiece of the complex, called Capital City, will be a star-topped illuminated spire rising 200 metres above the site currently occupied by John Martin's—to be closed by parent company David Jones.

That was the real story: the tower of inspiration was a tower of deceit and a tower of lies of the most callous type to the staff and also to the people of this State. The article continues:

> The spire, boasting six observation levels, will sit next to a 14-floor luxury hotel and retailing complex including 90 specialty shops, a cinema, technology centres and restaurants. While the project was met with tears from uncertain John Martin's employees, it has been welcomed by the State Government, the Lord Mayor, Mr Ninio, retailers, tourism bodies, employers and building unions as a project to inspire new vitality in the city.
>
> The retailing group's Chairman, Mr Dick Warburton, said. . . about 200 Rundle Mall store jobs would go but guaranteed no forced redundancies for permanent workers until the store closed. Some employees will be relocated. We believe this project, with the landmark spire, will become an international icon which will instantly symbolise the city to the rest of the world. . . The Premier Mr Olsen said the project was the largest single investment in the State in more than a decade and put Adelaide back on the investment map.

Further, the article states:

> Mr Warburton said the complex itself would create 1 000 jobs. . . there would be 500 permanent and 2 000 specified labour positions during construction. . . Both he and Mr Olsen quashed comparisons to the troubled. . . Remm Myer development. . . Mr Olsen said there was a 'clear need' for more hotel beds in Adelaide. 'The knockers can move to one side'—this project will happen for South Australia and the Government will back the consortium for this development to take place. . .

I remember discussing that with Labor's employment spokesperson, the member for Ross Smith, and I remember his words to me that day. He said, 'This is a confidence trick simply designed to get the closure of John Martin's off the front page and to put this tower of inspiration that no-one will ever see.' How prescient, how true, were those predictions. Of course, what went on—

Mr Brokenshire interjecting:

The Hon. M.D. RANN: The member for Mawson was not there on Sunday visiting the staff—and neither was his Premier. The Premier was down there announcing that there would be jobs but he was not down there to thank those workers for their contribution. How dishonest of this Government. How dishonest of a Government that is prepared to play politics with people's lives, livelihoods and jobs—and that is what they did. This was about an election campaign. It was about getting the John Martin's closure off the front page and putting a bogus, bodgie tower of inspiration on the front page.

Of course, in the election campaign some doubts were expressed that the $300 million tower would go ahead. In fact, on Friday 19 September 1997, as reported in the *Australian*, I wanted to know whether a controversial $300 million city development project backed personally by the South Australian Premier, John Olsen, was fair dinkum. I called on the Premier to say who was backing the project and how and when it would be built following reports that backers had been unable to report investment interest in the

project. This is the one that the Premier said would go ahead—1 000 jobs and 2 000 construction jobs.

In terms of the huge announcement that had been characterised as delivering a tower of inspiration for Adelaide, I asked whether or not the project was fair dinkum. Of course, David Jones then Managing Director (the other bloke had taken off to Britain with a $2 million pay out—never has there been a more dishonest business leader in this country in terms of dealing with workers than Mr Tideman), Mr Peter Wilkinson, also rejected reports on Friday 19 September that the project was in jeopardy, saying it was clear from the outset that a buyer would not be sought until a bank or development proposal had been approved, etc., etc. Of course, people then started to realise what was going on.

First, we saw the downsizing of the project after the election. During the election campaign there was another bodgie press conference involving the Premier and David Jones in which the same assurances were given to staff and to South Australia. It was an election con, like the election con over ETSA; like the election con over shopping hours; like the election con over privatisation; like the election con over jobless figures, and so on.

A huge circle of deceit was played with the people of South Australia. Then, of course, the truth came out. First, the Capital City project shrank from $300 million to $70 million. The tower went. Then on Wednesday 31 December 1997, conveniently just after the election, we saw the announcement of what was really going on: no tower, no Capital City. What we saw was the 500 staff on John Martin's retrenchment list. We saw the Shop Distributive and Allied Employees Union calling that day for the State Government to provide financial assistance to almost 500 staff on John Martin's retrenchment list.

In what was described in the *Advertiser* as the 'biggest single job loss in South Australia's history in one day', the union said that staff might find it difficult to secure jobs in the current economic climate. It was responding to the announcement that the 131-year-old John Martin's store would close after trading on Sunday 15 March and retrench staff on 31 March. The union's State Secretary (Don Farrell) said that, while the union was negotiating to improve redundancy packages, the State Government could not 'ignore the plight of John Martin's staff'. Of course, what we saw was that they are the same staff to whom John Olsen and Mr Tideman made pledges. And, of course, it goes on.

Today we hear about shop trading hours. Apparently, there will be a review of shop trading hours. We know what that means: we know that legislation has already been prepared which will be brought into this Parliament in the June-July session to deregulate or partially deregulate (as the first step) business hours.

Mr Brokenshire interjecting:

The Hon. M.D. RANN: The member for Mawson says that will not happen. I challenge the member for Mawson, like the member for Colton, to cross the floor on this issue when it is put before the House. I remember the member for Colton saying that he would do so: I am sure that he is a man of honour. I am sure that he will cross the floor. We will see whether he has the same courage that he had down at West Beach on another issue. He makes the big announcements and then things do not happen. Let me just say this: in terms of small business, the shop trading hours issue is crucial. But once again we have seen a pack of lies told to small business by this Government.

In 1993, before that election, a blanket assurance was given by the present Deputy Premier on the front steps of Parliament House that there would be no Sunday trading. That promise was broken after the election and Sunday trading was allowed in the city. It was designed, we were told, to put jobs into the city. We were told, with the characteristic headlines in some parts of the media, that there would be a jobs boom in the city. What have we seen? We have seen the reverse: jobs have gone, culminating in John Martin's closure on the weekend. We will see it again, because a deal was done last year between the Premier and Westfield to get Sunday trading in the suburbs.

Mr Brokenshire: Say that outside. Say it outside.

The Hon. M.D. RANN: It is interesting that the member for Mawson says, 'Say it outside.' We did. We said it outside last year. We said it outside in the middle of last year and again during the election campaign—and produced the document. One of your mates had dropped us one, as they constantly do. They gave us a document which showed that Westfield said there would be deregulated shopping hours in the suburbs after an October election. They even knew the date. So, a deal has been done—

Mr Brokenshire interjecting:

The Hon. M.D. RANN: I will give you a personal copy tonight: you can take it home and tell your constituents whatever you want to tell them, because we know that often that is not very accurate; there is a slight economy with the truth. Let me just say this: there are small business people who put their heart and soul, their lives, livelihoods and their families into their businesses and who are about to be nailed to the wall by this Government because of a shabby deal done with Westfield that was undertaken before the election.

That is the truth, and members opposite know it. We will hear again the promise that this will create jobs. Everyone knows that there is only a certain amount of money to go around. What we will see in the suburbs and elsewhere in the State is exactly what happened in the city. We will see the big stores remain open and drive the small ones to the wall, and then they will downsize their own staff numbers. That is exactly what happened with John Martin's, and that is the deal that has been done. That is the Faustian pact we will see when the Parliament comes back later this year.

Mr Brokenshire interjecting:

The Hon. M.D. RANN: The member for Mawson wants to talk about jobs. I remind him that last Thursday's employment figures showed that there are 8 100 fewer full-time jobs in South Australia in one month. That is the equivalent of GMH, Bridgestone and Johnnies going at the same time. That is 15 000 down on last year. That is the fact, that the Government's proud record of job creation is to go into reverse. We were told four years ago that the Liberal Government would create 20 000 jobs per year. Look at the figures; look at the Government's proud record. All the baloney and blarney from last year's election campaign is exposed for what it is, and the Premier wonders why the former Premier is counting the numbers to knock him off.

The Labor Party is undertaking another project in terms of the International Year of the Ocean. A few months ago the shadow Minister for Environment and Heritage, the member for Kaurna, and I issued a discussion paper on new directions for South Australia's coastal and marine environment. Of course, 1998 is the International Year of the Ocean, and that should encourage all of us to listen to the wisdom of our children, because it is our children who know that water and not oil is the world's most valuable liquid; it is our children

who know that the sea is the source of life; it is our children who tell us not to waste water and to recycle; and it is our children who know that thousands of plants and animal species are becoming extinct every year and that Australia's record is nothing to be proud of, with a significant proportion of our native plants and fauna under serious threat.

I am often asked to speak in schools in South Australia but I gain more from listening to young South Australians who now teach adults about the environment. When I was at school our classroom walls were covered with pictures of space ships and fighter planes. Today classrooms are covered in pictures of whales and the vivid and rich colours of the sea. It is our children—certainly my children—who tell us with pride about their environmental projects, organising recycling drives, monitoring wetlands, planting their own gardens and planting native trees. The continuing controversy over West Beach shows how little politicians listen to their children. Labor supported the Glenelg development but had concerns about the environmental impact of what was planned for West Beach. Because we simply raised those concerns and insisted on basic environmental assessment, the Labor Opposition was attacked as being anti development.

Experience like this has convinced us that it is important to embrace a comprehensive long-term strategy to enhance our marine environment and to initiate changes about how we manage, use and protect this valuable resource for future generations. South Australia's coastal and marine ecosystems along 3 600 kilometres of coastline are diverse and are of great ecological and economic importance. Our marine environment is of critical importance to South Australia's future and affects the daily lives of most South Australians. Our own actions affect the oceans and each year our own valuable seagrasses in South Australia are damaged and we lose precious marine habitat.

The pressure of urbanisation and the heavy reliance on our coastal and marine resources have placed South Australia's coastal and marine environment under considerable stress. As we move towards the new century, we have a fundamental responsibility to ensure that our unique marine resources are not further depreciated. This Government seems to believe that market forces will somehow protect our environment, and that is clearly wrong. We all have to take responsibility if we want to ensure that South Australian waters are more fishable, more drinkable and more swimmable. We must have a shared responsibility for a shared environment. During last October's State election campaign—

Mr MEIER: I rise on a point of order, Mr Speaker, and refer you to *Hansard* of Thursday 26 February where, under the heading 'Supply Bill', it states:

> That the Speaker do now leave the Chair and the House resolve itself to a Committee of the whole for the consideration of the Bill.

I notice there that the first speaker was the Hon. M.D. Rann, Leader of the Opposition, and I believe therefore that the Leader has spoken to the Supply grievance already.

The SPEAKER: If that is the case and it is recorded in *Hansard*—and I have just spoken to the Opposition Whip who has confirmed that the Leader has spoken in this debate—the honourable member must resume his seat and remain seated. There is an obligation on the part of all members to ensure that they do not offer themselves to speak a second time. I hope that we can learn by this lesson this evening and that on no other occasion will we have members rising a second time to make a contribution. Also I think the staff work involved in notifying the Chair through the respective Whips needs to be tightened up. Does the honourable member have a point of order?

Mr HANNA: It is a point of clarification, Mr Speaker.

The SPEAKER: No; does the honourable member have a point of order?

Mr HANNA: Mr Speaker, I would like to move that the Leader of the Opposition be given the opportunity to continue.

The SPEAKER: Standing Orders are very specific in this case. Members are given an opportunity to speak once during the grievance debate on the Supply Bill. The Leader has now spoken twice, and I am compelled by Standing Orders to ask the member to resume his seat.

Motion carried.

Bill taken through its remaining stages.

ADJOURNMENT DEBATE

The Hon. M.R. BUCKBY (Minister for Education, Children's Services and Training): I move:

That the House do now adjourn.

The Hon. M.D. RANN (Leader of the Opposition): I take this opportunity, with apologies, to finish my speech but by way of the grievance time that is made available. During the State election campaign last October Labor released, in my view, the most comprehensive environment policy in the history of the South Australian Labor Party or, indeed, the history of any Party in this State, and we pledged that in Government we would establish a new parks and wildlife commission to be head-quartered in the southern suburbs of Adelaide, with extra funding to better manage the State's land and marine parks and to help rescue our many endangered species and habitats. We also committed Labor to an innovative urban forest policy which involved the planting of urban forests and green belts around the city, and involving young unemployed people in that process, in much the same way as our youth conservation corps did between 1991 and 1993.

We also announced a living coast initiative dedicated to marine costal and estuarine management issues. Labor also promised to undertake a comprehensive audit of the State's environment, and we said that if elected we would lay down a 10 year action plan to be based on the results of that audit, and each year publish the results of how we are meeting key targets to improve the environment so that Governments both at that time and in the future could become publicly accountable and enable environmentalists and the public to monitor our actions. In many ways this audit and 10 year action plan would be a goad to action for a Government on the environment. Labor announced its commitment to the toughest anti-pollution laws in the nation, doubling penalties and giving the Environment Protection Authority the power to seek the confiscation of serious polluter's property until the pollution is cleaned up and the problem remedied.

It is quite clear that, when we are dealing with the environment, we must take a long-term rather than a piecemeal approach, and certainly Labor is concerned that South Australia now has the lowest protection for marine and coastal habitats and species of any State in Australia. That is why the discussion paper, drawn up and issued by the member for Kaurna, has the same aim of achieving integrated coastal and marine management. Let us just go through some of the things that in summary are in that discussion paper. We certainly have been getting a considerable number of replies

from people from the environmental movement, from citizens and from industries.

Essentially the discussion paper lays down a plan for an integrated coastal marine management process, which would include a review of coastal marine legislation and the creation of a single agency that is both responsible and accountable. Labor wants to conserve areas of economic importance and protect the habitats of rare and endangered species, including the southern right whale, the rare Australian sea lion, the New Zealand fur seal and the leafy sea dragon, which would be designated South Australia's State fish and promoted as an icon for marine conservation, for the environment and for ecotourism.

Labor also wants to develop marine parks and a representative system of marine protected areas, and we will pursue an energised coast care and marine education program in South Australian primary and secondary schools. Labor is also keen to develop a South Australian coastal and marine atlas, accessible via a web site that will house all data and information relevant to coastal and marine resources, values and uses along the South Australian coast. It is quite clear that we cannot rely on summits in Rio, Montreal and Kyoto to do our work for us, that we have to, at the State and Federal level in Australia, as well as at the local and individual level, take responsibility for our own local environment and be accountable as wise stewards not just to voters in coming elections but also to future generations. This discussion paper is available from the member for Kaurna, and we certainly invite contributions, comments and discussion, as well as direct responses from members of the public and from environmental groups and industry in order to develop a strategy we can announce at a later date in more detail.

In closing, I want to make mention that tonight I, the Deputy Leader of the Opposition and the member for Wright have just returned from the Irish Club in Carrington Street on this St Patrick's day. I want to recognise the great welcome we were given and also to recognise that on St Patrick's day we are again honouring multiculturalism in this State. Both Kris Hanna and I addressed the Irish community at the weekend along with Senator Rosemary Crowley at their weekend picnic. It was interesting to hear the stories of why people migrated to Australia, what had happened to them and how well their children were progressing. Of course, the story of the Irish is massively interwoven with the story of Australia. Certainly, for the Australian Labor Party there is an emerald thread that runs through our own history from the time of settlement right through to the republic.

When one talks about the exports from Ireland, people tend to think of Irish linen, Guinness and Irish whiskey, but the greatest export of that small country has been its people, both exiles and migrants, who went off around the world from the 1800s onwards in search of a better life. They had a commitment to three things: a commitment to family and the love of family; a deep religious faith; and a strong commitment to freedom and liberty. On this St Patrick's day, it is important to recognise the contribution of Irish people and the enormous suffering that they have endured but, despite that, they have retained a constancy, hope and faith for the future.

It reminds me that, in the 1850s at the height of the Irish famine, it was reported in the House of Commons that 15 000 people were dying each day of the famine, and the response of Queen Victoria, who was so moved by this report, was to donate £5 to the Irish relief society. In terms of the Irish commitment to this State, one has only to look at this Parliament and to see the many members of both sides of the Chamber, on the front bench and the back bench, who can claim with pride to have a rich Irish heritage. On this day we salute those who came from Ireland and those who stayed behind.

Mr SCALZI (Hartley): In my contribution tonight I want to look at the stage we have reached since the election. A lot has been said about what was promised and what was not promised, and that has clouded some of the important decisions that we have had to make. First, let me acknowledge St Patrick's day and, although Scalzi does not sound Irish, if you called me Scully, it would. I am named Joseph and I have fond memories of going to St Joseph's School, Hectorville. A lot of the Josephite nuns were Irish and I became Joseph. I have many fond memories of that school and I acknowledge the contribution that the Irish have made and the important part they played in educating me. I wish them the very best today in the celebration of St Patrick's day.

However, let us look at the important challenges that this State is facing. A lot has been said about the privatisation of ETSA, and I have noted that the contributions from members opposite have contained nothing about policies and they have not asked any important questions about how it will affect workers, or about the assured delivery of service to country areas—

Ms Rankine interjecting:

Mr SCALZI: I acknowledge that some members have mentioned that. It is just political point scoring. The Auditor-General's Report, which was released in December, outlined that the State is at risk. Politics should not be subservient to economic theory, but I notice that the Labor Party's factions are based purely on economic theory, whether it is the centre left, right, etc. We are constantly told about the evils of privatisation. I know that some members from the conservative side of politics also base their opinions on economic theory. There is a danger in that, because politics should not be subservient to economic theory: economic theory should be subservient to political goals. The political goals and the well-being of the community as a whole could be at stake.

So, I have no qualms about changing an economic theory to ensure that the community is well served. I do not see any inconsistency in that because, after all, economics is a method. It is not an end in itself. Any political Party or movement that bases its philosophy on economic theory is really out of touch. The iron curtain has come down. You cannot have capital versus labour, privatisation or non-privatisation: you have combinations, globalisation and, if you have to combine those theories or forces to ensure that the best possible solution for the economy takes place, you do so.

There is no question that, in an ideal world, it would be better if ETSA were in the hands of the Government, as was the case when Sir Thomas Playford introduced it. However, we are living in different times. In a State of 1.5 million people, after the Hilmer report and national competition and with the 1991 agreements involving the former Federal Labor Government, the State Labor Government, and my side of politics, it would be pie in the sky—living in the clouds—to think that South Australia could adequately compete nationally whilst we have the electricity grid. We would put South Australia at risk.

Once the problem has been identified, we have no choice. We have to see how we can get the best deal for South

Australia, how we can ensure that those services are delivered not only in the metropolitan area but also in the country areas. They are legitimate concerns on which one would think the Opposition would have centred its argument. But it has centred it on who said what and when they said this or that, and it has failed to be an Opposition which is questioning the Government, asking how those things will be delivered. The reality is that South Australia has to go down that track. An article in the *Sunday Mail* of 22 February, under the headline 'The sale must go ahead', states:

> The proposed sale of South Australia's electricity power sources is a bold, sensible strategy to pay off the crippling $7.4 billion State debt. It is a must do initiative to balance the books, and the Opposition and the Australian Democrats are playing with fire if they stand in the way.

It goes on:

> There is simply no money left in the till for our hospitals, our schools or other essential services, including adequate aged care and emergency utilities.

That is the opportunity cost that will be forgone if you do not privatise ETSA. If there were not those pressures on the Government and the State, it would not be in question: the Government would not privatise ETSA. But the reality is that there is no choice. The Government must be congratulated for making the decision before it is too late and ensuring that South Australia benefits earlier than later.

New South Wales is going down that path, as is Western Australia, we have found. New Zealand has not privatised and Queensland has only partly privatised. These issues have been introduced into the argument just to spread misinformation. There has been no debate as to what is best for South Australia and how to ensure that jobs will be created in the future. There was just an effort to throw a spanner in the works. There is a difference, as I said earlier, between political goals and economic theory. Newspaper reports and interstate commentators such as Senator Richardson and Bob Carr (Premier of New South Wales) tell us that that is the way to go. I would like to—

Mr Wright interjecting:

Mr SCALZI: There is an element of truth in everything and I am sure that the member for Lee can say the right thing at times: I do not doubt that. All of us have the potential to tell the truth, but I will leave it to the House to make a judgment on that. I refer to an article in the *Advertiser* of 20 February in which Peter Fereday of Happy Valley, the grandson of Sir Thomas Playford, said:

> Even though I'm the eldest grandson of Sir Thomas Playford who created ETSA in 1947, I am for the sell-off of ETSA as this State is going nowhere with its current debt levels.

That tells us something. Members opposite who have said that Sir Thomas Playford would turn over in his grave about the sell-off of ETSA and so on are mistaken. Sir Thomas Playford was a great statesman who believed that the system should serve man, not man the system.

Motion carried.

At 8.53 p.m. the House adjourned until Wednesday 18 March at 2 p.m.